

File No. 210284 Committee Item No. 3
Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation Committee Date May 24, 2021

Board of Supervisors Meeting Date _____

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
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OTHER (Use back side if additional space is needed)

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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Exec Summary - Shared Spaces |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Referral CEQA 041221 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Referral PC 041221 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Referral FYI 041321 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Shared Spaces Addendum No. 2 041921 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Entertainment Comm Memo 042121 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | PLN GPR 042121 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | PLN Exec Summ Shared Spaces 042221 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | BOS Reso No. 495-20 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | BOS Reso No. 105-21 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Referral FYI 050721 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Referral PC 050721 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Referral CEQA 050721 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | PC Response 051021 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | PC Response 051121 |

Completed by: Erica Major Date May 20, 2021
Completed by: Erica Major Date _____

1 [Administrative, Public Works, Transportation Codes - Shared Spaces]

2
3 **Ordinance amending the Administrative Code to rename and modify the Places for**
4 **People program as the Shared Spaces Program, and to clarify the roles and**
5 **responsibilities of various departments regarding activation and use of City property**
6 **and the public right-of-way, streamline the application process, specify minimum**
7 **programmatic requirements such as public access, setting permit and license fees, and**
8 **provide for the conversion of existing Parklet and Shared Spaces permittees to the new**
9 **program requirements; amending the Public Works Code to create a Curbside Shared**
10 **Spaces permit fee, provide for public notice and comment on permit applications,**
11 **provide for hearings for occupancy of longer-term street closures, and supplement**
12 **enforcement actions by Public Works; amending the Transportation Code to authorize**
13 **the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT) to issue**
14 **permits for the temporary occupancy of the Traffic Lane for purposes of issuing**
15 **permits for Roadway Shared Spaces as part of the Shared Spaces Program, subject to**
16 **delegation of authority by the Municipal Transportation Agency Board of Directors to**
17 **temporarily close the Traffic Lane, and adding the Planning Department as a member of**
18 **ISCOTT; and also amending the Transportation Code to prohibit parking in a zone on**
19 **any street, alley, or portion of a street or alley, that is subject to a posted parking**
20 **prohibition except for the purpose of loading or unloading passengers or freight;**
21 **making findings of consistency with the General Plan, and the eight priority policies of**
22 **Planning Code, Section 101.1; and affirming the Planning Department's determination**
23 **under the California Environmental Quality Act.**

24 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
25 **Additions to Codes** are in single-underline italics Times New Roman font.
Deletions to Codes are in ~~strikethrough italics Times New Roman font~~.

Board amendment additions are in double-underlined Arial font.
Board amendment deletions are in ~~striketthrough Arial font~~.
Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings.

(a) The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. 210284 and is incorporated herein by reference. The Board affirms this determination.

(b) On April 22, 2021, the Planning Department determined that the actions contemplated in this ordinance are consistent, on balance, with the City's General Plan and eight priority policies of Planning Code Section 101.1. The Planning Department's evaluation determined that the legislation implements the Transportation Element of the General Plan, components of the San Francisco Better Streets Plan, and the City's Curb Management Strategy by balancing the needs of the curb by ensuring the City's Transit First and Vision Zero policies remain priorities, balancing the Shared Spaces occupancies with loading, short-term parking, micromobility needs, and other curbside functions; and encouraging sharing of Shared Spaces amongst merchants on the same block. The Board adopts this determination as its own. A copy of said determination is on file with the Clerk of the Board of Supervisors in File No. 210284, and is incorporated herein by reference.

(c) On February 25, 2020, the Mayor issued a Proclamation (the "Proclamation") declaring a local emergency to exist in connection with the imminent spread within the City of

1 a novel (new) coronavirus ("COVID-19"). On March 3, 2020, the Board of Supervisors
2 concurred in the Proclamation and in the actions taken by the Mayor to meet the emergency.

3 (d) On March 4, 2020, Governor Gavin Newsom proclaimed a state of emergency
4 to exist within the State due to the threat posed by COVID-19.

5 (e) On March 6, 2020, the City's Health Officer declared a local health emergency,
6 and the Board of Supervisors concurred in that declaration on March 10, 2020. Since that
7 time, the City's Health Officer had issued various health orders, including a Stay-Safer-At-
8 Home order, requiring most people to remain in their homes subject to certain exceptions
9 including obtaining essential goods such as food and necessary supplies, and requiring the
10 closure of non-essential businesses. The Health Officer has amended the Stay-Safer-At-
11 Home Order to modify the interventions needed to limit the transmission of COVID-19.

12 (f) The Stay-Safer-At-Home order encourages restaurants and retail businesses to
13 conduct their operations outside, where the risk of transmission of COVID-19 is generally
14 lower.

15 (g) Due to the density of San Francisco, many restaurants and businesses do not
16 have significant amounts of outdoor space as part of their premises. Thus, for many San
17 Francisco restaurants and businesses to receive the economic boost that often accompanies
18 outdoor operations, it is necessary to operate outdoors beyond their premises.

19 (h) On June 9, 2020, the Mayor issued the 18th Supplement to the Proclamation
20 declaring a local emergency to create a temporary program (known as "Shared Spaces") for
21 retail businesses and restaurants to occupy the public sidewalk and parking lane fronting their
22 premises for retail businesses to display and sell goods and merchandise and offer services
23 and for restaurants to place tables and chairs to offer outdoor dining, subject to certain
24 conditions. The 18th Supplement found that authorizing the use of more outdoor spaces like
25 sidewalks, parking lanes, and other City property would allow restaurants and retail to spread

1 out their wares and services to safely comply with the physical distancing requirements in the
2 Health Officer's orders and directives. The 18th Supplement also found that temporarily
3 allowing restaurants and retail businesses to use more outdoor spaces and take greater
4 advantage of the reopening authorizations while waiving City fees associated with such uses
5 would ease the economic burden on these businesses and allow some employees to return to
6 work, thus promoting the housing and health stability of these workers.

7 (i) The Mayor issued several subsequent Supplements to the Proclamation in order
8 to expand opportunities for businesses to conduct operations in additional types of outdoor
9 places. On July 28, 2020 the Mayor issued the 23rd Supplement, which allowed for Shared
10 Spaces in outdoor areas of privately-owned parcels such as open lots, rear yards and
11 courtyards. On August 26, 2020, the Mayor issued the 26th Supplement, which allowed for
12 recurring temporary street closures. On September 25, 2020 the Mayor issued the 27th
13 Supplement, which allowed for entertainment, arts and culture activities to take places as
14 accessory to commercial activities as permitted by public health directives.

15 (j) The Shared Spaces Program adapts many proven, successful techniques for
16 safely activating the public realm in a community-focused manner. Pre-existing precedents
17 include the Parklet and Plaza Programs authorized in the Public Works Code, and
18 Administrative Code Chapter 94, respectively; and Play Streets and Neighborhood Block
19 Parties. Pre-existing commercial permits such as sidewalk merchandising and sidewalk tables
20 & chairs were also streamlined for Shared Spaces. These programs have closed portions of
21 the street to vehicular traffic while increasing the livability and safety of the streets for
22 pedestrian and economic benefit.

23 (k) The Shared Spaces Program has impacted a diverse set of small-business
24 owners. Of respondents to a survey administered to Shared Spaces applicants ("Survey"),
25

1 over 50% were women-owned enterprises, 33% were immigrant-owned small businesses,
2 and 33% identified as 'minority owned.'

3 (l) Locally-owned business perceive the Shared Spaces Program as imperative to
4 their survival during and beyond the pandemic. 84% of respondents to the Survey said that
5 the Shared Spaces Program has allowed them to reopen under public health directives, and
6 another of 80% of respondents said the Shared Spaces Program has allowed them to avoid
7 permanent closure. 94% of respondents said they would operate an outdoor Shared Space (if
8 permitted to do so) even if they are allowed to operate indoors.

9 (m) On Tuesday, July 13, 2020, the Small Business Commission issued a resolution
10 to Mayor Breed, the Board of Supervisors, and City Departments that expressed its support of
11 the Shared Spaces Program and posed a list of recommendations to aid in the expansion of
12 the Program, with a particular emphasis on the need to ensure equity participation in the
13 program.

14 (n) The Board of Supervisors has twice formally expressed its support of the Shared
15 Spaces Program. On Tuesday, October 6, 2020, the Board of Supervisors passed Resolution
16 No. 495-20, in support of Shared Spaces. On Tuesday, March 9, 2021, the Board of
17 Supervisors passed Resolution No. 105-21, urging that the Shared Spaces Program be made
18 permanent.

19 (o) In addition to its positive economic impact on small businesses, their owners,
20 employees, and owner and employee families, the Shared Spaces Program delivers multiple
21 other benefits to neighborhoods and to the City, including general civic, social, and
22 psychological wellbeing, and increased pedestrian access in areas typically used for vehicular
23 traffic.

24 Section 2. Chapter 94A of the Administrative Code is hereby amended by revising
25 Sections 94A.1, 94A.2, 94A.3, and 94A.4; deleting existing Section 94A.5; renumbering

existing Sections 94A.6, 94A.7, 94A.8, 94A.9, 94A.10, and 94A.11 as Sections 94A.5, 94A.6, 94A.7, 94A.8, 94A.9, and 94A.10 respectively, and revising those renumbered Sections; and adding new Section 94A.11, to read as follows:

CHAPTER 94A: THE SAN FRANCISCO ~~PLACES FOR PEOPLE~~ SHARED SPACES PROGRAM

SEC. 94A.1. THE ~~PLACES FOR PEOPLE~~ SHARED SPACES PROGRAM; ESTABLISHMENT AND PURPOSE; CORE AGENCY JURISDICTION.

(a) **Establishment and Purpose.** There is hereby created a San Francisco *Places for People Shared Spaces* Program (~~“Program” or “Places for People Program”~~). A *People Place Shared Space*, defined in Section 94A.2, is intended to be a temporary space on City-owned property, and in some cases also on ~~nearby~~ privately-owned open spaces, where the public can gather and participate in various commercial or non-commercial offerings and events. Under the Program, a public or private entity may obtain City approval to create a *People Place Shared Space* by occupying the location with reversible physical treatments or improvements and/or activating the location with programming.

This Chapter 94A sets forth a streamlined process by which the Planning Department, Department of Public Works, Municipal Transportation Agency, ~~Department~~ Real Estate Division, Fire Department, and Entertainment Commission (collectively, defined in Section 94A.2 as the “Core City Agencies”), and their successor agencies or departments, if any, will coordinate the review and approval of a request to occupy and activate such spaces and issue a permit to authorize the use.

(b) **Core City Agency Jurisdiction Retained.** Each Core City Agency shall retain its full authority under the City Charter and applicable Codes to authorize the use; and impose conditions on the ~~“People Place Shared Space Permit,”~~ as defined in Section 94A.2, and enforce the Agency’s requirements. In particular, this ~~Article~~ Chapter 94A is not intended to (1) ~~to~~ be

1 an alternative to the process in the Transportation Code for review and approval of street closures
2 and activities on public streets unrelated to the ~~Places for People~~ Shared Spaces Program by the
3 Interdepartmental Staff Committee on Traffic and Transportation (“ISCOTT”) or Municipal
4 Transportation Agency Board of Directors (“SFMTA Board of Directors”), contained in Article 6 of
5 ~~the Transportation Code~~ or (2) ~~to~~ preclude the Director of Public Works from exercising the
6 authority to regulate activities on the public right-of-way under sections of the Public Works
7 Code that are unrelated to the ~~Places for People~~ Shared Spaces Program. Consistent with the
8 definition of a Shared Spaces Permit in Section 94A.2, permits shall be issued by the designated Core
9 City Agency.

10 ~~The procedures by which the Department of Public Works and Municipal Transportation~~
11 ~~Agency will review and approve a permit issued pursuant to this Chapter 94A are set forth in Section~~
12 ~~793 et seq. of the Public Works Code (for Public Works) and Division II of the Transportation Code (for~~
13 ~~MTA). The Department of Real Estate procedures are set forth in Section 94A.8 of this Chapter. The~~
14 ~~Entertainment Commission’s jurisdiction over “Limited Live Performance Locales” is set forth in~~
15 ~~Section 1060 of the Police Code.~~

16 **SEC. 94A.2. DEFINITIONS.**

17 For purposes of this Chapter 94A, the following definitions shall apply:

18 “City” is the City and County of San Francisco.

19 “City Lot Shared Space” is a Shared Space occurring on property owned by the City under the
20 administration of the Real Estate Division pursuant to Section 94A.7.

21 **“Core City Agencies”** are the City departments and agencies participating in the ~~Places~~
22 ~~for People~~ Shared Spaces Program: the Planning Department (“Planning”), Department of Public
23 Works (“Public Works”), Municipal Transportation Agency (“MTA”), ~~Department of~~ Real Estate
24 Division (“Real Estate”), Fire Department, and Entertainment Commission.

1 "Curbside Shared Space" is a Shared Space occurring in a portion of the curbside lane of a
2 City street. Curbside Shared Spaces include occupancies of the public right-of-way previously
3 permitted by Public Works as a Parklet, or a Shared Space during the COVID-19 pandemic. For
4 purposes of the Shared Spaces Program, a Curbside Shared Space is further defined to include the
5 following types:

6 (a) "Fixed Commercial Parklet" is a fixed encroachment placed in the curbside lane
7 that is used principally for commercial activity during specified business hours. During daylight hours
8 when the Curbside Shared Space is not being activated for commercial use, it is open to the public.
9 Pursuant to Section 94A.6, when the Fixed Commercial Parklet is being activated for commercial use,
10 the Permittee must provide public seating, including but not limited to a public bench, which is
11 accessible to persons who are not patrons of the business.

12 (b) "Movable Commercial Parklet" is the use of the curbside lane principally for
13 commercial activity during specified business hours, where all structures and furniture are removed
14 from the right-of-way outside of the specified business hours. During daylight hours when the
15 Moveable Commercial Parklet is not being activated for commercial use, it is open to the public.
16 Pursuant to Section 94A.6, when the Moveable Commercial Parklet is being activated for commercial
17 use, the Permittee must provide public seating, including but not limited to a public bench, which is
18 accessible to persons who are not patrons of the business.

19 (c) "Public Parklet" is the use of the curbside lane that is fully accessible to the public
20 during daylight hours and is at no time used for commercial activities.

21 "Director" is the Director of the relevant department or their designee.

22 "Fixed Commercial Parklet." See definition of Curbside Shared Space.

23 "Integrated Shared Space" is a Shared Space with activities occurring on a combination of
24 locations that are Shared Space Categories in close proximity to one another and operated by the same
25 Permittee.

1 **“Longer-Term Closure”** has the same meaning as the term is defined in Section 101 of
2 Division II of the Transportation Code.

3 **“Movable Commercial Parklet.”** See definition of Curbside Shared Space.

4 **“Public Parklet.”** See definition of Curbside Shared Space.

5 **“Roadway Shared Space”** is a Shared Space with activities occurring in or on the Traffic Lane,
6 and includes street closures previously approved as part of the Shared Spaces program during the
7 COVID-19 pandemic.

8 **“~~People-Place~~ Shared Space”** is a publicly-accessible location approved under the ~~Places~~
9 ~~for People~~ Shared Spaces Program and located (a) on City-owned property under the
10 ~~administration of the Real Estate Division,~~ (b) on the sidewalk, ~~and/or~~ (c) in the curbside lane, (d)
11 ~~or~~ on all or any portion of the roadway between curbs, and/or (e) on private property, where the
12 public can gather and participate in commercial or non-commercial offerings and events. Such
13 offerings and events may include, but are not limited to: retail, cultural events, arts activities,
14 and entertainment; food and drink; and general recreation. A ~~People-Place~~ Shared Space is
15 managed, fully or partially, by a ~~Steward~~ Permittee under a ~~People-Place~~ Shared Space Permit
16 issued under the Program and may involve the temporary and reversible installation and
17 maintenance of physical treatments, improvements, or elements.

18 **“~~People-Place~~ Shared Space Categories”** ~~are~~ constitute the following types of Shared Spaces,
19 as defined in this Section 94A.2: (a) “City Lot ~~People-Place~~ Shared Space,” ~~which has activities~~
20 ~~occurring on property owned by the City;~~ (b) “Curbside ~~People-Place~~ Shared Space,” Integrated
21 Shared Space, ~~which has activities occurring in a portion of the curbside lane of a roadway~~(c)
22 “Roadway ~~People-Place~~ Shared Space,” and ~~which has activities occurring in or on any portion of~~
23 the roadway, except for activities occurring only in the curbside lane; (d) “Sidewalk ~~People-Place~~
24 Shared Space,” ~~which has activities occurring on a portion of sidewalk;~~ and (e) “Integrated People
25

1 ~~Place.,” which is a single project with activities occurring on a combination of locations that are~~
2 ~~People Place Categories in close proximity to one another and operated by the same Steward.~~

3 “~~People Place~~ **Shared Spaces** Permit” is a permit issued under the ~~Places for People~~
4 ~~Shared Spaces~~ Program through its Core City Agencies that allows a ~~Steward Permittee~~ to create
5 a ~~People Place~~ **Shared Space** by temporarily occupying and activating the location for a specified
6 period of time. Shared Spaces permits shall be issued by the Core City Agencies, as follows:

7 (a) Real Estate shall review and issue permits for City Lot Shared Spaces pursuant to
8 the procedures set forth in Section 94A.7 of this Chapter.

9 (b) Public Works shall review and issue permits for Curbside Shared Spaces and
10 Sidewalk Shared Spaces pursuant to the procedures set forth in Sections 793 et seq. of the Public
11 Works Code, provided that the Director of Transportation has approved closure of the curbside lane
12 pursuant to procedures set forth in Section 204 of Division II of the Transportation Code.

13 (c) Where the Roadway Shared Space proposal would result in a Temporary Closure,
14 ISCOTT shall review and issue permits pursuant to the procedures set forth in Section 6.16 of Division
15 I of the Transportation Code. For Roadway Shared Space proposals requiring a Longer-Term Closure
16 of the Traffic Lane, the SFMTA Board of Directors shall evaluate the suitability of closing the street
17 pursuant to procedures set forth in Section 206 of Division II of the Transportation Code, and MTA
18 shall review and issue the Roadway Shared Space permit.

19 (d) The Entertainment Commission shall review and issue permits pursuant to its
20 jurisdiction as set forth in Article 15.1 of the Police Code.

21 ~~“**People Place Proposal**” is a proposed concept for a People Place project submitted to the~~
22 ~~Places for People Program by a prospective Steward prior to the submittal of an application for a~~
23 ~~People Place Permit, for the purpose of initial evaluation and determination of suitability for further~~
24 ~~development by the Core City Agencies.~~

1 “~~Steward~~ Permittee” is, for a City Lot ~~People Place~~ Shared Space, (a) any person or
2 educational, recreational, or social agency, (b) any bona fide fraternal, charitable, religious,
3 benevolent, or other nonprofit organization which is exempt from taxation under the Internal
4 Revenue Code as a bona fide fraternal, charitable, religious, benevolent, or nonprofit
5 organization, or (c) a public agency with programs based in San Francisco. For Curbside,
6 ~~People Places~~, Roadway ~~People Places~~, and Sidewalk ~~People Places~~ Shared Spaces, a “~~Steward~~
7 Permittee” may be any person or entity and is not restricted to the organizations and entities
8 described above.

9 “Shared Spaces Program” or “Program” is the San Francisco Shared Spaces Program
10 established and described in this Chapter 94A.

11 “Sidewalk Shared Space” is a Shared Space with activities occurring on a portion of
12 sidewalk.

13 “Temporary Closure” has the same meaning as the term is defined in Section 101 of Division
14 II of the Transportation Code.

15 **SEC. 94A.3. ~~PLACES FOR PEOPLE~~ SHARED SPACES POLICIES AND OBJECTIVES**
16 **PROGRAM FUNCTIONS.**

17 To achieve the purpose of the ~~Places for People~~ Program, the Core City Agencies shall
18 perform the functions set forth below consistent with each Agency's authority under the
19 Charter and other applicable City law. The specific roles of each participating Core City
20 Agency for each ~~People Place~~ Shared Space Category are set forth in Section 94A.4.

21 (a) Coordinate principles and practices in ~~People Places~~ Shared Spaces designated under
22 the ~~Places for People~~ Program with other public agencies operating similar public realm
23 initiatives and projects in the City.

24 (b) Be responsible for development and administration of Program implementation,
25 policies, and strategies.

1 (c) Sustain strategic partnerships with stakeholders of ~~People Places~~ Shared Spaces,
2 including community organizations, nonprofit organizations, and businesses, in supporting
3 and enhancing the Program ~~People Places Citywide~~.

4 (d) Endeavor to keep barriers to participation in the Program as low as possible,
5 including but not limited to keeping administrative and permit fees modest.

6 (e) Explore efforts to cross-subsidize approved ~~People Places~~ Shared Spaces by
7 leveraging the revenue generated in ~~People Places~~ Shared Spaces that exceeds the cost of
8 managing and operating the ~~People Place~~ Shared Space and directing a portion of the excess
9 funds to support other ~~People Places~~ Shared Spaces that have a demonstrated funding need.

10 (f) Seek ~~Stewards~~ Permittees for ~~People Places~~ Shared Spaces through a ~~Steward~~ Permittee
11 identification process that utilizes existing City partnership efforts where possible and builds
12 strong relationships with ~~Steward~~ Permittees.

13 (g) Network communication and coordinate efforts of the various ~~Steward~~ Permittees
14 within the ~~Places for People~~ Program.

15 (h) Identify opportunities to streamline permitting for active uses of ~~People Places~~ and
16 access to Shared Spaces so that barriers to event permitting are eliminated or minimized.

17 (i) Encourage ~~People Place~~ Steward Permittees to maximize events and activities that are
18 free to the public.

19 (j) Collect ~~People Place~~ Shared Space participation data and user feedback, and use
20 established criteria to evaluate ~~Steward~~ Permittee performance outcomes in various areas,
21 including racial equity, transportation, the environment, economic impact, type of activities, and
22 community engagement.

23 (k) Support development of long-term maintenance and activity partnerships for ~~People~~
24 Places Shared Spaces.

1 (l) Strive to ensure that ~~People Places~~ Shared Spaces remain available to the public, while
2 recognizing that some small number of restricted access events or time-specific commercial use
3 of Curbside Shared Spaces by businesses in suitable locations may be helpful in supporting ~~People~~
4 ~~Place~~ Shared Space operations, and assisting in the City's economic recovery from the COVID-19
5 pandemic.

6 (m) Support the City's goal of continuing to be a national and international leader in
7 public realm innovation.

8 (n) Support the City's values and commitments to the Transit First, Vision Zero, and Climate
9 Action policies; access for disabled persons; and application of the Curb Management Strategy to
10 ensure balanced curbside functionality.

11 (o) Provide access for people and goods (e.g. bus stop, commercial or passenger loading zone,
12 disabled loading and parking, etc.); movement (e.g. accommodating transit and bike lanes, etc.); public
13 accessibility; public safety (e.g. red zones for daylighting, fire hydrants, etc.); and bicycle parking and
14 storage (e.g. bike corrals and bike sharing stations).

15 (p) Ensure equitable access for all who live and work in San Francisco through the
16 implementation of regulations and requirements that account for disability and access needs.

17 (q) Support San Francisco's economic recovery following the COVID-19 pandemic by creating
18 ways for the public to activate public spaces and safely engage in economic activities, like dining and
19 retail, outdoors.

20 **SEC. 94A.4. INTERAGENCY COORDINATION.**

21 In coordinating their activities under the ~~Places for People~~ Program, the Core City
22 Agencies shall have the responsibilities set forth below.

23 (a) **Planning Department; General Coordination of Program Activities.** After a
24 prospective ~~Steward~~ Permittee submits an application for a People Place Shared Space Proposal to
25

1 ~~the Program pursuant to Section 94A.5~~, Planning will ~~coordinate~~ensure review and approval of the
2 ~~application proposed People Place project~~. Specifically, Planning will:

3 (1) Ensure that the application is routed ~~the People Place Proposal~~ to all Core City
4 Agencies with jurisdiction over the proposed ~~People Place~~ Shared Space for ~~review~~an initial
5 ~~evaluation of the desirability of the Proposal~~.

6 (2) ~~Accept, along with the other Core City Agencies, a proposed People Place into the~~
7 ~~Program if, after completion of the review and evaluation required by Section 94A.5, each Core City~~
8 ~~Agency with jurisdiction over the proposed People Place has determined that the People Place~~
9 ~~Proposal is suitable for further development~~.

10 (4) ~~Review an application for a People Place Permit for completion and compliance~~
11 ~~with Program requirements prior to its submittal and, if found complete and in compliance, direct the~~
12 ~~prospective Steward to file the People Place Permit application with the appropriate Core City Agency~~
13 ~~or Agencies pursuant to Section 94A.6~~.

14 (5) Collaborate with the appropriate Core City Agency in the review and approval
15 of a ~~People Place~~ Shared Space permit.

16 (3) At the request of a Core City Agency with jurisdiction over a proposed
17 ~~People Place~~ Shared Space, develop with the prospective ~~Steward~~ Permittee a ~~Stewardship~~ Shared
18 Spaces Agreement pursuant to Section 94A.56(de).

19 (4) Support the monitoring of the ~~Steward~~ Permittee's compliance with any terms
20 and conditions in the ~~People Place~~ Shared Space Permit and associated ~~Stewardship~~ Shared
21 Spaces Agreement, report any noncompliance known to the Planning Department to the
22 applicable Core City Agency with jurisdiction for enforcement.

23 (5) Coordinate Core City Agency outreach to prospective ~~Steward~~ Permittees.

24 In performing the coordination role described in subsections (a)(1) - (5), Planning
25 shall, if necessary, obtain the recommendations of staff of the other Core City Agencies,

1 including, among others: Director of Public Works ~~or his or her designee~~, the Director of
2 Transportation ~~or his or her designee~~, the Director of the Real Estate ~~Department~~ Division, and/or
3 the Executive Director of the Entertainment Commission.

4 (b) **Director of Real Estate; City Lot ~~People Places~~ Shared Spaces**. The Director of Real
5 Estate will administer ~~People Places~~ Shared Spaces that are solely on a City-owned lot, pursuant
6 to Section 94A.78.

7 (c) **Entertainment Commission; ~~People Places~~ Shared Spaces with Entertainment**
8 **Activities**. The Entertainment Commission will review and consider any application for a
9 ~~People Place Shared Space~~ Permit that proposes an activity or activities within the jurisdiction of
10 the Entertainment Commission, consistent with fitting the description of a Limited Live Performance
11 Locale in Police Code, Section 1060(~~r~~) but, as applied to a ~~People Place~~ Shared Space, the
12 proposed activity or activities may include ~~allows~~ the service of food and beverages for
13 consumption on the premises. The Commission may approve an application that satisfies all
14 the applicable requirements for creation of a Limited Live Performance Locale and authorize
15 issuance of a ~~People Place~~ Shared Space Permit subject to the requirements stated in Police
16 Code Section 1060.

17 (d) **Planning, MTA, and Public Works; ~~People Places~~ Shared Spaces in the Public**
18 **Right-of-Way**.

19 (1) **Curbside ~~People Places~~ Shared Spaces**.

20 (A) Planning will review the overall concept of the application ~~People Place~~
21 ~~Proposal~~, approve the ~~Steward~~ Permittee's proposed program of offerings and events that will
22 activate the ~~People Place~~ Shared Space ~~space~~, and participate in the design review of all
23 proposed physical treatments or improvements.

24 (B) MTA will approve or deny the proposed closure of the curbside lane
25 pursuant to Section 204 of Division II of the Transportation Code, including permit terms and

1 conditions as established by the Director of Transportation, and participate, as applicable, in design
2 review of all physical treatments or improvements proposed by a Steward Permitee, and, at the
3 MTA's discretion, implement any approved (i) restriping of travel and parking lanes, (ii) ground
4 surface treatments to delineate right-of-ways temporarily converted for the project, (iii)
5 placement of upright bollards and other traffic control devices, and (iv) other reversible site
6 improvements not included within subsection (d)(1)(C) below that are needed for the project.
7 ~~MTA will carry out its role pursuant to the process set forth in Division II of the Transportation Code,~~
8 ~~including making the determination of any necessary street closure and circulation changes.~~

9 (C) Public Works will, pursuant to the process set forth in Section 793 et
10 seq. of the Public Works Code, (i) participate in the design review and approval of physical
11 treatments or improvements proposed by a Steward Permitee, (ii) participate in the review and
12 approval of the Steward Permitee's proposed program of events intended to activate the ~~People~~
13 ~~Place Shared Space~~ space, (iii) consult with additional City agencies such as the Public Utilities
14 Commission and the Fire Department regarding the design and construction of any proposed structure
15 proposed to occupy the right-of-way as part of a Shared Space, (iv) review and approve the
16 ~~Stewardship Shared Spaces Agreement, and~~ (iv) provide approval for the ~~People Place Shared~~
17 ~~Space~~ Permit along with the other Core City Agencies with jurisdiction over the proposed
18 ~~People Place Shared Space~~, and (vi) issue the Curbside Shared Space permit. The Director of Public
19 Works, consistent with Sections 793 et seq. of the Public Works Code, may issue regulations setting
20 forth standard design and operating requirements for any Curbside Shared Space. In addition, Public
21 Works, in its sole discretion, may install reversible site improvements (planters, furnishings,
22 etc.) associated with the project.

23 (D) The Core City Agencies shall review the proposed Curbside Shared Space
24 for potential conflicts with future City projects, such as streetscape initiatives (including streetscape
25 redesigns, paving projects, transit improvements), on-going maintenance needs, and planned

1 improvements. A Permittee's right to occupy the Curbside Shared Space shall be conditioned upon the
2 obligation to remove or modify the Curbside Shared Space at any time, as necessary for any City
3 project or maintenance work, which necessity shall be determined solely by the City Agency that issued
4 the Shared Space Permit. The Permittee shall be obligated to remove or modify the Curbside Shared
5 Space at the Permittee's cost and return the right-of-way to a condition that the Director of Public
6 Works deems appropriate. If the proposed Curbside Shared Space would conflict with a future City
7 project or necessary maintenance work, Public Works may inform the Permittee of any potential
8 disruption from the conflict, but the failure to do so shall not give rise to any rights to occupy, or
9 otherwise not remove or modify the Permittee's occupancy of, the Curbside Shared Space.

10 (2) **Roadway ~~People Places~~ Shared Spaces.**

11 (A) Planning will review the overall concept of the application~~People Place~~
12 ~~Proposal~~, approve the ~~Steward~~Permittee's proposed program of offerings and events that will
13 activate the ~~People Place space~~Shared Space, and participate in the design review of all
14 proposed physical treatments or improvements. ~~Planning will also coordinate the collection of~~
15 ~~baseline pedestrian, bicycle, and vehicular data at the relevant location(s) (i) pre-occupancy, that is,~~
16 ~~before project implementation, (ii) during short term temporary street closures, and (iii) post-~~
17 ~~occupancy, that is, for at least six months after project implementation, or a longer time period if~~
18 ~~warranted. Planning staff, inclusive of Environmental Planning, will consult with MTA staff as~~
19 ~~necessary on collection methodology.~~

20 (B) MTA will carry out its role in evaluating the application~~People Place~~
21 ~~Proposal pursuant to the process set forth in Division II of the Transportation Code~~, including making
22 the determination of any necessary street closure and circulation changes. In its discretion, the
23 MTA may consider ~~The MTA is urged to consider the following requirements in developing the Division~~
24 ~~II procedures.~~

~~(i) Conduct the circulation analysis necessary for evaluating a temporary street closure and circulation changes (including full or partial width of street; full time or part time, over hours and days of the week).~~

~~(ii) Review and analyze, or oversee a contract for professional services to review and analyze, transit and vehicular circulation data from (i) baseline pre-occupancy and/or (ii) occupancy of short term temporary trial(s), and issue a technical memorandum or “Preliminary Circulation Assessment,” including MTA’s conclusion as to approval of the proposed temporary street closure.~~

~~—————(iii) Develop procedures for participation in design review of physical treatments or improvements proposed by a Steward.~~

~~_____ (iv) Review, consider, and authorize (when all requirements have been satisfied) any changes to pedestrian and vehicular circulation associated with the People Place project.~~

lanes, ground surface treatments to delineate right-of-ways temporarily converted for the project, placement of upright bollards and other traffic control devices, and other reversible site improvements that are needed for the project.

~~_____ (vi) Review and analyze, or oversee a contract for professional services to review and analyze, the pre-occupancy and post-occupancy transit and vehicular circulation data for projects that have been implemented.~~

~~(C) If the MTA approves a temporary street closure~~

(i) Where the portion of the public-right-of-way to be used for the Roadway Shared Space is proposed to be closed as a Temporary Closure, ISCOTT will, pursuant to the process set forth in Section 6.16 of Division I H of the Transportation Code, Public Works will, pursuant to the process set forth in Section 793 et seq. of the Public Works Code.:

1 ~~(i)~~a. participate in the design review and approval of
2 physical treatments or improvements proposed by a ~~Steward~~Permittee;

3 ~~(ii)~~b. participate in the review and approval of the ~~Steward~~
4 Permittee's proposed program of events intended to activate the ~~People Place~~spaceShared
5 Space;

6 ~~(iii)~~c. review and approve the ~~Stewardship~~Shared Spaces
7 Agreement; ~~and~~

8 ~~(iv)~~d. provide approval for the ~~People Place~~Shared Space
9 Permit along with the other Core City Agencies with jurisdiction over the proposed ~~People~~
10 PlaceShared Space;

11
12 ~~(v)~~e. review and approve any necessary street closure and
13 circulation changes; and

14 f. issue the Roadway Shared Space permit.

15 (ii) Where the portion of the right-of-way proposed to be used for the
16 Roadway Shared Space is proposed to be closed as a Longer-Term Closure, the SFMTA Board of
17 Directors shall review and approve any necessary street closure and circulation changes pursuant to
18 the process set forth in Division II of the Transportation Code. Following any decision to close the
19 street by the SFMTA Board of Directors, MTA staff will:

20 ~~(i)~~a. participate in the design review and approval of physical
21 treatments or improvements proposed by a Permittee;

22 ~~(ii)~~b. participate in the review and approval of the Permittee's
23 proposed program of events intended to activate the Shared Space;

24 ~~(iii)~~c. review and approve the Shared Spaces Agreement;

1 ~~(iv)~~d. provide approval for the Shared Space Permit along with
2 the other Core City Agencies with jurisdiction over the proposed Shared Space; and

3 ~~(v)~~e. issue the Roadway Shared Space permit.

4 (C) For all Roadway Shared Space permit applications, Public Works will (i)
5 participate in the design review and approval of physical treatments or improvements proposed by a
6 Permittee, (ii) participate in the review and approval of the Permittee's proposed program of events
7 intended to activate the Shared Space, (iii) review and approve the Shared Spaces Agreement, and (iv)
8 provide approval for the Shared Space Permit along with the other Core City Agencies with
9 jurisdiction over the proposed Shared Space. In addition, Public Works, in its sole discretion, may
10 install reversible site improvements (planters, furnishings, etc.) associated with the project.

11 **(3) ~~Sidewalk People Places~~ Shared Spaces.**

12 (A) Planning will review the overall concept of the application ~~People Place~~
13 ~~Proposal~~, approve the ~~Steward~~ Permittee's planned program of offerings and events that will
14 activate the ~~People Place~~ Shared Space ~~space~~, and participate in the design review of all
15 proposed physical treatments or improvements.

16 (B) Public Works will, pursuant to the process set forth in Section 793 ~~et~~
17 ~~seq.~~ of the Public Works Code, (i) participate in the design review and approval of physical
18 treatments or improvements proposed by a ~~Steward~~ Permittee, (ii) participate in the review and
19 approval of the ~~Steward~~ Permittee's proposed program of events intended to activate the ~~People~~
20 ~~Place~~ Shared Space ~~space~~, (iii) review and approve the ~~Stewardship~~ Shared Spaces Agreement,
21 ~~and~~ (iv) provide approval for the ~~People Place~~ Shared Space Permit along with the other Core
22 City Agencies with jurisdiction over the proposed ~~People Place~~ Shared Space, and (v) issue the
23 Sidewalk Shared Space permit. In addition, Public Works, in its sole discretion, may install
24 reversible site improvements (planters, furnishings, etc.) associated with the project.
25

1 (e) **Integrated ~~People Places~~ Shared Spaces**. Where a single application proposal involves
2 activities occurring in more than one ~~People Place~~ Shared Space category, each Core City
3 Agency shall:

4 (1) Participate in design review and proposal development for the ~~People Place~~
5 Shared Space project with respect to those proposed elements that are within such Agency's
6 jurisdiction as is specified in this Section 94A.4 for review of the individual ~~People Place~~ Shared
7 Space Categories; provided, however, that the Director of one of the participating Core City
8 Agencies may authorize another participating Core City Agency to review the application
9 ~~People Place Proposal~~ and one or more of the design elements on its behalf.

10 (2) Implement the pertinent elements as specified in this Section 94A.4 for
11 review of the individual ~~People Place~~ Shared Space Categories.

12 **~~SEC. 94A.5. PEOPLE PLACE PROPOSAL.~~**

13 ~~(a) Initiation of the Process. A prospective Steward may submit a concept Proposal for a~~
14 ~~People Place project to the Places for People Program. To be considered, the proposal must include~~
15 ~~the following components:~~

16 ~~—— (1) Documentation of community outreach and support.~~

17 ~~—— (2) Documentary proof that all fronting property owners have been notified by the~~
18 ~~prospective Steward of the intent to submit a People Place Proposal. If the prospective Steward is not~~
19 ~~the fronting ground floor tenant, then documentary proof of notification to the fronting ground floor~~
20 ~~tenant(s) is also required.~~

21 ~~—— (3) A list and frequency schedule for routine maintenance tasks.~~

22 ~~—— (4) A prospective activities calendar describing the frequency and types of free public~~
23 ~~programming.~~

24 ~~—— (5) The number of restricted access events, if any, that will be held annually. In no~~
25 ~~event may the number of restricted access events allowed exceed eight single-day events per year.~~

~~Scheduling of any approved restricted access events shall not be concentrated during a particular time or times a year but be spread throughout the calendar year. Consistent with Section 94A.7(b)(2) Public access to the People Place shall not be restricted except for restricted access events approved by the Places for People Program.~~

~~—————(6) Photographs of existing conditions on the site.~~

~~—————(7) A conceptual site plan depicting how the space will be configured, including the introduction and placement of any temporary physical elements.~~

~~—————(A) City Lot People Places. If the space will be configured to accommodate different types of programs, the Proposal must include a series of site plans depicting proposed configurations.~~

~~—————(B) Curbside People Places. If the Steward is proposing multiple Curbside People Places that will be operated together under the same exact terms and time(s) of a single Curbside People Place Permit, the proposal must include a series of site plans depicting the proposed extent of each installation.~~

~~—————(C) Integrated People Places. If the space will be configured to accommodate different types of programs, the Proposal must include a series of site plans depicting proposed configurations.~~

~~—————(D) Roadway People Places. If the space will be configured to accommodate different types of programs, the Proposal must include a series of site plans depicting proposed configurations.~~

~~—————(E) Sidewalk People Places. If the Steward is proposing multiple Sidewalk People Places that will be operated together under the same exact terms and time(s) of a single Sidewalk People Place Permit, the proposal should include a series of site plans depicting the proposed extent of each installation.~~

1 ~~(b) Initial Review and Evaluation of the Proposal. After submittal, the People Place Proposal~~
2 ~~will be reviewed by Planning for completeness and compliance with Program requirements. If the~~
3 ~~People Place Proposal is determined to be complete and in compliance with Program requirements,~~
4 ~~Planning will route the Proposal to all Core City Agencies with jurisdiction over the proposed People~~
5 ~~Place for an initial evaluation of the desirability of the Proposal. If approved by all the required Core~~
6 ~~City Agencies, the Proposal will be accepted into the Program and further developed by the Core City~~
7 ~~Agencies as appropriate.~~

8 ~~(a) Public Funds; Solicitation and Evaluation of Proposals.~~

9 ~~(1) If public funds are being offered for a portion of the implementation or operation of a~~
10 ~~People Place or Places, the People for Places Program shall issue an invitation for prospective~~
11 ~~Stewards to submit a competitive People Place Proposal for the project. The Program may solicit~~
12 ~~Proposals (A) on an ongoing basis (year-round), or (B) for set intervals on a recurring cycle (for~~
13 ~~example, for two weeks at the end of each quarter), or (C) for a set interval on a one-time basis~~
14 ~~depending on the People Place Category or other appropriate factors.~~

15 ~~(2) All Proposals that are submitted in compliance with the requirements and within the~~
16 ~~submission deadline shall be evaluated by Planning and the Core City Agency or Agencies with~~
17 ~~jurisdiction over the People Place Category. After completion of the evaluation, Planning and the Core~~
18 ~~City Agency or Agencies may in their discretion determine that none of the Proposals submitted are~~
19 ~~acceptable.~~

20 **SEC. 94A.65. PEOPLE PLACE SHARED SPACE PERMIT – APPLICATION, ISSUANCE,**
21 **MODIFICATION, AND REVOCATION; STEWARDSHIP SHARED SPACES AGREEMENT.**

22 ~~(a) Submission of Permit~~ **General Application Requirements.** ~~A prospective Permittee may~~
23 ~~submit an application for a Shared Spaces Permit consistent with the requirements of this Section~~
24 ~~94A.5. After Planning has reviewed the application for completeness and compliance with Program~~
25 ~~requirements, Planning will circulate the application to the Core City Agencies with jurisdiction over~~

1 the proposed Shared Space. Each proposed Shared Space application must include the following
2 components:

3 (1) A narrative description of the proposed Shared Space, including the planned
4 activation of the space.

5 (2) Documentation of community outreach and support.

6 (3) Documentation showing that all property owners of any building fronting a
7 proposed Sidewalk or Curbside Shared Space or the property owners' agents have been notified by the
8 prospective Permittee of the intent to submit an application for a Shared Space.

9 (A) Sidewalk Shared Spaces. If the prospective Permittee is not the ground-
10 floor tenant of the building fronting the sidewalk area proposed to be used as a Sidewalk Shared Space,
11 and/or the Permittee proposes to use sidewalk space other than the sidewalk fronting Permittee's
12 location, then documentary proof of consent from any ground-floor tenant(s) fronting the areas
13 proposed to be used as the Shared Space is also required. In the event there is no ground-floor tenant
14 of a building fronting the areas proposed to be used as a Shared Space, then documentary proof of
15 consent from the fronting property owner or their agent is required.

16 (B) Curbside Shared Spaces. If the prospective Permittee is not the ground-
17 floor tenant of the building fronting the parking space proposed to be used as a Curbside Shared
18 Space, and/or if half or more of a marked parking space or any portion of an unmarked parking space
19 proposed to be used for a Curbside Shared Space would be outside of Permittee's ground-floor
20 frontage, then documentary proof of consent from any ground-floor tenant(s) fronting the areas
21 proposed to be used as the Shared Space is also required. In the event there is no ground-floor tenant
22 of a building fronting the areas proposed to be used as a Shared Space, then documentary proof of
23 consent from the fronting property owner or their agent is required.

24 (4) A list and frequency schedule for routine maintenance tasks.
25

1 (5) For Roadway Shared Spaces, a prospective activities calendar describing the
2 frequency and types of free public programming, if applicable.

3 (6) A description of any limitations on public use, including:

4 (A) The number of restricted access events, if any, that will be held annually. In
5 no event may the number of restricted access events allowed exceed eight single-day events per year.
6 Scheduling of any approved restricted access events shall not be concentrated during a particular time
7 or times a year but be spread throughout the calendar year.

8 (B) If the Permittee intends to use a Curbside Shared Space for the exclusive
9 benefit of a business, a description of the proposed hours of use, and proposed activities. In no event
10 may the exclusive use of the Curbside Shared Space exceed the hours of operation of the associated
11 business or businesses.

12 (7) Photographs of existing conditions on the site.

13 (8) A site plan depicting how the space will be configured, including the introduction
14 and placement of any temporary physical elements, and the placement of nearby ground fixtures. The
15 site plan shall also include at-grade roadway markings such as color curbs, lane striping, parking stall
16 marking, and at-grade utility access panels, storm drains, manhole covers, and other utility access
17 points. Additional site plan considerations may be articulated in regulations issued by the appropriate
18 City Departments.

19 **(b) Permit Application Requirements for Specific Types of Shared Spaces.** In addition
20 to the general permit requirements set forth in subsection (a), ~~The~~ the following additional permit
21 application requirements for specific ~~People Place~~ Shared Space Categories ~~shall apply~~ are set
22 forth as follows:

23 (1) for City Lot ~~People Places~~ Shared Spaces, in Section 94A.78 of this Chapter
24 94A;

1 (2) for Sidewalk ~~People Places~~ Shared Spaces, in Public Works Code Section 793
2 et seq.;

3 (3) for Curbside ~~People Places~~ Shared Spaces, in Public Works Code Section 793
4 et seq. for permit issuance, and Section 204 of Division II of the Transportation Code for roadway
5 closure; and

6 (4) for Roadway ~~People Places~~ Shared Spaces, in ~~Public Works Code Section 793 et~~
7 ~~seq. and Section 6.16 of Division I H~~ of the Transportation Code for permit issuance and roadway
8 closure.

9 (c) ~~People Place~~ Shared Space **Permit – Issuance; Conditions of Approval; Limited**
10 **Duration.**

11 (1) **Issuance.** Issuance of a ~~People Place~~ Permit authorizes the ~~Steward~~
12 Permittee to create a ~~People Place~~ Shared Space by occupying the location with reversible
13 physical treatments or improvements and/or activating the location with programming. For the
14 Core City Agencies, a ~~People Place~~ Shared Space Permit shall incorporate the requirements of
15 and substitute for a permit that would otherwise be required under other sections of the
16 Municipal Code. ~~Copies of approved and issued People Place Permits for People Places on City-~~
17 ~~Owned Lots shall be maintained by Real Estate. Copies of approved and issued People Place Permits~~
18 ~~for People Places in the public right-of-way shall be maintained by Public Works.~~

19 (2) **Conditions of Approval; Liability Insurance and Indemnity Provisions.**
20 The ~~People Place~~ Shared Space Permit sets forth the permit terms, conditions of approval,
21 operational requirements, and duration of the permit, People Place and is approved by all the
22 Core City Agencies with jurisdiction over the ~~People Place~~ Shared Space. In addition to any
23 conditions that a Core City Agency is authorized to impose on a ~~People Place~~ Shared Space
24 Permit pursuant to ~~the provisions of~~ this Chapter 94A, a participating Core City Agency with
25 jurisdiction over the ~~People Place~~ Shared Space shall impose any condition that it would have

1 been required to impose on a permit separately issued under the Code that regulates its
2 activities; provided, however, that Public Works, with the approval of the City's Risk Manager,
3 is authorized to modify standard liability insurance and indemnification requirements for
4 Sidewalk Shared Space projects and Curbside ~~People Place~~ Shared Space projects. For ~~People Place~~
5 Shared Space projects developed in whole or in part, or installed in whole or in part, by a City
6 Agency, the Core City Agency that issues the permit~~Public Works~~, with the approval of the City's
7 Risk Manager, may limit the ~~Steward~~ Permittee's required liability insurance and indemnification
8 requirements to the non-physical aspects of the ~~People Place~~ Shared Space.

9 (3) **Limited Duration.** A ~~People Place~~ Shared Space Permit is intended to be
10 temporary and has a limited duration. The standard term for a Curbside ~~People Place~~ Shared
11 Space Permit ~~a Roadway People Place~~, or a Sidewalk ~~People Place~~ Shared Space Permit shall be
12 for no longer than one ~~two~~ years, after which it may be renewed or extended upon review and
13 approval by the Core City Agencies with jurisdiction over the ~~People Place~~ Shared Space. Any
14 closure of a curbside lane for a Curbside Shared Space must follow the requirements of Section 204 of
15 Division II of the Transportation Code. The maximum initial term for a Roadway Shared Space shall
16 be two years, after which it may be renewed or extended upon review and approval by the Core City
17 Agencies with jurisdiction over the Shared Space, subject to any necessary street closure by the SFMTA
18 Board of Directors. The standard term of a City Lot ~~People Place~~ Shared Space Permit shall be
19 no longer than five years, which may be extended by the Director of Real Estate pursuant to
20 the provisions of Section 94A.78(d).

21 (d) ~~Permit Cover Sheet. The approval of the People Place Permit shall be memorialized by a~~
22 ~~Permit Cover Sheet that is attached to the Permit. The Permit Cover Sheet must be signed by a person~~
23 ~~designated by the Director of each Core City Agency with jurisdiction over the proposed People Place.~~
24 ~~A Core City Agency with jurisdiction over the proposed People Place may, at its own discretion,~~
25

1 ~~request that a person designated by the Director of another Core City Agency involved in the review of~~
2 ~~the People Place Permit also sign the Permit Cover Sheet.~~

3 (e) **Stewardship Shared Spaces Agreement.** At the request of a Core City Agency with
4 jurisdiction over the ~~People Place~~ Shared Space Category, the Program and ~~Steward Permittee~~
5 ~~will~~ shall jointly develop a ~~People Place Stewardship~~ Shared Spaces Agreement for approval by all
6 the Core City Agencies with jurisdiction over the ~~People Place~~ Shared Space. The ~~Stewardship~~
7 Shared Spaces Agreement will impose conditions and operational requirements on the ~~People~~
8 ~~Place~~ Shared Space that are in addition to those set forth in the ~~People Place~~ Shared Space
9 Permit. A copy of the ~~Stewardship~~ Shared Spaces Agreement, approved by the applicable Core
10 City Agencies, shall be attached to the ~~People Place~~ Shared Space Permit, and its provisions
11 shall be considered permit requirements equivalent to those set forth in the ~~People Place~~
12 Shared Space Permit and enforceable pursuant to Section 94A.940.

13 (ef) **Coordination of Additional Permits Required from Other City Agencies.**
14 Certain activities may require additional permits or approvals from another City agency, board,
15 commission, or department that is not a Core City Agency. In such cases, the Core City
16 Agencies shall coordinate regarding all other permits or approvals that may be necessary for
17 or related to activities at the ~~People Place~~ Shared Space. The issuance of a Shared Space Permit
18 shall be conditioned upon compliance with any necessary approvals and inspections by Fire
19 Department, Department of Building Inspection, or any other City agency with jurisdiction. If
20 ~~additional permits or approvals are required from other City agencies, boards, commissions, or~~
21 ~~departments, they may be granted by the signature of an authorized representative of the entity on the~~
22 ~~Permit Cover Sheet described in subsection (d) above.~~

23 (fg) **Coordination of Additional Permits Required from Other Governmental**
24 **Authorities.** Certain activities in the public right-of-way may require additional review and
25 approvals from Federal or State authorities, or other County agencies, boards, commissions,

1 or departments. In such cases, the Core City Agencies shall coordinate, to the extent feasible,
2 regarding all other review or approvals that may be necessary for or related to the activities at
3 the ~~People Place Shared Space~~.

4 **(g~~h~~) Modification of a ~~People Place Shared Space~~ Permit; Withdrawal of Approval.**

5 (1) **Permit Modification.** ~~People Place Shared Space~~ Permits on public space are
6 revocable at will. Therefore, each Core City Agency that has approved issuance of a ~~People~~
7 ~~Place Shared Space~~ Permit may at any time modify those portions of the Permit that are within
8 its jurisdiction, including any conditions. If a Core City Agency makes a determination to
9 modify the ~~People Place Shared Space~~ Permit or any conditions that it has imposed, or to
10 impose additional conditions, the Agency shall notify Planning and the other Core City
11 Agencies with jurisdiction over the ~~People Place Shared Space~~. Upon notification of a
12 modification of the Permit, Planning and any Core City Agency that approved issuance of the
13 ~~People Place Shared Space~~ Permit shall determine if other portions of the Permit also need to be
14 modified, or if the entire ~~People Place Shared Space~~ Permit needs to be revoked pursuant to
15 subsection (~~hi~~) below. A new ~~People Place Shared Space~~ Permit is required to be issued if
16 Planning and the other participating Core City Agencies determine that the proposed
17 modifications are major. Minor modifications to a ~~People Place Shared Space~~ Permit may be
18 made without the issuance of a new Permit. The Core City Agency ~~ies that issued with~~
19 ~~jurisdiction over the People Place Shared Space Permit~~ will notify the ~~Steward Permittee~~ of any
20 permit modifications or if revocation of the entire Permit pursuant to subsection (~~hi~~) below is
21 required.

22 (2) **Withdrawal of Approval.** A Core City Agency may at any time withdraw its
23 approval of the ~~People Place Shared Space~~ Permit. If a Core City Agency makes a determination
24 to withdraw its approval of the ~~People Place Shared Space~~ Permit, any activities requiring its
25 approval shall be severed from the Shared Space Permit. ~~#~~The Agency shall notify Planning and

1 the Core City Agencies that approved issuance of the ~~People-Place-Shared Space~~ Permit of its
2 decision to sever from the permit those portions that are within the Agency's jurisdiction. Upon
3 receipt of a notification of severance, ~~Planning and any the other~~ Core City Agencies that
4 approved issuance of the Permit shall determine if the severance requires revocation of the
5 permit in its entirety pursuant to subsection (~~hi~~) below, or whether the permit can be modified
6 rather than revoked. If the remaining Core City Agencies determine that the severance does not
7 require revocation but requires a major modification of the permit, a new ~~People-Place-Shared~~
8 Space Permit must be issued. In the case of a severance, tThe Core City Agency that issued or
9 ~~Agencies with jurisdiction over the People-Place-Shared Space Permit~~ will send the ~~Steward~~
10 Permittee written notification of the severance and any resulting modification or revocation of
11 the ~~People-Place-Shared Space~~ Permit.

12 (~~hi~~) **Permit Revocation.** A ~~People-Place-Shared Space~~ Permit issued pursuant to this
13 Chapter 94A may be revoked at any time by the Core City Agencies that approved issuance
14 of the Permit or, if revocation is required by a modification or withdrawal of approval by a Core
15 City Agency pursuant to subsection (~~gh~~)(1) or (~~gh~~)(2) above, by the remaining Core City
16 Agencies that approved issuance of the Permit. The revocation process may be initiated by:

17 (1) a request for revocation from one or more of the Core City Agencies that
18 approved issuance of the ~~People-Place-Shared Space~~ Permit;

19 (2) notification of a permit modification by a Core City Agency pursuant to
20 subsection (~~gh~~)(1) above; or

21 (3) notification of withdrawal of approval by a Core City Agency pursuant to
22 subsection (~~gh~~)(2) above.

23 If the ~~People-Place-Shared Space~~ Permit is revoked, the Core City Agency~~ies~~ that
24 issued with jurisdiction over the People-Place Shared Space Permit shall send the ~~Steward-Permittee~~
25 written notification of the revocation.

1 **SEC. 94A.76. OPERATIONAL REQUIREMENTS.**

2 (a) **Applicability of Requirements.** The Operational Requirements set forth in
3 subsection (b) below shall apply to all ~~People Places~~ Shared Spaces except as follows:

4 (1) The applicability of the Operational Requirements to a ~~People Place~~ Shared
5 Space within the jurisdiction of the MTA requires the MTA's approval.

6 (2) One or more of the Operational Requirements may not be warranted or
7 appropriate for a particular ~~People Place~~ Shared Space or event occurring at a ~~People Place~~
8 Shared Space, due to special circumstances. In such situations,:

9 (A) ~~the~~ The Director of Real Estate (for a City Lot ~~People Place~~ Shared Space),
10 ~~or the~~ Director of Public Works (for a Curbside Shared Space or Sidewalk ~~People Place~~ Shared
11 Space on a portion of the public right of way within the jurisdiction of Public Works), or the Director
12 of MTA (for a Roadway Shared Space) may grant a non-material exception or other minor
13 amendment to the Good Neighbor Policies set forth in subsection (b)(8) or ~~to~~ waive or modify
14 one or more of the other Operational Requirements if the Director finds, in ~~his or her~~ the
15 Director's sole discretion, that the Requirement is not warranted or appropriate for a particular
16 ~~People Place~~ Shared Space or event and that the public interest would be served by granting the
17 waiver or modification or exception.

18 (B) Additional regulations regarding waivers, modifications, or exceptions for
19 ~~a~~ City Lot ~~People Place~~ Shared Spaces may be adopted by the Director of Real Estate pursuant
20 to the Director's authority under Section 94A.78(~~fs~~); ~~additional regulations~~ for Curbside Shared
21 Spaces or Sidewalk ~~a~~ People Place Shared Spaces on the public right of way may be adopted, by the
22 Director of Public Works pursuant to the Director's authority under Section 793.3(a) of the
23 Public Works Code; and for Roadway Shared Spaces, by the Director of MTA.

24 (b) **Operational Requirements.**

1 (1) **Public Accessibility.** Unless authorized as a restricted access event or by
2 the specific terms of a Curbside Shared Space Permit, all ~~People Places~~ Shared Spaces shall remain
3 accessible to the public during daylight hours. Fixed Commercial Parklets and Moveable
4 Commercial Parklets shall provide alternate public seating, including but not limited to a public bench,
5 which is accessible to persons who are not patrons of the business for any period when the Curbside
6 Shared Space is being activated for commercial use by the business. This alternate public seating shall
7 be included in the Curbside Shared Space permit. The Director of Public Works is authorized to issue
8 regulations that are consistent with this section regarding use of a Curbside Shared Space. In no event
9 shall any exclusive uses provided for in this subsection (b)(1) be construed as being inconsistent with
10 the limitations on the Permittee's use pursuant to Section 94A.4(d)(1)(D).

11 (2) **Peddling and Vending Merchandise.** No person shall bring, or cause to be
12 brought, for the purposes of sale or barter, or have for sale, or sell in exchange, or offer for
13 sale or exchange any goods, wares, or merchandise in the ~~People Place~~ Shared Space unless
14 the City has issued any required permit or other authorization. Notwithstanding the previous
15 sentence, the sale or distribution of newspapers, periodicals, or other printed or otherwise
16 expressive material is allowed subject to the applicable requirements of the Public Works
17 Code.

18 (3) **Performance of Labor.** No person, other than authorized City personnel,
19 shall perform any labor on or upon a City Lot ~~People Place~~ Shared Space, including, but not
20 limited to, taking up or replacing soil, turf, ground, pavement, structures, trees, shrubs, plants,
21 grass, flowers, or similar activities without prior permission from (A) the Director of Real Estate
22 for City Lot ~~People Places~~ Shared Spaces, and (B) the Director of Public Works for Sidewalk,
23 Curbside, or Roadway ~~People Places~~ Shared Spaces. Such permission shall be specified in the
24 ~~People Place~~ Shared Space Permit.

1 (4) **Camping Prohibited.** The provisions of Park Code Section 3.12 concerning
2 camping shall apply to all ~~People Places~~ Shared Spaces. The Director of Real Estate shall
3 administer those provisions for City Lot ~~People Places~~ Shared Spaces, and Public Works shall
4 administer them for Sidewalk, Curbside, or Roadway ~~People Places~~ Shared Spaces.

5 (5) **No Unpermitted Occupancy Structures Allowed.** There shall be no stationing
6 or erecting of any structure on a ~~People Place~~ Shared Space without prior permission from (A)
7 the Director of Real Estate for City Lot ~~People Place~~ sShared Spaces, (B) the Director of Public
8 Works for Sidewalk, or Curbside, ~~or Roadway People Places~~ Shared Spaces, and/or (C) Director
9 of Transportation for any ~~People Place~~ Roadway Shared Space ~~within the MTA's jurisdiction~~. Such
10 permission shall be specified in the ~~People Place~~ Shared Space Permit.

11 (6) **Smoking Prohibited.** Pursuant to Article 19I of the Health Code, smoking is
12 prohibited on any unenclosed area of property in the City that is under the jurisdiction of any
13 City department if the property is a park, square, garden, sport or playing field, pier, or other
14 property used for recreational purposes or as a farmers' market. Given the use of the subject
15 areas as an outdoor public ~~People Place~~ Shared Space, this prohibition on smoking shall apply to
16 all ~~People Places~~ Shared Spaces.

17 (7) **Other Restrictions.**

18 (A) No skateboarding, bicycle riding, or pets off leash is allowed without
19 prior permission from (i) the Director of Real Estate for City Lot ~~People Places~~ Shared Spaces, ~~or~~
20 (ii) the Director of Public Works for Sidewalk Shared Spaces and Curbside, ~~or Roadway People~~
21 ~~Places~~ Shared Spaces, or (iii) the Director of Transportation for Roadway Shared Spaces. Such
22 permission shall be specified in the ~~People Place~~ Shared Space Permit.

23 (B) No littering, feeding of wildlife, or defacing of public property is
24 allowed.

1 (C) No alcohol may be consumed without prior permission from all
2 required City and State authorities, ~~as well as from (i) the Director of Real Estate for City Lot~~
3 ~~People Places, or (ii) the Director of Public Works for Sidewalk, Curbside, or Roadway People Places.~~
4 Such intent must be described in the application so that the Core City Agencies may consider the
5 request as part of the application.

6 (D) General Advertising, as defined in Article 6 of the Planning Code, is
7 prohibited.

8 (8) **Good Neighbor Policies.** ~~Steward~~ Permittees of all ~~People Place Shared Space~~
9 Categories shall manage the ~~People Place Shared Space~~ in accordance with the following good
10 neighbor policies during the times of use set forth in the ~~People Place Shared Space~~ Permit:

11 (A) The safety and cleanliness of the ~~People Place Shared Space~~ and its
12 adjacent area within a 100-foot radius shall be maintained;

13 (B) Proper and adequate storage and disposal of debris and garbage
14 shall be provided;

15 (C) Noise and odors, unless otherwise permitted, shall be contained
16 within the immediate area of the ~~People Place Shared Space~~ so as not to be a nuisance or
17 annoyance to neighbors;

18 (D) Notices shall be prominently displayed during events that urge
19 patrons to leave the ~~People Place Shared Space~~ premises and neighborhood in a quiet,
20 peaceful, and orderly fashion and to not litter or block driveways in the neighborhood. Such
21 notices shall be removed after each event; and,

22 (E) The ~~Steward~~ Permittee or its employees or volunteers shall walk a
23 100-foot radius from the ~~People Place Shared Space~~ within 30 minutes after programmed events
24 have concluded and/or at the conclusion of its hours of operation, and shall pick up and dispose
25 of any discarded trash left by patrons.

1 (9) **Additional Operational Requirements.**

2 (A) Because ~~People Places Shared Spaces~~ are intended to be publically
3 accessible open spaces, private dining and table service shall not be permitted in Sidewalk
4 ~~People Places Shared Spaces~~, Curbside ~~People Places Shared Spaces~~, or Roadway ~~People Places~~
5 ~~Shared Spaces, unless expressly authorized in the Shared Space Permit. Any approved use of a~~
6 ~~Sidewalk, Curbside, or Roadway Shared Space for private dining and table service is limited to the~~
7 ~~normal hours of the business's operation.in the course of day-to-day operations. Any business that~~
8 ~~uses a Shared Space exclusively for private dining and table service must provide public seating~~
9 ~~consistent with Section 94A.6(b)(1) during the hours of commercial use.~~

10 (B) ~~Regulations or operational requirements required by the MTA pursuant to~~
11 ~~Article 1200, Division II of the Transportation Code shall be imposed as a condition of approval of a~~
12 ~~People Place Permit.~~

13 ———(C) Additional operational requirements tailored to a ~~People Place Shared Space~~
14 in specific locations, including but not limited to hours of operation, may be imposed as a
15 condition of approval of a ~~People Place Shared Space~~ Permit.

16 **SEC. 94A.87. SPECIAL PROCESS FOR ~~PEOPLE PLACES~~ SHARED SPACES ON CITY**
17 **LOTS.**

18 All ~~People Places Shared Spaces~~ that are solely on a City-owned lot shall be administered
19 by the Director of Real Estate, who will coordinate with and may request assistance from
20 Planning.

21 (a) ~~Proposal Submittal and Review.~~

22 ———(1) ~~A concept Proposal for a City Lot People Place shall be submitted to the People~~
23 ~~Place Program for an initial review and evaluation by the Program coordinators at Planning and Real~~
24 ~~Estate. After an initial review and evaluation, the Program coordinators at Planning and Real Estate~~
25 ~~may recommend the Proposal to the Director of Real Estate for acceptance and administration.~~

1 —(2)— Upon acceptance of the Proposal by the Director of Real Estate and at the Director's
2 request, Program coordinators at Planning and Real Estate shall work with the prospective Steward to
3 refine the proposed design, activities program, and management plan for the proposed People Place.

4 —(3)— Upon final development of the proposed design, activities program, and management
5 plan, the prospective Steward may submit an application for a City Lot People Place Permit to the
6 Director of Real Estate.

7 **(b) Permit Application and Issuance; Public Notice.** A prospective Permittee may
8 submit an application for a City Lot Shared Space Permit to the Director of Real Estate, and the
9 Program coordinators at Planning and Real Estate shall work with the prospective Permittee to refine
10 the proposed design, activities program, and management plan for the proposed City Lot Shared Space.
11 The Director of Real Estate may elect to authorize the People Place Shared Space under ~~the~~
12 ~~provisions of~~ Chapter 23 of this Code. If the Director elects to authorize the People Place Shared
13 Space under the ~~provisions of~~ this Chapter 94A-, the Director shall use the following procedure:

- 14 (1) An application for a City Lot ~~People Places~~ Shared Spaces Permit shall include
15 the following:
- 16 (A) Documentation of community outreach and support.
 - 17 (B) A list of and frequency schedule for routine maintenance tasks.
 - 18 (C) A prospective activities calendar describing the frequency and types
19 of free public programming.
 - 20 (D) The number of restricted access events, if any, that will be held
21 annually. In no event may the number of restricted access events allowed exceed eight
22 single-day events per year. Scheduling of any approved restricted access events shall not be
23 concentrated during a particular time or times a year but be spread throughout the calendar
24 year. Public access to the People Place Shared Space shall not be restricted except for approved
25 restricted access events.

1 (E) Photographs of existing conditions on the site.

2 (F) A conceptual site plan depicting how the space will be configured,
3 including the introduction and placement of any temporary physical elements. If the space will
4 be configured to accommodate different types of programs, the application ~~Proposal~~ shall
5 include a series of site plans depicting proposed configurations.

6 (2) Upon submission of an application for a City Lot ~~People Place~~ Shared Space
7 Permit, the Director of Real Estate shall post the ~~People Place~~ Shared Space site with a Notice of
8 Application for a period of seven ~~10~~ calendar days. In addition, the Director shall post the
9 Application for seven ~~10~~ calendar days on the websites of Real Estate and the ~~Places for People~~
10 Shared Spaces Program. The Director may take such other actions as the Director deems
11 advisable to notify the public about the application ~~Proposal~~.

12 (3) If there are entertainment-related activities proposed for the City Lot ~~People~~
13 ~~Place~~ Shared Space that fall within the purview of the Entertainment Commission, the public
14 notice may include a notice of public hearing by the Entertainment Commission.

15 (4) The Director of Real Estate shall accept written public comments on the
16 application ~~Proposal~~ for at least seven ~~10~~ calendar days after the first day of the posting of
17 notice of the application ~~Proposal~~, and a City Lot ~~People Place~~ Shared Space Permit shall not be
18 issued before the end of the written public comment period.

19 (5) The Director of Real Estate may, in the Director's ~~this or her~~ discretion, hold a
20 public hearing concerning the ~~Proposal and~~ application for a ~~People Place~~ Shared Space Permit.
21 If a public hearing is held, notice of the hearing shall be given by posting a Notice of Public
22 Hearing at the proposed ~~People Place~~ Shared Space site for at least seven ~~10~~ calendar days
23 before the hearing. At the Director's discretion, the public hearing notice may be combined
24 with the Notice of Application.

(6) After approval of the Permit application by the Director of Real Estate, ~~and at the request of the Director, Planning~~ Real Estate shall issue the City Lot ~~People Place~~ Shared Space Permit.

(be) Permit Conditions; Grant of Exceptions.

(1) **Conditions.** The conditions for operation, use, and maintenance of a City Lot ~~People Place~~ Shared Space shall be specified in either a City Lot ~~People Place~~ Shared Space Permit or a Lease issued pursuant to Chapter 23 of this Code. These conditions shall include, but are not limited to:

(A) design specifications for any temporary physical treatments or improvements being introduced at the site;

(B) scope of permissible activities and uses; daily, weekly, and/or monthly time periods authorized for such permissible activities and uses;

(C) the minimum number of programmed events by day, week, month, quarter, or year;

(D) the permissible number of annual restricted access events, if any;

(E) the ~~Steward~~ Permittee's liability for and indemnification of the City with respect to the ~~People Place~~ Shared Space and the ~~Steward~~ Permittee's required liability insurance, which is required for activities on publicly owned space, all as approved by the City Risk Manager or any successor agency;

(F) an authorized signage program;

(G) the delineation of maintenance responsibilities between the City and the ~~Steward~~ Permittee;

(H) the expiration date of the ~~People Place~~ Shared Space Permit;

(I) remedies for violating the permit, including but not limited to revocation; and

1 (J) adherence to the Good Neighbor Policies in Section 94A.67(b)(8).

2 (2) **Exceptions; Public Notice.** Upon written request from a Steward-Permittee,
3 the Director of Real Estate may grant a non-material exception or other minor amendment to
4 the conditions imposed on a City Lot ~~People-Place-Shared Space~~ Permit if the Director
5 determines that the exception or minor amendment is reasonably within the purposes of the
6 ~~Places for People Shared Spaces~~ Program and, in consultation with the City Attorney's Office,
7 further determines that such exception or amendment does not materially increase the City's
8 costs or obligations or materially decrease the benefit the City receives under the Steward
9 Permittee's City Lot ~~People-Place-Shared Space~~ Permit. Any exceptions or minor amendments of
10 the Permit conditions that the Director ~~has~~ granted pursuant to this subsection (be)(2) shall be
11 in writing and retained in a file available for public review. In addition, at the Steward-Permittee's
12 request, the Director's letter granting the exception(s) and/or minor amendments, and any
13 other written communications relevant to the Director's determination, shall be posted on the
14 websites of Real Estate and the ~~Places for People Shared Spaces~~ Program.

15 (cd) **Duration of Permit.** Should the Director of Real Estate elect to issue a City Lot
16 ~~People-Place-Shared Space~~ Permit pursuant to this Chapter 94A instead of a Lease under
17 Chapter 23 of this Code, the standard term of a City Lot ~~People-Place-Shared Space~~ Permit shall
18 be no longer than five years. However, in special circumstances or in cases where the Steward
19 Permittee has installed significant improvements as part of the Permit, the Director of Real
20 Estate has the discretion to extend the term of the Permit beyond five years.

21 (de) **Calendar of Events.** In addition to the requirements of Section 94A.78(be), the
22 City Lot ~~People-Place-Shared Space~~ Permit shall require the Steward-Permittee to submit a
23 monthly calendar of activities and events to the local District Police station, the Director of
24 Real Estate, and the ~~Places for People Shared Spaces~~ Program by seven days prior to the start
25 of each month.

1 **(~~ef~~) Grant of Exceptions to Standard Operational Requirements.**

2 (1) **Good Neighbor Policies.** Upon written request from a ~~Steward~~Permittee,
3 the Director of Real Estate may grant a non-material exception or other minor amendment to
4 the Good Neighbor Policies in Section 94A.~~67~~(d)(8) if the Director finds, in the Director's~~his or~~
5 ~~her~~ sole discretion, that one or more aspects of a Good Neighbor Policy are unwarranted or
6 not appropriate for a particular City Lot ~~People Place~~Shared Space or event due to special
7 circumstances and that the public interest would be served by granting an exception.

8 (2) **Other Operational Requirements.** Upon written request from a ~~Steward~~
9 Permittee, the Director of Real Estate is authorized to waive or modify one or more of the other
10 Operational Requirements in Section 94A.~~67~~ if the Director finds, in ~~his or her~~ the Director's
11 sole discretion, that the Requirement is unwarranted or not appropriate for a particular City Lot
12 ~~People Place~~Shared Space or event due to special circumstances and that the public interest
13 would be served by granting an exception.

14 (3) **Public Record.** Any exceptions, minor amendments, or waivers granted by
15 the Director pursuant to this subsection (~~ef~~) shall be in writing and retained in a file available
16 for public review.

17 (~~fg~~) **Director's Regulations.** The Director of Real Estate may adopt such regulations
18 governing City Lot ~~People Places~~Shared Spaces as ~~he or she~~the Director deems necessary or
19 appropriate for the proper management and use of City Lot ~~People Places~~Shared Spaces. The
20 Director may, in the Director's ~~his or her~~ discretion, post signage with the Regulations on a City
21 Lot ~~People Place~~Shared Space site.

22
23 **SEC. 94A.~~98~~. APPEAL OF PERMIT DECISIONS.**
24
25

1 (a) **Right of Appeal.** Any person may appeal the decision to grant or deny an
2 application for any ~~People Place~~ Shared Space Permit, or to revoke or suspend an existing
3 Permit, as follows:

4 (1) Permits issued by Public Works: Any appeal of a decision by Public Works or
5 Planning shall be heard by ~~to~~ the Board of Appeals pursuant to the provisions of Charter Section
6 4.106 and Section 8 ~~et seq.~~ of the Business & Tax Regulations Code, ~~provided, however, that~~
7 ~~any portion of the People Place Permit that has been approved by the MTA pursuant to its Charter~~
8 ~~authority may be heard and decided by the Board of Appeals only upon authorization by the MTA~~
9 ~~Board of Directors. In the absence of such authorization, those portions of the People Place Permit~~
10 ~~that fall within the MTA's Charter authority shall be severed from the appeal and heard pursuant to the~~
11 ~~process that applies to appeals of MTA approvals.~~ With respect to an appeal to the Board of
12 Appeals, it shall be filed in writing with the Clerk of the Board of Appeals within 15 days of the
13 date of issuance, denial, revocation, or suspension of the ~~People Place~~ Shared Space Permit.

14 (2) Permits issued by ISCOTT: Any appeal of a decision by ISCOTT shall be subject to
15 the requirements of Division I of the Transportation Code.

16 (3) Permits issued by SFMTA: Any appeal of a decision by SFMTA shall be subject to
17 the requirements of Division II of the Transportation Code.

18 (b) **Permit Renewal.** For purposes of an appeal to the Board of Appeals, the renewal
19 of an existing ~~People Place~~ Shared Space Permit is considered to be a new permit and may be
20 appealed in accordance with the provisions of subsection (a) above. Pursuant to Section
21 ~~8(e)(9)(E)(i)(5)~~ of the Business and Tax Regulations Code, any activities on the site would be
22 suspended during the pendency of the appeal; however, the Core City Agency or Agencies
23 with jurisdiction over the site may, in their discretion, authorize any authorized physical
24 treatments or improvements to the site to remain pending a decision by the Board of Appeals.

25 **SEC. 94A.102. ENFORCEMENT OF REQUIREMENTS.**

1 (a) **Complaints from the Public.** The 311 Customer Relationship Management
2 System is designated to receive complaints from the public and to maintain an interagency
3 complaint log. The 311 System shall route individual public complaints to the department(s) or
4 agency(ies) with jurisdiction in order for those departments or agencies to verify complaints
5 regarding the ~~People-Place~~ Shared Space Program or a particular ~~People-Place~~ Shared Space and
6 take any necessary enforcement actions.

7 (b) **Enforcement of ~~People-Place~~ Shared Space Permit Requirements.**

8 (1) Each Core City Agency shall enforce the requirements of the ~~People-Place~~
9 Shared Space Permit that are within its jurisdiction. The Core City Agency that issues the permit
10 shall be the primary point of contact for any enforcement action. Enforcement may be exercised
11 either by (A) using the procedures of Section 94A.~~56~~ to modify conditions of the issued permit,
12 or to withdraw approval of the permit by severance or revocation, or (B) using the
13 enforcement provisions of the Code that regulates its activities: the Public Works Code for
14 Public Works; the Transportation Code for the MTA; the Planning Code for private property; and
15 the Police Code for the Entertainment Commission. Enforcement by the Director of Real
16 Estate is set forth in subsection (b)(2) below.

17 (2) The Director of Real Estate shall establish administrative procedures and
18 methods for verifying, addressing, and responding to any complaints concerning a City Lot
19 ~~People-Place~~ Shared Space. If the Director receives a verified complaint concerning violations of
20 the terms and conditions of a ~~Steward-Permittee's~~ City Lot ~~People-Place~~ Shared Space Permit, the
21 Director may conduct a public hearing on the ~~Steward-Permittee's~~ conduct. Based on the
22 information presented at the hearing, the Director ~~or his or her designee~~ may revoke, suspend,
23 modify, or condition the ~~People-Place~~ Shared Space Permit or take any other action the Director
24 deems appropriate under the terms of the ~~People-Place~~ Shared Space Permit to address the
25 ~~Steward-Permittee's~~ conduct.

1 If any person occupies a City Lot ~~People Place~~ Shared Space in violation of the applicable
2 requirements and regulations, the Director of Real Estate ~~or his or her designee~~ shall order the
3 violator to either correct the violation or vacate the ~~People Place~~ Shared Space site. If the
4 violation is not corrected as ordered, the violator shall be subject to enforcement pursuant to
5 the Police Code.

6 **SEC. 94A.~~1110~~. FEES.**

7 (a) ~~People Place~~ Shared Space **Permit and License Fees**. Pursuant to Section 94A.~~56~~
8 (c)(1), a ~~People Place~~ Shared Space Permit substitutes for a permit that would otherwise be
9 required by the Municipal Code. Notwithstanding any other provision of the Municipal Code
10 including Public Works Code Section 2.1.3, the permit and license fees may be adjusted each year,
11 without further action by the Board of Supervisors, only to reflect changes in the relevant Consumer
12 Price Index, as determined by the Controller.

13 (1) The permit and license fees amounts for a Sidewalk ~~People Place~~ Shared Space
14 Permits in the public right of way shall be one-half the fees that Public Works is are authorized by
15 Article 2.1 of the Public Works Code ~~to charge for a permit granting permission to occupy a portion~~
16 ~~of the public right of way that is equivalent in scope to the People Place Permit. These fees shall be~~
17 ~~paid to Public Works pursuant to Section 793.2(b) of the Public Works Code.~~

18 (2) The permit and license fee amounts for Curbside Shared Space Permits are set forth
19 in Public Works Code Section 2.1.1(s) and shall be collected by the Tax Collector and due and payable
20 as follows:

21 (A) The permit fees for Curbside Shared Spaces shall be due and payable upon
22 the Tax Collector's issuance of the bill following permit approval, and the annual license fees shall be
23 due and payable annually on March 31, in accordance with Article 2, Section 76.1 of the Business and
24 Tax Regulations Code, with the initial license fee, prorated as described in Section 76.1(a), being due
25 and payable upon the Tax Collector's issuance of the bill for that fee following permit approval.

1 (B) The permit and license fees for a Curbside Shared Space shall be reduced by
2 50% for a person or combined group within the meaning of Article 12-A-1 of the Business and Tax
3 Regulations Code if the person or combined group's gross receipts within the City as determined under
4 Article 12-A-1 reflected on the person or combined group's most recently filed gross receipts tax
5 return, business registration renewal, or initial business registration application did not exceed
6 \$2,000,000, adjusted annually in accordance with the increase in the Consumer Price Index: All Urban
7 Consumers for the San Francisco/Oakland/San Jose Area for All Items as reported by the United State
8 Bureau of Labor Statistics, or any successor to that index, as of December 31 of the preceding year. If
9 no San Francisco gross receipts were reflected on a person or combined group's gross receipts tax
10 return, business registration renewal, or initial business registration application, such person or
11 combined group will be treated as having \$0 San Francisco gross receipts for purposes of this
12 subsection (B).

13 (C) If a Permittee does not pay the permit fee within 30 days after it becomes
14 due and payable, the Tax Collector shall add 10% to the amount of the permit fee as a penalty for
15 nonpayment. If the permittee does not pay the fee within 60 days after it becomes due and payable, the
16 Tax Collector shall add 15% to the amount of the permit fee as a penalty for nonpayment. If the
17 permittee does not pay the fee within 90 days after it becomes due and payable, the Tax Collector shall
18 add 25% to the amount of the permit fee as a penalty for nonpayment. If the permittee has failed for a
19 period of six months or more to pay a permit fee, the Tax Collector shall impose an additional penalty
20 of 25% on the amount of the delinquent permit fee, and shall refer the delinquent permittee to the
21 Department of Public Works for administrative action on the permit. These penalties are mandatory
22 and City officers and employees may not waive them in whole or in part. Licensees shall be subject to
23 penalties for delinquent payment of license fees as provided in Article 2, Section 76.1 of the Business
24 and Tax Regulations Code.

1 (3) The fees for Roadway Shared Space Permits shall be authorized by the
2 Transportation Code.

3 ~~(b) Other Fees. Nothing in this Section 94A.11 or in Chapter 94A is intended to preclude a~~
4 ~~Core City Agency, or other City department or agency, from charging the fees authorized to be charged~~
5 ~~for any additional permits required or for services performed in implementing the People Place~~
6 ~~Proposal, including but not limited to fees related to time and material costs of ongoing enforcement~~
7 ~~and inspection, provided, however, that due to the public nature of the improvements, no ongoing~~
8 ~~occupancy assessment fee shall be charged. Any other fee charged by a Core City Agency, or other City~~
9 ~~department or agency, in connection with a People Place Permit shall be one half the fee that the~~
10 ~~agency or department is authorized to charge for such permit.~~

11 ~~(c) Condition of Approval. Payment of all fees due shall be a condition of any permit, license,~~
12 ~~or other approval to establish and/or operate a People Place.~~

13 **Increased Renewal Fees Based On Additional Enforcement Activities.** When there have been
14 three or more verified complaints in the prior year regarding the Permittee's compliance with the terms
15 of the permit, the Core City Agency that issued the permit is authorized to develop and charge an
16 additional fee to any Permittee seeking renewal of their permit. The fee shall be based on the
17 additional time and materials spent by City staff in enforcing the terms of the permit.

18 **SEC. 94A.11. TRANSITION OF EXISTING SHARED SPACES AND PARKLETS.**

19 **(a) Conversion of Permits Issued During the COVID-19 Pandemic.**

20 (1) Any occupancy permitted as a Shared Space under the terms of the Mayor's
21 February 25, 2020 Proclamation Declaring the Existence of a Local Emergency and the 18th
22 Supplement to that Proclamation, may continue to occupy the right-of-way pursuant to the terms of the
23 applicable permit (each a "pandemic Shared Spaces Permit")

24 (2) At any time prior to the expiration of the pandemic Shared Spaces Permit, the
25 Shared Spaces permittee may apply to convert their pandemic Shared Spaces Permit into a new Shared

1 Spaces Permit as provided herein. Conversion of a pandemic Shared Spaces Permit shall follow the
2 process set forth in this Section 94A.11, and any pandemic Shared Spaces Permit that is converted to a
3 new Shared Spaces Permit under this Chapter 94A must comply with all of the terms of this Chapter
4 94A, including any approvals for the closure of the curbside or roadway. The pandemic Shared Spaces
5 permit shall be converted upon the issuance of a new Shared Spaces Permit consistent with the
6 requirements of Chapter 94A. In the event of a conflict between this Chapter 94A and the terms of a
7 pandemic Shared Spaces Permit, the terms of this Chapter 94A shall prevail.

8 (3) Upon the expiration of any pandemic Shared Spaces Permit, the permittee shall
9 remove all structures and restore the public right-of-way to the Public Works Director's satisfaction.
10 In the event the Mayor's authorization of the Shared Spaces program expires before the Shared Spaces
11 permittee has converted the pandemic Shared Spaces Permit into a new Shared Spaces Permit
12 authorized by the terms of this Chapter 94A, if the proposed Permittee has submitted a complete
13 application for a new Shared Spaces Permit prior to the expiration of the Mayor's emergency
14 authorization of the Shared Spaces program, the Permittee shall be permitted to continue occupying the
15 potential Shared Space pending a final determination by the Core City Agencies on the proposed
16 conversion of the pandemic Shared Spaces Permit into a new Shared Spaces Permit authorized by the
17 terms of this Chapter 94A, provided that the Permittee diligently pursues such determination. If the
18 Shared Spaces permit is not so converted, then the permittee shall remove all structures and restore the
19 public right-of-way to the Public Works Director's satisfaction.

20 **(b) Conversion of Permits Issued Under the Parklets Program.**

21 (1) Any curbside occupancy currently permitted by Public Works pursuant to Public
22 Works Director's Order No. 183392 and Public Works Code section 810B or Public Works Code
23 section 793 may continue to occupy the right-of-way pursuant to the terms of the applicable permit,
24 provided, however, that upon the expiration of the Parklet Permit, Public Works shall not approve any
25 extensions of the permit.

1 (2) At any time prior to the expiration of the Parklet Permit, the Parklet Permittee may
2 apply to convert their Parklet Permit into a Curbside Shared Spaces Permit authorized by the terms of
3 this Chapter 94A. Conversion of a Parklet Permit into a Curbside Shared Space Permit shall follow the
4 process set forth in this Section 94A.11, and any Parklet Permit that is converted to a Curbside Shared
5 Space Permit must comply with all of the terms of this Chapter 94A, including any approvals for the
6 closure of the curbside, provided that any Parklet Permittee shall not be subject to the notice
7 requirements of Public Works Code 793.2(b). The Parklet Permit shall be converted upon the issuance
8 of a Shared Space Permit. In the event of a conflict between this Chapter 94A and the terms of an
9 existing Parklet Permit, the terms of this Chapter 94A shall prevail over any aspect of the Parklet
10 program.

11 (3) In the event the Parklet Permit expires before the Permittee has converted the
12 Parklet Permit into a Curbside Shared Space Permit authorized by the terms of this Chapter 94A, if the
13 proposed Permittee has submitted a complete application for a Shared Space Permit prior to the
14 expiration of the Parklet Permit, the Permittee shall be permitted to continue occupying the potential
15 Shared Space pending a final determination by the Core City Agencies on the proposed conversion of
16 the Permit, provided that the Permittee diligently pursues such determination. If the Parklet Permit is
17 not converted into a Shared Space Permit authorized by the terms of this Chapter 94A, then the Parklet
18 Permittee shall remove all structures and restore the public right-of-way to the Public Works
19 Director's satisfaction.

20 **(c) Temporary Fee Waiver and Deferral for Parklet and Pandemic Shared Space Permit**
21 **Conversion.** Notwithstanding the provisions regarding permit and license fee payment set forth in
22 Section 94A.10(a)(2)(A), for any Parklet Permittee or pandemic Shared Spaces Permittee that seeks to
23 convert to a Curbside Shared Space Permit: (i) the permit fees shall be due and payable on the first
24 March 31 following the date the Curbside Shared Space Permit is approved, (ii) the initial annual
25 license fees and the first subsequent annual license fees shall be waived, and (iii) the annual license

1 fees thereafter shall be due and payable annually on March 31, in accordance with Article 2, Section
2 76.1 of the Business and Tax Regulations Code, beginning with the second March 31 following the date
3 the Curbside Shared Space Permit is approved.

4 (d) **Expiration of Section.** Unless reenacted, this Section 94A.11 shall expire by operation of
5 law on January 1, 2023. Upon the expiration of this Section, the City Attorney shall cause this Section
6 to be removed from the Administrative Code.

7
8 Section 3. Articles 2.1 and 15 of the Public Works Code are hereby amended by
9 revising Sections 2.1.1, 2.1.3, 793, 793.1, 793.2, and 793.3; deleting existing section 793.4;
10 renumbering existing Sections 793.5 and 793.6 as Sections 793.4 and 793.5, respectively,
11 and revising new Sections 793.4, and 793.5, to read as follows:

12 **SEC. 2.1.1. FEES.**

13 Notwithstanding the permit fee provisions listed elsewhere in this Code, the permit fee
14 and assessment schedule for the permit categories and uses specifically listed below shall be:

15 * * * *

16 (s) **Curbside Parklet Fee.** The permit and license fees for the types of Curbside Shared Space
17 Permits issued pursuant to Administrative Code Chapter 94A and Public Works Code Section 793 et
18 seq. are as follows, with one half of the fees allocated to the San Francisco Municipal Transportation
19 Authority, and one half of the fees allocated to Public Works. The permit and license fees shall be due
20 and payable as provided in Chapter 94A of the Administrative Code.

21 (i) **Public Parklet fees**

22 (A) Permit fee of \$1,000 for the first parking space and \$250 for each additional
23 parking space;

24 (B) Annual license fee of \$100 per parking space.

25 (ii) **Movable Commercial Parklet fees**

1 (A) Permit fee of \$2,000 for the first parking space and \$1,000 for each
2 additional parking space;

3 (B) Annual license fee of \$1,500 per parking space.

4 (iii) Fixed Commercial Parklet fees

5 (A) Permit fee of \$3,000 for the first parking space and \$1,500 for each
6 additional parking space;

7 (B) Annual license fee of \$2,000 per parking space.

8 **SEC. 2.1.3. ADDITIONAL FEES.**

9 In instances where ~~where~~ the actual costs of the administration or processing of any
10 application, approval, or permit ~~are is is~~ in excess of or will exceed the fee amount established
11 pursuant to section 2.1.1, the Director, in ~~his or her~~ the Director's discretion, may require an
12 applicant or permittee to pay a sum in excess of the subject fee amounts. This additional sum
13 shall be sufficient to recover actual costs that the Department incurs and shall be charged on
14 a time and materials basis. The Director also may charge for any time and materials costs that
15 other agencies, boards, commissions, or departments of the City incur in connection with the
16 processing or administration of a particular application, approval, or permit. Whenever
17 additional fees are or will be charged, the Director, upon request of the applicant or permittee,
18 shall provide in writing the basis for the additional fees or an estimate of the additional fees to
19 be charged.

20 **SEC. 793. ~~THE PLACES FOR PEOPLE~~ SHARED SPACES PROGRAM – ~~PEOPLE PLACES~~**
21 **SHARED SPACES IN THE PUBLIC RIGHT-OF-WAY.**

22 ~~Places for People~~ The Shared Spaces ~~is a~~ Program is established in Chapter 94A of the
23 Administrative Code. Under the Program, a public or private entity may obtain City approval to
24 create a ~~People-Place~~ Shared ~~s~~Space and provide activities, for a limited period of time, on City-
25 owned property and in some cases nearby privately-owned spaces where the public can

gather and participate in commercial or non-commercial offerings and events. The space created is a "~~People Place Shared Space~~" that is managed by the permittee, defined as a "~~Steward Permittee~~."

The ~~Places for People Shared Spaces~~ Program is a joint effort by the Planning Department, Public Works, the Municipal Transportation Agency, the ~~Department of Real Estate Division~~, and the Entertainment Commission (defined in Section 94A.2 of the Administrative Code as the "Core City Agencies") to coordinate their review and approval of a ~~People Place Shared Space~~ and streamline the permit process. The Program responsibilities of the Core City Agencies in the coordination process are set forth in Section 94A.4 of the Administrative Code.

SEC. 793.1. PURPOSE AND SCOPE; DEFINITIONS.

(a) **Purpose and Scope.** The general procedure by which the Core City Agencies participating in the ~~Places for People Shared Spaces~~ Program coordinate their evaluation ~~and of a proposed People Place concept proposal~~, review of an application for a ~~People Place Shared Space~~ Permit, and approve and issue a ~~People Place Shared Space~~ Permit is set forth in Sections 94A.5 ~~and 94A.6~~ of the Administrative Code. Sections 793.2 through 793.6 of this Code establish the procedure for Public Works' review and approval of a ~~People Place Shared Space~~ in the public right-of-way. This procedure shall apply to any prospective "Curbside ~~People Place Shared Space~~," "~~Roadway People Place~~," and "Sidewalk ~~People Place Shared Space~~" in the ~~Places for People Shared Spaces~~ Program.

(b) **Definitions.** ~~The terms defined in As provided in~~ Section 94A.2 of the Administrative Code ~~shall have the same meaning for purposes of Sections 793 et seq. of this Code, including:~~

—"~~Longer-Term Closure; People Place Shared Space;~~" ~~is a publicly-accessible location approved under the Places for People Program and located (a) on City-owned property, (b) on the sidewalk, and/or (c) in the curbside lane or on all or any portion of the roadway between curbs where~~

1 ~~the public can gather and participate in commercial or non-commercial offerings and events. Such~~
2 ~~offerings and events may include, but are not limited to: cultural events, arts activities, and~~
3 ~~entertainment; food and drink; and general recreation. A People Place is managed, fully or partially,~~
4 ~~by a Steward under a People Place Permit issued under the Program and may involve the temporary~~
5 ~~and reversible installation of physical treatments, improvements or elements.~~

6 ~~—“**People Place Shared Space** Categories, and the definitions of those categories: City Lot~~
7 ~~Shared Space, Curbside Shared Space, Roadway Shared Space, and Sidewalk Shared Space;” are: (a)~~
8 ~~“City Lot People Place,” which has activities occurring on property owned by the City; (b) “Curbside~~
9 ~~People Place,” which has activities occurring in a portion of the curbside lane of a roadway; (c)~~
10 ~~“Roadway People Place,” which has activities occurring in or on any portion of the roadway, except~~
11 ~~for activities occurring only in the curbside lane; (d) “Sidewalk People Place,” which has activities~~
12 ~~occurring on a portion of sidewalk, and (e) “Integrated People Place,” which is a single project with~~
13 ~~activities occurring on a combination of locations that are People Place categories in close proximity~~
14 ~~to one another and operated by the same Steward.~~

15 ~~—“**People Place Shared Space** Permit;” is a permit issued under the Places for People~~
16 ~~Program through its Core City Agencies that allows a Steward to create a People Place by temporarily~~
17 ~~occupying and activating the location for a specified period of time.~~

18 ~~“**Steward Permittee; and Temporary Closure**” is, for Curbside People Places, Roadway~~
19 ~~People Places, and Sidewalk People Places, any person or entity who has been issued a People Place~~
20 ~~Permit that authorizes the permittee, acting as a Steward, to manage and activate a People Place under~~
21 ~~the Places for People Program.~~

22 ~~For purposes of Sections 793.2 through 793.6, a Sidewalk People Place, a Roadway People~~
23 ~~Place, and a Curbside People Place shall be referred to collectively as People Places in the Public~~
24 ~~Right of Way.~~

1 **SEC. 793.2. PERMIT APPROVAL PROCESS APPLICABLE TO ALL CURBSIDE AND**
2 **SIDEWALK PEOPLE PLACES SHARED SPACES IN THE PUBLIC RIGHT-OF-WAY.**

3 (a) ~~**Initiation of the Process.** Any prospective Steward wishing to establish a People Place in~~
4 ~~the Public Right of Way may initiate the process by submitting a concept proposal to the Places for~~
5 ~~People Program pursuant to Section 94A.5 of the Administrative Code (“People Place Proposal”). If~~
6 ~~the People Place Proposal is accepted into the Program, the Core City Agencies shall work with~~
7 ~~prospective Steward to develop the concept proposal, after which the prospective Steward may submit~~
8 ~~an application for a People Place Permit to the People Place Program pursuant to the process set forth~~
9 ~~in Administrative Code Section 94A.6. The application shall include the components specified in~~
10 ~~Administrative Code Section 94A.6(a). The Planning Department will review the People Place Permit~~
11 ~~application for completeness and compliance with Program requirements, and if found compliant will~~
12 ~~direct the prospective Steward to submit the application to Public Works.~~

13 (b) **Public Works Application and Review Procedure; Payment of Permits Fees.** The
14 prospective ~~Steward~~ Permittee may submit the application for a Curbside or Sidewalk People
15 ~~Place Shared Space~~ Permit to Public Works for its review and approval. Public Works shall review
16 ~~the application consistent with the interagency coordination process described in Administrative Code~~
17 ~~Section 94A.4. The Shared Spaces Permit shall incorporate the requirements of and substitute for a~~
18 ~~permit that would be required under other sections of the Municipal Code. Payment of the permit fees~~
19 ~~is required by Administrative Code Section 94A.11 at the time of submittal.~~

20 (b~~e~~) **Public Notice and Opportunity to Comment.**

21 (1) Upon submission of ~~the~~ an application for a Sidewalk People Place Shared
22 Space Permit application, or a Curbside Shared Space where the proposal would result in Temporary
23 Closure, the prospective ~~Steward~~ Permittee shall post the site(s) with one or more Notices of
24 Application provided by Public Works for a period of seven ~~10~~ calendar days. The Notice(s)
25 shall be posted in a location acceptable to Public Works. The prospective ~~Steward~~ Permittee

1 shall submit to Public Works photographic evidence that the Notice(s) were posted
2 appropriately. The prospective ~~Steward~~ Permittee shall remove the Notice of Application the
3 day after expiration of the ~~seven-10~~-day notice period. Public Works shall accept public
4 comments on the Notice of Application for ~~seven~~ 10-calendar days from the first day the Notice
5 was posted at the site(s).

6 (2) For Roadway Shared Spaces where the proposal would result in a Temporary
7 Closure, the public notice shall proceed in accordance with the applicable process set forth in
8 Transportation Code, Division I, Article 6.

9 (3) For Roadway ~~and Curbside People Places~~ Shared Spaces, and Curbside Shared
10 Spaces where the proposal would result in a Longer-Term Closure, the public notice shall ~~also~~
11 include notice of any public hearing by the Municipal Transportation Agency Board proceed in
12 accordance with the applicable process set forth in Transportation Code, Division II, Article
13 200, Section 202; (Notice of Public Hearing).

14 (4) The Notice may include notice of public hearing by the Entertainment
15 Commission if proposed activities fall within the purview of the Entertainment Commission
16 described in Administrative Code Section 94A.4(c).

17 (c) **Public Hearing.** The Director of Public Works may ~~wish to~~ hold a public hearing
18 concerning the Sidewalk ~~People Place~~ Shared Space Permit application that would extend the
19 occupancy beyond 24 consecutive months. If the Director determines that a public hearing will be
20 held, the prospective ~~Steward~~ Permittee shall post on the site(s) a Notice of Public Hearing
21 provided by Public Works for a period of ~~seven~~ 10 calendar days prior to the date of the
22 scheduled hearing. The Notice of Public Hearing posting shall be removed by the applicant
23 the day after the expiration of the ~~seven-~~ 10-day period. Unless otherwise outlined in this
24 Section 793.2, the Notice of Public Hearing posting shall comply with Article 5.6 of the Public
25 Works Code.

1 **(de) Permit Issuance and Conditions of Approval; ~~Grant of Exceptions.~~**

2 (1) ~~After approval by~~ Public Works may issue any Curbside or Sidewalk a People
3 Place Shared Space Permit consistent with Sections 793 et seq. and Administrative Code Chapter 94A
4 is issued. The conditions of approval required or authorized by Administrative Code Section
5 94A.56(c) or other applicable sections of Administrative Code Chapter 94A shall be imposed
6 on the ~~People Place Shared Space~~ Permit and enforced pursuant to Administrative Code Section
7 94A.910, including the obligation to remove or modify a Curbside Shared Space at any time, as
8 necessary for any City project or maintenance work at the Permittee's own cost consistent with
9 Administrative Code Section 94A.4(d)(1)(D). The Director of Public Works ~~or designee~~ may choose
10 to apply additional conditions on the ~~People Place Shared Space~~ Permit that are pertinent to
11 Public Works jurisdiction.

12 (2) All Sidewalk and Curbside Shared Space permits shall be conditioned upon the
13 obligation to remove or modify the Shared Space at any time, as necessary for any City project or
14 maintenance work, which necessity shall be determined solely by the City Agency that issued the
15 Shared Space Permit. In the event of an emergency, the City Agency may provide 24-hours notice. It
16 shall be the Permittee's obligation to remove or modify the Sidewalk or Curbside Shared Space at their
17 own cost and return the right-of-way to a condition that the Director of Public Works deems
18 appropriate. In no event shall the City be liable for reimbursing the Permittee for the costs of or
19 restoring the Shared Space installation.

20 ~~Upon written request from a Steward, the Director of Public Works may grant a non-~~
21 ~~material or other minor amendment to the conditions imposed on a People Place in the Public Right-~~
22 ~~of Way if the Director determines that the exception or minor amendment is reasonably within the~~
23 ~~purposes of the Places for People Program and, in consultation with the City Attorney's Office, further~~
24 ~~determines that such exception or amendment does not materially increase the City's costs or~~
25 ~~obligations or decrease the benefit the City receives under the Steward's People Place Permit.~~

1 ~~Any exceptions or minor amendments of the Permit conditions that the Director has~~
2 ~~granted pursuant to this subsection (c)(2) shall be in writing and retained in a file available for public~~
3 ~~review. In addition, at the Steward's request, the Director's letter granting the exception(s) and/or~~
4 ~~minor amendments, and any other written communications relevant to the Director's determination~~
5 ~~shall be posted on the websites of Real Estate and the Places for People Program.~~

6 **SEC. 793.3. OPERATIONAL REQUIREMENTS; EXCEPTIONS.**

7 (a) **Requirements.** Except as specified in subsection (b) below, all Curbside and
8 Sidewalk People Places Shared Space Permits in the Public Right of Way shall conform to the
9 Operational Requirements set forth in Administrative Code Section 94A.67. In addition, the
10 Director of Public Works may also adopt such additional regulations as he or she the Director
11 deems appropriate and necessary for the proper management and use of a Curbside or
12 Sidewalk People Place Shared Space in the Public Right of Way. The additional regulations may
13 include but are not limited to: maintenance requirements; minimum required clearances from street
14 corners, sidewalk bulb-outs, or protective bollards; appropriate clearances for paths of travel;
15 applicable standards from the Americans with Disabilities Act; and appropriate clearances for
16 stormwater and other hydrological concerns.

17 (b) **Grant of Exceptions to Standard Operational Requirements.**

18 (1) **Operational Requirements.** Upon written request from a Permittee, the Director of
19 Public Works may grant a non-material or other minor amendment to the conditions imposed on a
20 Curbside or Sidewalk Shared Space Permit, if the Director determines that the exception or minor
21 amendment is reasonably within the purposes of the Shared Spaces Program and, in consultation with
22 the City Attorney's Office, further determines that such exception or amendment does not materially
23 increase the City's costs or obligations or decrease the benefit the City receives under the Permittee's
24 Shared Space Permit.

1 (2) **Good Neighbor Policies.** Upon written request from a Steward Permitee,
2 the Director of Public Works may grant a non-material exception or other minor amendment to
3 the Good Neighbor Policies set forth in Administrative Code Section 94A.67(b)(8) if the
4 Director finds, in ~~his or her~~ the Director's sole discretion, that a Good Neighbor Policy is
5 unwarranted or not appropriate for a particular People Place Shared Space or event on the public
6 right-of-way under the jurisdiction of Public Works due to unique circumstances and that the
7 public interest would best be served by granting an exception. ~~The Director of Public Works~~
8 ~~shall issue such exceptions in writing, retain the granted exceptions in a file available for public~~
9 ~~review, and shall post such correspondence on the Department's and Places for People Program's~~
10 ~~website.~~

11 ~~(2) Other Operational Requirements. Upon written request from a Steward, the~~
12 ~~Director of Public Works is authorized to waive or modify one or more of the other Operational~~
13 ~~Requirements established in Administrative Code Section 94A.7 if the Director finds, in his or her sole~~
14 ~~discretion, that is unwarranted or not appropriate for a particular People Place or event on the public~~
15 ~~right of way under the jurisdiction of Public Works.~~

16 (3) **Public Record.** Any exceptions, minor amendments, or waivers granted by
17 the Director pursuant to this subsection (b) shall be in writing and retained in a file available
18 for public review.

19 **SEC. 793.4. GRANT OF EXCEPTIONS TO PERMIT TERMS.**

20 ~~Upon written request from a Steward, the Director of Public Works may grant a non-material~~
21 ~~exception or other minor amendment to the conditions imposed on a permit for a People Place in the~~
22 ~~Public Right of Way if the Director determines that the exception or minor amendment is reasonably~~
23 ~~within the purposes of the Places for People Program and, in consultation with the City Attorney's~~
24 ~~Office, further determines that such exception or amendment does not materially increase the City's~~
25 ~~costs or obligations or decrease the benefit the City receives under the Steward's People Place Permit.~~

1 ~~Any exceptions or minor amendments of the Permit conditions that the Director has~~
2 ~~granted pursuant to this Section shall be in writing and retained in a file available for public review. In~~
3 ~~addition, the Steward's request, the Director's letter granting the exception(s) and/or minor~~
4 ~~amendments, and any other written communications relevant to the Director's determination shall be~~
5 ~~posted on the websites of Real Estate and the Places for People Program.~~

6 **SEC. 793.5. VIOLATION OF PERMIT CONDITIONS, OPERATIONAL**
7 **REQUIREMENTS, OR ADMINISTRATIVE REGULATIONS; ENFORCEMENT ACTIONS**
8 **AND PENALTIES.**

9 (a) **Enforcement Actions; Penalties.** If any person has occupied a ~~People Place~~
10 ~~Shared Space~~ in ~~the Public Right of Way in~~ violation of any Permit conditions, operating
11 requirements, ~~and or~~ regulations applicable to the ~~People Place Shared Space~~, the Director of
12 Public Works, ~~or a designee or agent acting on the Director's behalf~~, may take any action
13 authorized by this Code that is considered necessary to abate or correct the violation. The
14 Director is expressly authorized to:

15 (1) Modify the ~~People Place Shared Space~~ Permit, withdraw the Director's
16 approval of the Permit, or request revocation of the Permit by the Core City Agencies
17 pursuant to Section 94A.56(i) of ~~the Administrative Code~~~~this Chapter~~;

18 (2) Issue a criminal citation pursuant to the provisions of Section 792(e)(1)(A) of
19 this Code that is applicable to Street Plazas;

20 (3) Issue an administrative citation and assess the administrative penalties
21 authorized by Section 792(e)(1)(B) of this Code for Street Plazas;

22 (4) Call upon other City officials to assist in the enforcement of this Article 15,
23 including but not limited to the Chief of Police and the City Attorney; ~~and~~

24 (5) Seize, remove, or demolish any structures or furniture placed in public sidewalk or
25 roadway areas.

1 (A) If a permit to place the structure or furniture has been rescinded or expired,
2 before any such structure or furniture is seized, the Permittee shall be notified and given 10 business
3 days to remove the structure or furniture. If the Permittee does not remedy the underlying violation
4 leading to the rescission of the permit and/or apply for a Shared Space Permit within the time
5 prescribed, the City may seize, remove, or demolish the structure or furniture.

6 (B) Seized furniture shall be retained by the City and may be recovered by the
7 responsible party for a period of at least 30 business days following seizure. As a condition of
8 recovering any furniture seized pursuant to this Section or receiving a subsequent Shared Spaces
9 Permit, the Permittee shall pay an impound fee covering the actual cost to the City of transporting and
10 storing such furniture, unless the seizure is deemed improper following a hearing under this subsection
11 (a)(5)().

12 (C) If the City Engineer determines that it is practicable to do so, Public Works
13 shall retain any seized structures. As a condition of recovering any structure seized pursuant to this
14 Section or receiving a subsequent Shared Spaces Permit, the Permittee shall pay an impound fee
15 covering the actual cost to the City of transporting and storing such structure, unless the seizure is
16 deemed improper following a hearing under this subsection (a)(5)().

17 (D) If the City Engineer determines that it is not practicable to do so, Public
18 Works may demolish any unpermitted structure placed in the right-of-way. Where a Permittee is
19 responsible for an unpermitted structure that requires demolition, the Permittee shall not be eligible for
20 a subsequent Shared Spaces Permit until the Permittee has paid the fee covering the actual costs to the
21 City of demolishing and disposing of the structure(s). Such recoverable costs may include those
22 incurred by Public Works and any other City department, including the City Attorney's Office, for time
23 and materials spent enforcing the requirements of the permit.

24 (D) Notwithstanding any other provision of this Section 793.4, if the Director
25 determines that any structure or furniture is placed in public sidewalk or roadway areas in such a

1 place or manner as to pose an immediate and serious danger to persons or property, the City may seize
2 such structure and furniture without prior notice to the Permittee if it is impractical to remedy the
3 danger by moving the structure or furniture to another point on the sidewalk or public right-of-way.

4 (F) Following any seizure, the Permittee shall be notified promptly of such
5 seizure and shall have the right to request an informal hearing before a designated City official to
6 determine whether the seizure was proper. The Permittee must request the hearing within 10 days of
7 receiving notice of the seizure. Any furniture seized pursuant to this Section shall be retained by the
8 City and may be recovered as provided herein.

9 Failure to provide any notice to a Permittee pursuant to this section shall not give rise to any
10 claims or cause of action against the City; and

11 (6) Take any other enforcement action authorized by this Code that is
12 applicable to occupancy of the public right-of-way.

13 (b) **Rules and Regulations; Director's Orders.** The Director may adopt such orders,
14 rules, policies, procedures, regulations, rules, or standards as the Director considers
15 appropriate in order to:

16 (1) process, verify, and respond to complaints from the public concerning a
17 Curbside or Sidewalk ~~People Place Shared Space~~ in the Public Right of Way that is routed from the
18 311 Customer Relationship Management~~s~~ System, as described in Administrative Code
19 Section 94A.210(a);

20 (2) abate a violation of the terms and conditions of a Sidewalk, or Curbside, ~~or~~
21 Roadway Shared Space ~~Place~~ Permit or other requirements of Administrative Code Chapter 94A
22 that are within the jurisdiction of the Director; and

23 (3) identify specific violations that would be subject to the criminal citation
24 penalty authorized in subsection (a)(2) above.

1 (c) **Public Hearing.** In taking any of the above actions, the Director of Public Works
2 may hold a public hearing on the ~~Steward~~Permittee's conduct. If a public hearing is held, the
3 Director shall follow either the notice and hearing procedures for Street Encroachment
4 Permits set forth in Section 786 ~~et seq.~~ of this Code or a codified notice and hearing
5 procedure that is more applicable to a ~~People for Places~~ Shared Spaces Permit.

6 **SEC. 793.56. FINANCIAL RECORDS.**

7 The ~~Steward~~Permittee shall make its financial records related to the use of the ~~People~~
8 ~~Place~~Shared Space available to the Director of Public Works for inspection upon written request
9 of the Director.

10
11 Section 3. The Transportation Code is hereby amended by revising Sections 6.1, 6.2,
12 6.7, and 6.11, and adding new Section 6.16, to read as follows:

13 **SEC. 6.1. INTERDEPARTMENTAL STAFF COMMITTEE ON TRAFFIC AND**
14 **TRANSPORTATION (ISCOTT).**

15 There is hereby established a committee to be known as the Interdepartmental Staff
16 Committee on Traffic and Transportation (ISCOTT), consisting of the department or their
17 designated representatives from the following departments and agencies: Municipal
18 Transportation Agency, Planning, Public Works, Police, Fire, Public Health, and Entertainment
19 Commission. The Director of Transportation shall serve as Chair of ISCOTT. The Director of
20 Administrative Services of the City and County of San Francisco or ~~his or her~~ the Director's
21 designee shall review recycling plans submitted pursuant to Section 6.5 and recommend any
22 conditions to ISCOTT that should be imposed on any applicant. In exercising its powers
23 ISCOTT shall consult with any other City department or agency that could be affected by any
24 temporary use or occupancy of a public street. ISCOTT shall have the authority to take all
25 acts reasonably necessary for it to carry out any duties imposed upon it by law. Before acting

1 on any application for temporary use or occupancy of public streets, street fair or an athletic
2 event, ISCOTT shall conduct a public hearing at a publicly noticed time and place to be
3 determined by ISCOTT.

4 **SEC. 6.2. REQUEST FOR PERMISSION FOR TEMPORARY USE OR OCCUPANCY OF**
5 **PUBLIC STREETS; PROCEDURE.**

6 (a) Any person seeking permission for the temporary use or occupancy of a public
7 street within the City shall file an application with, and on a form provided by, the SFMTA, and
8 shall pay the filing fee established by the SFMTA Board of Directors.

9 (b) An application shall not be accepted or approved for a proposed temporary use
10 or occupancy scheduled to occur fewer than 30 calendar days after the application is
11 submitted to the Municipal Transportation Agency, except as follows in this subsection

12 (b) paragraph:

13 (1) An application for a proposed temporary use or occupancy scheduled to
14 occur fewer than 30 calendar days after the application date may be filed for emergency
15 consideration. The Director of Transportation shall consider the request if the applicant has
16 demonstrated that an extraordinary emergency exists that requires the closing of a street, and
17 provided that there is adequate time available for the Municipal Transportation Agency to
18 conduct the required public hearing and post notice of the scheduled hearing at least 72 hours
19 in advance of the hearing.

20 (2) The ~~Mayor's Film and Video Arts~~ Commission (~~the "Film Commission"~~), or
21 other successor commission or ~~division of the Mayor's~~ office, may file with the Director of
22 Transportation an application on behalf of a film or other video production company (which
23 company shall be responsible for the payment of all applicable fees) for a proposed temporary
24 use or occupancy scheduled to occur fewer than 30 calendar days after the application date,
25 provided that there is adequate time available for the Director of Transportation to conduct the

1 required public hearing and post notice of the scheduled hearing at least 72 hours in advance
2 of the hearing. The Film Commission (or the film company on whose behalf the application
3 was made) shall (A) notify residents, merchants and other occupants of the public street(s) to
4 be closed of the dates proposed for street closure, and (B) notify any and all affected City
5 departments, including the Police Department and the Department of Public Works.

6 (c) The completed application shall include, when applicable, maps and/or drawings
7 which identify the streets that would be affected, shall describe the scope and design of the
8 event, including illustrations of the location of staging, food booths, and seating, and shall
9 include a diagram of an emergency access plan. In addition, the Director of Transportation
10 may request such additional information as is necessary to allow ISCOTT to make an
11 informed evaluation of the proposed temporary use or street occupancy. In the case of "major
12 events," as defined in Section 6.3, applicants shall submit an emergency medical services
13 plan.

14 (d) Applicants shall be responsible for posting notice of the public hearing at least
15 seven calendar days prior to the hearing at which the application will be reviewed by ISCOTT.
16 Such notice shall include a description of the streets that would be affected and shall be
17 posted in the area of the proposed temporary use or street occupancy according to rules and
18 regulations prescribed by the Director of Transportation. The applicant shall submit a
19 declaration under penalty of perjury to the Director of Transportation attesting that the
20 required public notices have been posted.

21 (e) ISCOTT Review and Approval Process. In reviewing an application, ISCOTT
22 shall consider the impact of the temporary use or occupancy of public streets on the traffic,
23 security, health, and safety of the public; determine the traffic, security, health, and safety
24 requirements of the proposed temporary use or occupancy; and evaluate the measures
25 proposed by the applicant to satisfy those requirements. For major events, ISCOTT shall

1 forward the applicant's proposed emergency medical services plan to the Director of
2 Emergency Medical Services and Emergency Operations Section (EMSEO). ISCOTT shall
3 consider the recommendations of EMSEO regarding the proposed emergency medical
4 services plan. It shall be the duty of ISCOTT to also consider the following:

5 (1) Demonstrated ability of the applicant to comply with requirements
6 necessary to protect the safety, health, and welfare of the public, including compliance with
7 the requirements of San Francisco Health Code Article 19L, "Prohibiting Smoking at Certain
8 Outdoor Events," unless those requirements are waived pursuant to Section 1621.5(e) of the
9 Police Code.

10 (2) Duration of the temporary use or street occupancy and the City's ability to
11 accommodate such use or occupancy with the necessary resources.

12 (3) Overextension of the City's resources because of previously approved
13 temporary use or occupancy of public streets or other activities that could cause scheduling
14 conflicts during the same period.

15 (4) The availability of an appropriate emergency access plan.

16 (5) The number of major events (as defined in Section 6.3 below) scheduled
17 during the period for which the applicant seeks a permit, the nature and location of the major
18 events, and the demand these major events will have on the City's resources, including its
19 police, emergency and sanitation personnel. In considering the major events for which
20 applications have been filed and/or approved. ISCOTT should give priority based on the
21 chronological order in which the applications are received, and applicants denied permission
22 on the basis that there are too many major events already approved or pending for approval
23 shall be offered alternative dates by ISCOTT. Notwithstanding this provision, ISCOTT may, in
24 its discretion, grant preference to recurring events traditionally or historically associated with a
25 particular day or dates, provided that other applications, once approved, cannot be revoked

1 because of the subsequent filing of an application for a permit for an event traditionally or
2 historically associated with a particular day or dates.

3 (6) If the application is related to a filming project to be conducted by the
4 applicant, ISCOTT shall notify the Film Commission (or other successor commission or
5 division of the Mayor's office) and shall consider such conditions and criteria as the Film
6 Commission shall attach to the application.

7 (f) ISCOTT may impose additional requirements or conditions it deems necessary
8 to protect the public interest by ensuring traffic management, security of property and health
9 and safety of citizens. At the time ISCOTT reviews the application, it shall also determine the
10 necessity of and the total estimated actual costs incurred by the Municipal Transportation
11 Agency for any adjustments to transit operations required to implement the street closure ~~to run motor~~
12 ~~coaches to accommodate the rerouting of electrically powered transit vehicles because of restrictions~~
13 ~~that are imposed by the temporary street closing. The applicant shall pay a fee to the SFMTA based on~~
14 ~~the number of electrically powered vehicle hours per line affected. For purposes of this provision,~~
15 ~~"vehicle hour" shall mean the number of hours each coach on a line is in operation during the day of~~
16 ~~the street closing. If the application is approved, ISCOTT shall transmit to the applicant an invoice for~~
17 ~~the fee. If the application is approved, ISCOTT shall transmit to the applicant an invoice reflecting the~~
18 cost for making any adjustments to transit operations. The applicant shall make full payment of the
19 fee no later than five days prior to the date of the street closing, or in accordance with a
20 schedule agreed to by the Director of Transportation. ISCOTT shall not disapprove any
21 application for a temporary use or occupancy of public streets because of the applicant's
22 political, religious, or cultural orientation.

23 (g) ISCOTT shall take action to approve or disapprove an application within 30 days
24 of receipt of a complete application. Notice of ISCOTT's action of approval or disapproval
25 shall be submitted to the Chief of Police; the Fire Chief; the Director of Public Health; the

1 Director of Public Works; and the Executive Director of the Entertainment Commission, and
2 be maintained as a matter of record. For major events, notice of ISCOTT's action of approval
3 or disapproval shall also be submitted to the Director of EMSEO.

4 (h) Appeals Process. Should the application be disapproved by ISCOTT, the
5 applicant may first appeal the decision to the Director of Transportation if the application was
6 filed at least 30 days prior to the date of the proposed temporary use or occupancy. Such
7 appeal shall be made by filing the appeal with the Director of Transportation on a form
8 provided by the Municipal Transportation Agency within five working days of disapproval.
9 Upon receipt, the Director of Transportation shall set a time and place for hearing such
10 appeal. In considering the appeal the Director of Transportation shall conduct a public hearing
11 for which notice shall be posted at least 72 hours in advance of the hearing at the Municipal
12 Transportation Agency, at the main library, and at the Office of the Clerk of the Board of
13 Supervisors.

14 (i) At the appeal hearing, the appellant and members of ISCOTT shall have an
15 opportunity to present oral testimony and written materials in support of their positions. The
16 Director of Transportation shall consider the same criteria as set forth in Section 6.2(e). Upon
17 hearing the appeal, and after any further investigation by the Director of Transportation, the
18 Director of Transportation may affirm, reverse, or modify the ISCOTT decision. Notice of the
19 Director of Transportation's action of approval or disapproval shall be submitted to the Chief of
20 Police, the Fire Chief, the Director of Public Health, the Director of Public Works, and the
21 Executive Director of the Entertainment Commission and shall be maintained as a matter of
22 record.

23 (j) If the Director of Transportation denies the application after the appeal described
24 in the preceding subsection (j)~~paragraph~~, the applicant may then appeal the decision to the
25 Board of Supervisors. Such appeal shall be made by filing the appeal with the Clerk of the

1 Board, on a form provided by the Clerk, within five working days of the Director of
2 Transportation's disapproval. The Board may establish a fee to be imposed upon the filing of
3 any such appeal. Upon receipt, the Clerk shall set a time and place for hearing such appeal
4 by the Board of Supervisors, which hearing shall be at the Board's next regular meeting,
5 provided that all applicable public notice requirements are satisfied. The Board shall conduct
6 the hearing according to the same standards of review as set forth in Section 6.2(e). Upon
7 hearing the appeal, and after any further investigation that the Board may request, the Board
8 may affirm, reverse or modify the Director of Transportation's decision. The decision of the
9 Board regarding the appeal shall be final. The Clerk of the Board shall transmit copies of any
10 legislation approving a temporary street closing to the Director of Public Works, Chief of
11 Police, the Fire Chief, the Superintendent of Emergency Hospital Service of the Department of
12 Public Health, the Executive Director of the Entertainment Commission, and ~~to~~ the Director of
13 Transportation. For major events, the Clerk shall transmit copies of any legislation approving a
14 temporary street closing to the Director of EMSEO.

15 (k) Any permission for the temporary use ~~of~~or occupancy of a public street
16 authorized pursuant to these provisions shall be subject to the conditions set forth in Sections
17 6.7 and 6.8.

18 (l) Late Application. Should the applicant file an application for a proposed
19 temporary use or occupancy fewer than 30 days prior to the date of the proposed use or
20 occupancy, and not far enough in advance of the proposed use or occupancy to allow
21 ISCOTT to consider the application at a regularly scheduled meeting of ISCOTT, then the
22 Director of Transportation shall have the responsibility and duty to consider and approve or
23 disapprove the application after consulting with the members of ISCOTT. The Director of
24 Transportation shall conduct a public hearing for which notice shall be posted at least 24
25 hours in advance of the hearing at the Municipal Transportation Agency, the main library, and

1 at the Office of the Clerk of ~~the~~ Board of Supervisors. At the hearing, the applicant and
2 interested persons shall have an opportunity to present oral testimony and written materials in
3 support of their position. The Director of Transportation shall conduct the hearing according to
4 the same standards of review as set forth in Section 6.2(e) hereof. Notice of the Director of
5 Transportation's action of approval or disapproval shall be submitted to the Chief of Police,
6 the Chief of the Fire Department, the Director of Public Health, the Director of Public Works,
7 and the Executive Director of the Entertainment Commission, and shall be maintained as a
8 matter of record. In the event the Director of Transportation disapproves the application, the
9 applicant shall have the right to appeal the Director of Transportation's decision to the Board
10 of Supervisors in accordance with the same terms and conditions as set forth in Section
11 6.2(e).

12 **SEC. 6.7. CONDITIONS.**

13 Any permission for the temporary use or occupancy of a public street authorized by the
14 City shall be subject to the following conditions:

15 (a) The temporary use or occupancy of a public street shall not unnecessarily
16 obstruct or bar public access onto said street. Sidewalks shall remain open at all times for
17 pedestrian use unless closure of the sidewalk is provided for by resolution of the Board of
18 Supervisors explaining the reason for such closure.

19 (b) No object of any nature shall be placed or maintained within 15 feet of any fire
20 hydrant or within five feet of any fire alarm box or police call box.

21 (c) No object of any nature shall be placed or maintained within any intersection or
22 pedestrian crosswalk, nor shall any vehicle be permitted to be Parked in such areas.

23 (d) A continuous passageway in the roadway for the use of emergency vehicles shall be
24 maintained as determined by the Fire Department ~~at least 14 feet in width shall be maintained at all~~
25 ~~times during the period of such use or occupancy for the use of emergency vehicles.~~

1 (e) No object of any nature shall be fastened to or erected over the surface of the
2 street or sidewalk, and no object shall be affixed to any pole or standard upon any street or
3 sidewalk, without prior written consent of the Director of Public Works.

4 (f) Painting upon any street or sidewalk surface shall be permitted only if a
5 washable paint is used.

6 (g) Adequate illumination of the area shall be maintained at all times such
7 illumination is appropriate.

8 (h) Official traffic-control devices and traffic signal controllers shall not be covered or
9 blocked at any time during the period of such use or occupancy.

10 (i) Street barricades determined by the ~~Police Department as being necessary to~~
11 ~~protect the public's safety shall be delivered by the Police Department or the department's~~
12 ~~designee; Municipal Transportation Agency~~ shall be maintained in said locations at all times
13 during the period of such use or occupancy by the permittee; and shall be ~~collected by the~~
14 ~~Police Department or the department's designee~~ removed promptly by the permittee upon termination
15 of the period of said use or occupancy.

16 (j) All manhole covers and valve box covers shall be kept clear of any fixed object.

17 (k) All streets and sidewalks within the area for which such permission is granted
18 shall be kept clean and free from dirt and debris at all times during the period of such
19 temporary use or occupancy, and all materials and equipment used in connection with said
20 temporary use and occupancy shall be removed from the area within 24 hours of the
21 termination of the period of such use or occupancy. The Director of Public Works shall report
22 any violations of this subsection to the Board of Supervisors.

23 (l) Applicants for permission to hold a street fair on a predominantly commercial
24 street shall comply with the following requirements for insurance coverage. For purposes of
25 this ~~S~~ subsection (l), a "predominantly commercial street" shall mean a street block on which at

1 least 50% ~~percent~~ of front footage of private property on the ground floor of the street is used
2 for commercial purposes. A street block shall be measured from street intersection to street
3 intersection, but shall not include any alley intersection.

4 (1) Applicants shall maintain in force, during the full term of the permit,
5 insurance as follows:

6 (A) General Liability Insurance with limits not less than \$500,000 each
7 occurrence Combined Single Limit Bodily Injury and Property Damage, including Contractual
8 Liability, Personal Injury, Broadform Property Damage, Products and Completed Operations
9 Coverages;

10 (B) If any vehicles will be operated by the applicant in connection with
11 street fair activities under the permit, Automobile Liability Insurance with limits not less than
12 \$500,000 each occurrence Combined Single Limit Bodily Injury and Property Damage,
13 including owned, non-owned and hired auto coverages, as applicable; and

14 (C) If the applicant has employees, Workers' Compensation with
15 Employers' Liability limits not less than \$500,000 each accident.

16 (2) General Liability and Automobile Liability Insurance policies shall be
17 endorsed to provide the following:

18 (A) Name as additional insureds the City and County of San
19 Francisco, its officers, agents and employees;

20 (B) That such policies are primary insurance to any other insurance
21 available to the Additional Insureds with respect to any claims arising out of activities under
22 the permit, and that insurance applies separately to each insured against whom claim is made
23 or suit is brought.

24 (3) Certificates of insurance, in format and with insurers satisfactory to the
25 City evidencing all applicable coverages shall be furnished to the City not less than 10

1 working days prior to the date of the event and before commencing any operations under the
2 permit, with complete copies of policies to be furnished to the City upon request.

3 (4) The insurance requirement of this ~~§~~subsection (l) shall be waived by the
4 Board of Supervisors if the applicant certifies in writing that (A) the purpose of the street fair is
5 First Amendment expression and ~~that~~ (B) the cost of obtaining insurance is so financially
6 burdensome that it would constitute an unreasonable prior restraint on the right of First
7 Amendment expression, or that it has been impossible for the applicant to obtain insurance
8 coverage.

9 (m) Signs shall be posted pursuant to ~~San Francisco~~ Health Code Sections 265
10 through 265.3 wherever alcohol is offered for sale.

11 (n) All applicants shall comply with the requirements of ~~San Francisco~~ Health Code
12 Article 19L, "Prohibiting Smoking at Certain Outdoor Events."

13 (o) Such further conditions as may be imposed by the Department of Public Works
14 after inspection of the area involved.

15 **SEC. 6.11. ATHLETIC EVENTS; DESIGNATION OF ROUTES.**

16 (a) The increasing number of athletic events being held on City streets places a
17 significant burden on the City and its inhabitants. Athletic events provide entertainment and
18 recreation for San Franciscans and people throughout the Bay Area, as well as promoting and
19 supporting tourism in the City. But closing off several major streets at the same time to
20 accommodate a race often causes hardship in the daily lives of local residents, widespread
21 disruption of public transit service, increased litter on public streets and sidewalks, and
22 potential interference with emergency services. By adopting sections 6.10-6.14~~this ordinance~~,
23 the Board of Supervisors intends to reconcile the City's interest in promoting athletic events
24 with the right of its citizens to the quiet enjoyment of their own neighborhoods.

1 (b) Athletic events requiring temporary street closings shall be limited in location to
2 routes previously designated as appropriate by the Board of Supervisors. These routes shall
3 be drawn up by ISCOTT and approved by resolution of the Board of Supervisors. In
4 designating these routes, ISCOTT and the Board shall consider the effect of the designation
5 upon: Local traffic patterns; Municipal Railway routes; the ability of the Police Department and
6 the Department of Public Works to provide special services to the event; the safe and efficient
7 delivery of police, fire and emergency medical services to the affected neighborhoods; the
8 safety of participants in the event; and, the rights of participants, residents and local
9 businesses to the reasonable use and enjoyment of City streets.

10 (c) Any person seeking permission to conduct an athletic event as defined in
11 Section 96.10 shall file an application. The filing of an application and its processing shall be
12 governed by the same processes, application fees, appellate procedures, Municipal Railway
13 fees, and other requirements contained in Section 96.2, which sets forth the procedures for
14 requesting permission for temporary use or occupancy of public streets. A street closing for an
15 athletic event shall be restricted to those routes designated pursuant to this Section. The
16 applicant may, as part of the application, request a waiver of this restriction. In considering a
17 request for a waiver, the City may take into account the extent to which the event has been
18 held along a particular route prior to the application date if that same route has been in use
19 continuously for a period of three or more years. An applicant's request for a waiver shall be
20 granted to the extent that a change of route is required by the Police Department for reasons
21 of public safety.

1 **SEC. 6.16. TEMPORARY STREET CLOSURES FOR ROADWAY SHARED SPACE**

2 **ACTIVITIES.**

3 (a) **Definitions.** *For the purposes of this Section 6.16, the following definitions shall apply:*

4 (1) *“Roadway Shared Space Activities” means permitted activities that are*
5 *authorized under the Shared Spaces Program set forth in Administrative Code Chapter 94A which*
6 *occur in the Traffic Lane, do not significantly interfere or delay a public transit service, and generally*
7 *do not exceed ten consecutive hours per day over four consecutive days per week over a total period of*
8 *time of not more than two years.*

9 (2) *“Traffic Lane” means the portion of the Street that has been dedicated for the*
10 *movement of motor vehicles exclusive of transit platforms and traffic islands.*

11 (b) *ISCOTT is authorized to issue permits for the Temporary Closure, as defined in Division*
12 *II, and occupancy of the Traffic Lane of a Street, including Roadway Shared Space permits pursuant to*
13 *the Shared Spaces Program as set forth in Administrative Code Chapter 94A, under the jurisdiction of*
14 *the Municipal Transportation Agency, provided that the Municipal Transportation Board of Directors*
15 *authorizes ISCOTT to issue such permits. Any permit issued by ISCOTT shall be limited to a period of*
16 *one-year or less. ISCOTT may renew any such permit for up to one additional year for a maximum*
17 *period of two consecutive years for the Temporary Closure.*

18 (c) *Any person seeking permission for the temporary use or occupancy of the Traffic Lane*
19 *shall file an application and follow all of the procedures set forth in Section 6.2, except for subsection*
20 *(b)(2) and (e)(6), and Section 6.5.*

21 (d) *Notwithstanding any other provision of Section 6.2, ISCOTT shall review an application*
22 *for a Roadway Shared Space permit and shall issue any approval within 30 days of receipt of the*
23 *application, for projects that are not located on Municipal Railway or other public transit lines. For*
24
25

1 permitted locations that are located on Municipal Railway or other public transit lines, approval may
2 take longer than 30 days after receipt of an application.

3 (e) In determining whether to issue a permit, ISCOTT shall follow the procedures set forth
4 in Sections 6.2 and 6.7 and all of the requirements and conditions set forth in those sections shall apply
5 notwithstanding Section 6.8. In addition to the street barricade requirement set forth in Section 6.7(i),
6 any barricades and other traffic control devices required by the Municipal Transportation Agency shall
7 be provided by that agency. If ISCOTT decides not to temporarily close the Traffic Lane, neither
8 Public Works nor any other City agency shall have the authority to issue a permit for occupancy of the
9 Traffic Lane.

10 (f) Upon the expiration of any Roadway Shared Space permits under the Shared Spaces
11 Program, ISCOTT's approval to temporarily close the Traffic Lane shall immediately expire and the
12 closed portion of the Street shall be reopened immediately. Upon revocation of any Roadway Shared
13 Space permit, the closed portion of the Street shall be reopened after fourteen days notice has been
14 given by the City, or sooner if the Director determines that the closure is resulting in an immediate
15 threat to the public health, safety, or welfare. If the closed portion of the Street is not reopened within
16 the time set by the Director, the Roadway Shared Space permittee shall be subject to fines and
17 administrative penalties as provided under Administrative Code Chapter 94A.

18 (g) The SFMTA may charge a fee to reimburse the agency for costs associated with the closure
19 of a Traffic Lane. The amount of this fee shall be the same amount as set forth in Table 902(b) for
20 "Special Events" in Division II of the Transportation Code depending on the date an application is
21 submitted.

22
23 Section 4. Article 7 of Division 1 of the Transportation Code is hereby amended by
24 adding Section 7.2.55, to read as follows:

25 **SEC. 7.2. INFRACTIONS.**

1 In addition to public offenses created by the Vehicle Code, the actions listed in this
2 Section 7.2 are prohibited, and each and every violation of a prohibition listed below shall be
3 an infraction, except as otherwise provided in: (a) this Code; or (b) the Vehicle Code; or (c) as
4 necessary to comply with the direction of a Police Officer or Parking Control Officer; or (d) with
5 respect to a Municipal Parking Facility, upon the direction of an authorized parking attendant;
6 or (e) with respect to any other Public Property, except with the permission of, and subject to
7 such conditions and regulations as are imposed by the agency that owns the property that are
8 available for public inspection at the agency's offices.

9 * * * *

10 **SEC. 7.2.55. NO PARKING ZONES.**

11 *To Park in a zone on any street, alley or portion of a street or alley that is subject to a posted*
12 *Parking prohibition except for the purpose of loading or unloading passengers or freight.*

13
14
15 Section 5. Effective Date. This ordinance shall become effective 30 days after
16 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
17 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
18 of Supervisors overrides the Mayor's veto of the ordinance.

19
20
21 Section 6. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
22 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
23 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
24 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
25

1 additions, and Board amendment deletions in accordance with the “Note” that appears under
2 the official title of the ordinance.

3
4 APPROVED AS TO FORM:
5 DENNIS J. HERRERA, City Attorney

6 By: /s/
7 AUSTIN M. YANG
8 Deputy City Attorney

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LEGISLATIVE DIGEST
(Substituted, 5/4/2021)

[Administrative, Public Works, Transportation Codes - Shared Spaces]

Ordinance amending the Administrative Code to rename and modify the Places for People program as the Shared Spaces Program, and to clarify the roles and responsibilities of various departments regarding activation and use of City property and the public right-of-way, streamline the application process, specify minimum programmatic requirements such as public access, setting permit and license fees, and provide for the conversion of existing Parklet and Shared Spaces permittees to the new program requirements; amending the Public Works Code to create a Curbside Shared Spaces permit fee, provide for public notice and comment on permit applications, provide for hearings for occupancy of longer-term street closures, and supplement enforcement actions by Public Works; amending the Transportation Code to authorize the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT) to issue permits for the temporary occupancy of the Traffic Lane for purposes of issuing permits for Roadway Shared Spaces as part of the Shared Spaces Program, subject to delegation of authority by the Municipal Transportation Agency Board of Directors to temporarily close the Traffic Lane, and adding the Planning Department as a member of ISCOTT; and also amending the Transportation Code to prohibit parking in a zone on any street, alley, or portion of a street or alley, that is subject to a posted parking prohibition except for the purpose of loading or unloading passengers or freight; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and affirming the Planning Department's determination under the California Environmental Quality Act

Existing Law

Administrative Code Chapter 94A establishes the Places for People Program and provides a process by which the pertinent City departments (defined as "Core City Agencies") can coordinate their review and approval of a concept proposal by a prospective Steward to create, activate, and manage a space where the public can gather on a City-owned lot, sidewalk, curbside, or roadway and participate in specified activities (a "People Place").

The Core City Agencies participating in the Program's coordinated review are: the Planning Department, Department of Public Works ("Public Works"), Municipal Transportation Agency ("MTA"), Department of Real Estate, and Entertainment Commission. Planning has a general coordination role; the Director of Real Estate administers People Places solely on a City-owned lot; the Entertainment Commission participates in the review and approval of proposed People Places within the Police Code's definition of a "Limited Live Performance Locale"; and Public Works and MTA participate in the review and approval of People Places within the public right-of-way that are within these agencies' respective jurisdiction. Each Agency retains

its full authority under the Charter and applicable Codes to authorize the use, impose conditions on the permit, and enforce the Agency's requirements. The Core City Agencies may, in their discretion, withdraw their approval of, modify or revoke a People Place Permit at any time.

Sections 793 through 793.8 of the Public Works Code to provide a process for Public Works' approval of a People Place on a portion of the public right-of-way within Public Works' jurisdiction. The requirements in Police Code Section 1060 et seq., which are amended to include a People Place under the Places for People Program, govern the Entertainment Commission's review of a People Place meeting the description of a Limited Live Performance Locale.

For a People Place in the public right-of-way, the permit fee is one-half the fee that the Public Works Code authorizes Public Works to charge for a permit granting permission to occupy a portion of the public right-of-way that is equivalent in scope to the People Place Permit. City departments and agencies are also authorized to charge one-half the authorized fee for additional permits that may be required or for services performed in implementing the People Place Proposal.

Amendments to Current Law

Interagency Coordination:

The legislation renames and modifies the Places for People program as the Shared Spaces program by streamlining the interagency review process for to allow retail, cultural events, and general recreation to occur in "Curbside Shared Spaces" or parklets, "Roadway Shared Spaces" or street closures, city-owned lots under the administration of the Real Estate Division, and some privately owned open spaces.

The legislation further clarifies the interagency working process for the following types of permits: sidewalk, "curbside" or parklet, and "roadway" or street closures. The responsibilities for these three types of permits are as follows:

- Sidewalk Shared Spaces. Public Works is responsible for issuing permits Sidewalk Shared Spaces. Sidewalk Shared Spaces does not include a permit to place tables and chairs in the right of way pursuant to Article 5.2 of the Public Works Code.
- Curbside Shared Spaces. The legislation specifies three types of Curbside Shared Spaces: fixed commercial parklets, movable commercial parklets, and public parklets. MTA is responsible for reviewing and approving the closure of the parking space to vehicular traffic, and Public Works is responsible for issuing the permit to occupy the right of way.
- Roadway Shared Spaces. MTA is responsible for evaluating the request to close streets to vehicular traffic. For Temporary Closures (as defined in the Transportation Code in companion legislation at the SFMTA Board of Directors), ISCOTT will review the closure and issue any permit. For Longer-Term closures

(as defined in the companion amendments to the Transportation Code), the SFMTA Board of Directors must close the street, and MTA staff will issue any permits.

Converting existing Shared Spaces Permits

The legislation provides a process under which individuals or businesses may convert their Shared Spaces permit issued pursuant to the 18th supplement or related supplement to the Mayor's proclamation declaring the existence of a local emergency to a permit under the proposed legislation.

Fees:

Amendments to the Administrative Code would provide for the collection of permit and license fees pursuant to Business and Tax Regulations Code section 76.1. Existing Parklet Permits and Shared Spaces Permits that convert to Curbside Shared Space Permits under the proposed ordinance would be eligible for a waiver and deferral of certain fees. Small businesses would also be eligible for reduced permit and license fees. The specific fee amounts are set forth either in the Public Works Code or the companion amendments to the Transportation Code. Amendments to the Administrative Code would limit increases to any Shared Spaces fee to CPI index increases, and any fees collected for curbside permits must be split evenly between Public Works and MTA. The fee provisions were amended as part of the substitute legislation introduced on May 4, 2021.

Background Information

On February 25, 2020, the Mayor issued a Proclamation (the "Proclamation") declaring a local emergency to exist in connection with the imminent spread within the City of a novel (new) coronavirus ("COVID-19"). On March 3, 2020, the Board of Supervisors concurred in the Proclamation and in the actions taken by the Mayor to meet the emergency. The COVID-19 pandemic impacted and transformed the way businesses operate. One of the largest shifts was the transition to moving activities outdoors.

Due to the density of San Francisco, many restaurants and businesses do not have significant amounts of outdoor space as part of their premises. Thus, for many San Francisco restaurants and businesses to receive the economic boost that often accompanies outdoor operations, it is necessary to operate outdoors beyond their premises. On June 9, 2020, the Mayor issued the 18th Supplement to the Proclamation declaring a local emergency to create a temporary program (known as "Shared Spaces") for retail businesses and restaurants to occupy the public sidewalk and parking lane fronting their premises for retail businesses to display and sell goods and merchandise and offer services and for restaurants to place tables and chairs to offer outdoor dining, subject to certain conditions. The 18th Supplement found that authorizing the use of more outdoor spaces like sidewalks, parking lanes, and other City property would allow restaurants and retail to spread out their wares and services to safely comply with the physical distancing requirements in the Health Officer's orders and directives. The 18th Supplement also found that temporarily allowing restaurants and retail businesses to use more outdoor spaces and take greater advantage of the reopening authorizations while

waiving City fees associated with such uses would ease the economic burden on these businesses and allow some employees to return to work, thus promoting the housing and health stability of these workers.

On May 4, 2021, the sponsor introduced substitute legislation making several changes. The primary changes were to align the fee structure with Business and Tax Regulations Code section 76.1. The proposed changes would also exempt existing Parklet permittees from the notice requirements of Section 793.2(b) due to the extensive notice and public outreach process included in the existing Parklet approval process.

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From: [Wietgreffe, Wade \(CPC\)](#)
To: [Major, Erica \(BOS\)](#)
Cc: [Gibson, Lisa \(CPC\)](#); [RUIZ-ESQUIDE, ANDREA \(CAT\)](#); [Abad, Robin \(CPC\)](#); [Starr, Aaron \(CPC\)](#); [Shum, Ryan \(CPC\)](#)
Subject: RE: REFERRAL CEQA/PC (210284-3) Administrative, Public Works, and Transportation Codes - Shared Spaces
Date: Tuesday, May 11, 2021 5:10:47 PM

Hello Erica,

On April 19, 2021, the San Francisco Planning Department determined that the proposed Shared Spaces Program qualifies for an addendum to the Better Streets Plan Final Mitigated Negative Declaration in accordance with California Environmental Quality Act (CEQA) Guidelines section 15164. Since that time, the Board of Supervisors has amended the legislation (dated May 4, 2021). The department reviewed the legislative amendments. Additionally, the department recognized that the addendum did not explicitly mention the legislation's creation of a new general loading zone that would allow for both commercial and personal vehicles to stop and leave their vehicles for short periods to load or unload passengers or goods. The department determined that the creation of this new general loading zone would be consistent with the physical environmental impacts assessed in the addendum, including loading impacts. The department has determined that the amendments and general loading zone would not result in conditions that require preparation of a subsequent mitigated negative declaration or environmental impact report (CEQA Guidelines section 15162). Thus, the addendum remains valid.

Please include Ryan Shum and me on referrals related to this file.

Thank you,

Wade Wietgreffe, AICP, Principal Planner
Environmental Planning Division

San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7565 | www.sfplanning.org
[San Francisco Property Information Map](#)

Due to COVID-19, San Francisco Planning is operating remotely, and the City's Permit Center is open on a limited basis. Our staff are [available by e-mail](#), and the Planning and Historic Preservation Commissions are convening remotely. The public is [encouraged to participate](#). Find more information on our services [here](#).

From: Starr, Aaron (CPC) <aaron.starr@sfgov.org>
Sent: Friday, May 7, 2021 2:53 PM
To: Major, Erica (BOS) <erica.major@sfgov.org>; Ionin, Jonas (CPC) <jonas.ionin@sfgov.org>
Cc: Abad, Robin (CPC) <robin.abad@sfgov.org>
Subject: Re: REFERRAL CEQA/PC (210284-3) Administrative, Public Works, and Transportation Codes - Shared Spaces

Erica,

The amendments in the substituted ordinance were already considered by the Planning Commission or are non-substantive clerical amendments, so we will not be bringing it back to them for another hearing.

Thanks,

Aaron Starr, Manager of Legislative Affairs

Legislative Affairs

San Francisco Planning

PLEASE NOTE MY NEW ADDRESS AND PHONE NUMBER AS OF AUGUST 17, 2020:

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: +1628-652-7533 | sfplanning.org

San Francisco Property Information Map

IN ORDER FOR US TO MOVE, OUR OFFICE WILL BE CLOSED WITH NO ACCESS TO PHONES OR E-MAIL ON THURSDAY, AUGUST 13 and FRIDAY, AUGUST 14, 2020. WE APPRECIATE YOUR PATIENCE.

Due to COVID-19, San Francisco Planning is not providing any in-person services, but we are operating remotely. Our staff are available by e-mail, and the Planning and Historic Preservation Commissions are convening remotely. The public is encouraged to participate. Find more information on our services [here](#).

From: "Major, Erica (BOS)" <erica.major@sfgov.org>

Date: Friday, May 7, 2021 at 10:04 AM

To: Jonas Ionin <jonas.ionin@sfgov.org>, "Gibson, Lisa (CPC)" <lisa.gibson@sfgov.org>, "Hillis, Rich (CPC)" <rich.hillis@sfgov.org>

Cc: Scott Sanchez <scott.sanchez@sfgov.org>, AnMarie Rodgers <anmarie.rodgers@sfgov.org>, "Jain, Devyani (CPC)" <devyani.jain@sfgov.org>, "Varat, Adam (CPC)" <adam.varat@sfgov.org>, Aaron Starr <aaron.starr@sfgov.org>, ANDREA RUIZ-ESQUIDE <Andrea.Ruiz-Esquide@sfcityattys.org>, "Navarrete, Joy (CPC)" <joy.navarrete@sfgov.org>, "Lewis, Don (CPC)" <don.lewis@sfgov.org>, Corey Teague <corey.teague@sfgov.org>

Subject: REFERRAL CEQA/PC (210284-3) Administrative, Public Works, and Transportation Codes - Shared Spaces

Greetings,

This matter is being referred to the Planning Commission for review and the Planning Department for environmental review.

ERICA MAJOR

Assistant Clerk

Board of Supervisors

1 Dr. Carlton B. Goodlett Place, City Hall, Room 244 San Francisco, CA 94102

Phone: (415) 554-4441 | Fax: (415) 554-5163

Erica.Major@sfgov.org | www.sfbos.org

(VIRTUAL APPOINTMENTS) To schedule a "virtual" meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

Due to the current COVID-19 health emergency and the Shelter in Place Order, the Office of the Clerk of the Board is working remotely while providing complete access to the legislative process and our services.

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**From:** [Starr, Aaron \(CPC\)](#)  
**To:** [Major, Erica \(BOS\)](#); [Ionin, Jonas \(CPC\)](#)  
**Cc:** [Abad, Robin \(CPC\)](#)  
**Subject:** Re: REFERRAL CEQA/PC (210284-3) Administrative, Public Works, and Transportation Codes - Shared Spaces  
**Date:** Friday, May 7, 2021 2:52:59 PM

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Aaron Starr, Manager of Legislative Affairs

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**Date:** Friday, May 7, 2021 at 10:04 AM

**To:** Jonas Ionin <[jonas.ionin@sfgov.org](mailto:jonas.ionin@sfgov.org)>, "Gibson, Lisa (CPC)" <[lisa.gibson@sfgov.org](mailto:lisa.gibson@sfgov.org)>, "Hillis, Rich (CPC)" <[rich.hillis@sfgov.org](mailto:rich.hillis@sfgov.org)>

**Cc:** Scott Sanchez <[scott.sanchez@sfgov.org](mailto:scott.sanchez@sfgov.org)>, AnMarie Rodgers <[anmarie.rodgers@sfgov.org](mailto:anmarie.rodgers@sfgov.org)>, "Jain, Devyani (CPC)" <[devyani.jain@sfgov.org](mailto:devyani.jain@sfgov.org)>, "Varat, Adam (CPC)" <[adam.varat@sfgov.org](mailto:adam.varat@sfgov.org)>, Aaron Starr <[aaron.starr@sfgov.org](mailto:aaron.starr@sfgov.org)>, ANDREA RUIZ-ESQUIDE <[Andrea.Ruiz-Esquide@sfcityattys.org](mailto:Andrea.Ruiz-Esquide@sfcityattys.org)>, "Navarrete, Joy (CPC)" <[joy.navarrete@sfgov.org](mailto:joy.navarrete@sfgov.org)>, "Lewis, Don (CPC)" <[don.lewis@sfgov.org](mailto:don.lewis@sfgov.org)>, Corey Teague <[corey.teague@sfgov.org](mailto:corey.teague@sfgov.org)>

**Subject:** REFERRAL CEQA/PC (210284-3) Administrative, Public Works, and Transportation Codes - Shared Spaces

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ADDENDUM #2 TO SAN FRANCISCO BETTER STREETS PLAN PROJECT MITIGATED NEGATIVE DECLARATION

<i>Publication Date of Addendum:</i>	April 19, 2021
<i>Publication Date of Final MND:</i>	September 15, 2010
<i>Planning Case No.:</i>	2021-003010ENV (addendum to Case No. 2007.1238E)
<i>Board of Supervisors File No.:</i>	210284
<i>Modified Project Title:</i>	Shared Spaces Program
<i>Zoning:</i>	Various
<i>Block/Lot:</i>	Various
<i>Project Sponsor:</i>	San Francisco Planning Department Robin Abad, robin.abad@sfgov.org, (628) 652-7456
<i>Lead Agency:</i>	San Francisco Planning Department
<i>Staff Contact:</i>	Ryan Shum, ryan.shum@sfgov.org, (628) 652-7542

The City and County of San Francisco (city) is proposing amendments to various codes to create the Shared Spaces Program. The Shared Spaces Program would amend and rename the city's existing Places for People Program that implemented the Better Streets Plan. The Shared Spaces Program would also amend other related city programs.

The department prepared this addendum pursuant to California Environmental Quality Act (CEQA) Guidelines section 15164 to substantiate the determination that no subsequent environmental review is required for the Shared Spaces Program (current modified project or current project). The department prepared this addendum to the final mitigated negative declaration (FMND) for the Better Streets Plan; the Shared Spaces Program is a modification to the plan assessed in the FMND, including the Places for People Program. It describes the proposed modifications to the Better Streets Plan and analyzes the potential environmental effects of those modifications in comparison to the environmental impacts identified in the FMND. It explains why the proposed modifications to the Better Streets Plan, including Places for People Program, (1) would not result in any new significant environmental impacts, and (2) would not result in a substantial increase in the severity of previously identified environmental impacts, and it explains that (3) no new information of substantial importance has emerged that would materially change the analyses or conclusions set forth in the FMND.

This addendum also describes the relationship of the Shared Spaces Program to the Better Streets Plan, including Places for People Program, analyzes the Shared Spaces Program in the context of the Better Streets Plan FMND, and summarizes the potential environmental effects that may occur because of implementing the Shared Spaces Program.

A. Background

On November 22, 2016, the Mayor approved the Places for People ordinance and established the Places for People program.¹ The ordinance implemented the Better Streets Plan, as described further below. The following describes the Better Streets Plan and FMND; Green Connections Project first addendum to the FMND; the city's existing Places for People program and related programs, including its relationship to the Better Streets Plan; and proposed Shared Spaces Program relationship to the Better Streets Plan FMND.

A.1 Better Streets Plan and FMND

The department issued a FMND for Better Streets Plan² on September 15, 2010.^{3,4} The plan, as analyzed in the FMND, described a vision for the future of San Francisco's pedestrian environment and involved adoption of a set of citywide streetscape and pedestrian policies and guidelines to help accomplish this vision. The plan identified goals, objectives, policies, and design guidelines, as well as future strategies to improve the pedestrian realm in San Francisco. The plan focused on mainly pedestrian areas such as sidewalks and crosswalks, but in a few instances, also included portions of the roadway.

The plan involved implementation of standard and optional streetscape improvements. Major plan concepts included:

- (1) pedestrian safety and accessibility features, such as enhanced pedestrian crossings, corner or mid-block curb extensions, pedestrian countdown and priority signals, and traffic calming features;
- (2) universal pedestrian-oriented streetscape design incorporating street trees, sidewalk planting, furnishing, lighting, efficient utility location for unobstructed sidewalks, shared single-surface for small streets/alleys, sidewalk and median pocket parks, and temporary and permanent street closures to vehicles;
- (3) integrated pedestrian/transit functions using bus bulb-outs and boarding islands;
- (4) enhanced usability of streetscapes for social purposes with reuse of excess street area, creative use of parking lanes, and outdoor restaurant seating; and
- (5) improved ecological performance of streets and streetscape greening with incorporation of stormwater management techniques and urban forest maintenance.

The plan improvements are implemented as future site-specific improvement projects in San Francisco, as part of the City's ongoing streetscape/pedestrian realm improvement efforts or by others through

1 The program created or amended Chapter 94A of the San Francisco Administrative Code, Section 793 of the San Francisco Public Works Code, Article 15.1 of the San Francisco Police Code.

2 San Francisco Planning Department, Better Streets Plan: Policies and Guidelines for the Pedestrian Realm, Adopted by the San Francisco Board of Supervisors on December 7, 2010. Available at: https://sfplanning.org/sites/default/files/archives/BetterStreets/docs/BetterStreets-Plan_Final-Adopted-10-7-2010.pdf.

3 San Francisco Planning Department, Better Streets Plan Project Final Mitigated Negative Declaration, Case No. 2007.1238E, September 17, 2010.

4 Files for the current modified project are available for review on the San Francisco Property Information Map, which can be accessed at <https://sfplanninggis.org/PIM/>. Individual files can be viewed by clicking on the Planning Applications link, clicking the "More Details" link under the project's record number (2021-003010ENV) and then clicking on the "Related Documents" link.

programs established by the City. The plan itself was a program-level policy document and the FMND did not identify site-specific projects in the City.

See next sub-sections for more discussion of the plan.

A.2 Green Connections Project Addendum #1 to Better Streets Plan FMND

The department issued the first addendum to the plan FMND on March 12, 2014 for the Green Connections Project. The Green Connections Project is an effort to increase access to parks, open spaces, and the waterfront by envisioning a network of ‘green connectors’ – city streets that would be upgraded incrementally to make it safer and more pleasant to travel to parks by walking, biking, and other forms of active (non-motorized) transportation.

The Green Connections Project would be constructed as part of ongoing streetscape projects or as new projects identified through the Green Connections planning process by various city agencies such as San Francisco Public Works and the San Francisco Municipal Transportation Agency (“SFMTA”). The addendum focused on the elements of the Green Connections Project that were not included in the Better Streets Plan and that were not part of the ongoing SFMTA programs undergoing their own separate environmental review.

A.3 Existing Places for People Program and Related Programs

A.3.1 Existing Conditions (Pre-COVID-19 Emergency Programs)

On November 22, 2016, the Mayor approved the Places for People ordinance and established the Places for People program.⁵ The ordinance implemented the Better Streets Plan, as described further below. A People Place is intended to be a temporary space on City-owned property, and in some cases also on nearby privately-owned spaces, where the public can gather and participate in various commercial or non-commercial offerings and events. Under the program, a public or private entity may obtain city approval to create a People Place by occupying the location with reversible physical treatments or improvements and/or activating the location with programming.

Separate from the Places for People Program, a few related programs exist:

- Business owners or operators may apply to San Francisco Public Works for tables and chairs in public sidewalk or roadway areas or display merchandise on public sidewalks.⁶
- Persons may apply to the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT) for temporary use or occupancy of a public street;⁷

5 The Planning Department stated the ordinance was not defined as a project pursuant to CEQA Guidelines sections 15378 and 15060(c)(2) because it did not result in a physical change in the environment.

6 Refer to San Francisco Public Works code articles 5.2 and 5.3; San Francisco Public Works. “Café Tables and Chairs.” Available at: <https://sfpublicworks.org/services/permits/cafe-tables-and-chairs>; and San Francisco Public Works, “Display Merchandise.” Available at: <https://sfpublicworks.org/services/permits/display-merchandise>.

7 Refer to San Francisco Transportation Code, Division I, section 6.

- Persons may apply to the city for a specific land use for a limited period on a particular parcel. The Planning Department refers to these as a Temporary Use Authorization.⁸

Places for People program and related program permits may require review and approval by various city committees and agencies, including:

- Planning Department for general coordination of Places for People Program activities, and Temporary Use Authorization Permits;
- ISCOTT for temporary use or occupancy of a public street;
- SFMTA for People Places in the public right-of-way;
- Director of Public Works for People Places in the public right-of-way;
- Department of Real Estate for City Lot People Places;
- Entertainment Commission for limited live performance in a People Place; and
- Fire, Police, and Health departments, among others.

Some of these city committees and agencies have adopted rules and regulations and terms and conditions that apply to permittees (collectively referred to as “regulations” herein)⁹.

Table 1 describes the categories under the existing Places for People program¹⁰ and related programs, including estimates of the number of approved permits for each category between July 1, 2019 and June 30, 2020.¹¹

Table 1: Existing Places for People Program and Related Programs

Program Category	Program Category Definition	Existing Legislation and Regulations ^a	Approved Permits (July 1, 2019 to June 30, 2020) ^b
All People Places	See below for specific category definition.	All must remain accessible to public, except for restricted access events (limited to 8 single-day events per year). <i>Good neighbor policies:</i> Including noise and odors must be contained within immediate area of the People Place.	See below for specific permits by category
Sidewalk People Place	Activities occurring on a portion of sidewalk.	<i>Duration, prior to seeking renewal:</i> No longer than two years. <i>Private dining/table service:</i> Not permitted in day-to-day operations, as spaces intended for the public.	0

⁸ Refer to San Francisco Planning Code section 205.

⁹ The San Francisco Parklet Manual, Summer 2020, is an example of a regulation. Available at: <http://groundplaysf.org/wp-content/uploads/San-Francisco-Parklet-Manual.pdf>.

¹⁰ Two additional People Place categories exist: City Lot People Place and Integrated People Place. The addendum does not discuss these programs further because: a) the proposed Shared Spaces Program would not substantively change these categories, and b) the city has not issued permits for categories much (City Lot) or at all (Integrated).

¹¹ This period reflects that last full fiscal year prior to the temporary COVID-19 program. Permit activity may have been less for a portion of this period, as shelter-in-place orders started in March 2020.

Program Category	Program Category Definition	Existing Legislation and Regulations ^a	Approved Permits (July 1, 2019 to June 30, 2020) ^b
Tables and Chairs in Public Sidewalk or Roadway Areas; Display Merchandise on Public Sidewalks	Tables and chairs for businesses owners and operators in public sidewalk or roadway areas. Display merchandise for business owners and operators on public sidewalks.	<i>Duration, prior to seeking renewal:</i> One year. <i>Access:</i> Minimum 6 feet wide unobstructed pedestrian through path of travel.	785 ^c
Curbside People Place, generally known as Parklets	Activities occurring in a portion of the curbside lane of a roadway.	<i>Duration, prior to seeking renewal:</i> No longer than two years per legislation but implementing manual for parklets required one-year review for renewal. <i>Access:</i> Various standards for disability access. <i>Transportation safety:</i> Width clearance restrictions near traffic lanes, bicycle lanes, and intersections; generally not on streets with speed limits above 25 mph, generally not on slopes/grades above five percent, and generally width clearance restrictions near intersections. <i>Restrictions:</i> Not within bus stop or above or on utility access panels, manhole covers, storm drains, or fire hydrant valves; generally not allowed in other color curb zones ¹² .	56
Roadway People Place or ISCOTT-authorized street closures	Activities occurring in or on any portion of the roadway.	<i>Duration, prior to seeking renewal:</i> One year. <i>Access:</i> minimum 14 feet wide unobstructed emergency vehicle path. <i>Restrictions:</i> No objects within an intersection or crosswalk, or above or on manhole and valve box covers, and object width clearance restrictions near fire hydrants/connections.	397 ^d
Temporary Use Authorization	Permits a specific land use for a limited period on a particular parcel, such as mobile food facilities, season sales, construction trailers, and festivals.	<i>Duration:</i> Varies, but generally may occur up to two years. <i>Restrictions:</i> Varies but includes hours of operation and transparency requirements.	49

¹² Color curb zones refer to zones used for commercial (yellow) and passenger (white), short-term parking (green), blue (disabled parking), and red (no stopping).

Program Category	Program Category Definition	Existing Legislation and Regulations ^a	Approved Permits (July 1, 2019 to June 30, 2020) ^b
<p>a. Existing legislation refers to the existing Places for People Program (pre-COVID-19 emergency) and related programs; existing regulations refers to city agencies terms and conditions or rules and regulations. This includes the following:</p> <ul style="list-style-type: none"> • All People Places: Chapter 94A of the San Francisco Administrative Code, Section 793 of the San Francisco Public Works Code, Article 15.1 of the San Francisco Police Code; • Tables and Chairs and Display Merchandise: to San Francisco Public Works code articles 5.2 and 5.3; • Curbside People Place or Parklets: San Francisco Parklet Manual, Summer 2020; • Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT): San Francisco Transportation Code, Division I, section 6; and • Temporary Use Authorization: San Francisco Planning Code section 205. <p>b. This period reflects that last full fiscal year prior to the temporary COVID-19 program. Permit activity may have been less for a portion of this period, as shelter-in-place orders started in March 2020.</p> <p>c. Of 785, 523 are for tables and chairs, and 262 are for display merchandise.</p> <p>d. This number reflects ISCOTT permits, as there were zero Roadway People Place permits.</p>			

Relationship to Better Streets Plan

The Places for People Program and related programs are most relevant to Better Streets Plan concepts (2) universal pedestrian streetscape design...” and “(4) enhanced usability of streetscapes for social purposes...” Better Street Plan elements relevant to those concepts and the Places for People Program and related programs include:

- Plan Streetscape Element 6.5: site furnishings such as benches and seating;¹³
- Plan Street Design Element 5.6: parking lane treatments and planters, including flexible use of parking lanes to be used for other uses such as café seating on a temporary basis on streets such as Commercial and Mixed-Use streets and alleys;¹⁴ and
- Plan Street Design Element 5.8: pedestrian priority designs, including shared public ways and pedestrian-only streets.¹⁵

The Better Streets Plan included criteria for some of these elements. These criteria were not adopted as legislation or regulations in the Places for People Program and related programs. Such criteria pedestrian priority-designs included:

- Vehicular access: varies, but generally streets with no parking access or parking garages with less than 100 parking spaces unless time of day closures allow for it;
- Loading access: varies, but generally streets with no loading access unless time of day closures allow for it;
- Vehicular volumes: fewer than 100 cars per hour; and

¹³ Referred to as a standard improvement in the Better Streets Plan FMND or something standard to be required for any future site-specific street project or proposed development that includes streetscape improvements on any street within that particular street typology.

¹⁴ Referred to as a case-by-case improvement in the Better Streets Plan FMND or something that would not be required for any future site-specific street project or proposed development that includes streetscape improvements but should be considered for implementation.

¹⁵ *Ibid.* The Better Streets Plan included criteria for the types of streets to consider shared public ways and pedestrian-only streets as discussed below.

- Muni: streets without transit service.

The Places for People Program implemented ideas in the Better Streets Plan. Specifically, the Places for People Program implemented through code amendments the next steps identified in plan policies 2.4, 2.5, and 3.1, and as listed below:

- *Plan Policy 2.4:* Facilitate and encourage residents and businesses to make streetscape improvements (using landscaping or other aesthetic elements) adjacent to their sites that promote street use and activity.
 - *Plan Policy 2.4 Next Step:* Facilitate the ability of neighbors to create and maintain public space, seating, and art improvements (per City permits) within appropriate areas of the sidewalk, or within excess areas of the right-of-way, that result in enhanced aesthetics or public usability of sidewalk space.
- *Plan Policy 2.5:* Facilitate and encourage temporary community use of street space for public activities, such as street fairs, performances, and farmer's markets.
 - *Plan Policy 2.5 Next Step:* Simplify the process and clarify guidelines necessary to attain temporary use permits for activities in public right-of-ways.
- *Plan Policy 3.1:* In commercial districts, facilitate and encourage adjacent businesses to use street space for outdoor seating and merchandise displays, while maintaining adequate pedestrian access.
 - *Plan Policy 3.1 Next Step:* Facilitate the ability of restaurants and cafés to place outdoor seating in front of their businesses per City regulations.

Other related programs existed prior to the city's adoption of the Better Streets Plan, such as ISCOTT and tables, chairs, and display merchandise in public areas. As mentioned above, these related programs are relevant to the Better Streets Plan streetscape elements.

For more information on the Places for People program, see Section B, Setting and Section C, Current Modified Project Description, below.

A.3.2 Temporary COVID-19 Emergency Shared Spaces Program

On February 25, 2020, Mayor London Breed of San Francisco, issued a local health emergency under California Government Code sections 8550 et seq., San Francisco Charter Section 3.100(14), and Chapter 7 of the San Francisco Administrative Code to address the spread of COVID-19 (coronavirus) within the city.

On March 6, 2020, San Francisco Health Officer Tomas Aragon declared a health emergency in San Francisco due to the COVID-19 pandemic, and the Board of Supervisors concurred with that declaration on March 10, 2020. Since that time, the City's Health Officer has issued various health orders, including a Stay-Safer-At-Home order, requiring most people to remain in their homes subject to certain exceptions including obtaining essential goods such as food and necessary supplies, and requiring the closure of non-essential businesses. The Health Officer has amended the Stay-Safer-At-Home Order to modify the interventions needed to limit the transmission of COVID-19.

The Stay-Safer-At-Home order allowed restaurants and retail businesses to conduct their operations outside, where the risk of transmission of COVID-19 is generally lower. Due to the density of San Francisco, many restaurants and businesses do not have significant amounts of outdoor space as part of their premises.

On June 9, 2020, the Mayor issued the 18th Supplement to the Proclamation declaring a local emergency to create a temporary program (“temporary Shared Spaces”) for retail businesses and restaurants to occupy the public sidewalk and parking lane fronting their premises for retail businesses to display and sell goods and merchandise and offer services and for restaurants to place tables and chairs to offer outdoor dining, subject to certain regulations.¹⁶

The Mayor issued several subsequent Supplements to the Proclamation declaring a local emergency to expand opportunities for businesses to conduct operations in additional types of outdoor places.

- On July 28, 2020 the Mayor issued the 23rd Supplement, which allowed for Shared Spaces in outdoor areas of privately-owned parcels such as open lots, rear yards, and courtyards.
- On August 26, 2020, the issued the 26th Supplement, which allowed for recurring temporary street-closures.
- On September 25, 2020 the Mayor issued the 27th Supplement, which allowed for entertainment, arts & culture activities to take places as accessory to commercial activities as permitted by public health directives.

Businesses and organizations may currently apply to the city for a free, temporary Shared Spaces permit. Table 2 describes the categories under the temporary Shared Spaces program, including estimates of the number of approved temporary permits for each between July and December 2020, except roadway shared spaces is shown through April 2021.¹⁷

Table 2: Temporary Shared Spaces Program

Program category	Program Category Definition	Regulations	Approved Permits (between July and December 2020)
Sidewalk Shared Space	Seating, dining, retail pickup, etc. for businesses owners and operators in public sidewalk. Not needed if a business already has a permit for outdoor seating.	<i>Duration, prior to seeking renewal:</i> six months. <i>Access:</i> minimum 6 feet wide unobstructed pedestrian through path of travel.	403
Parking Lane Shared Space	Seating, dining, retail pickup, etc. for businesses owners and operators in parking lane.	<i>Transportation safety:</i> width clearance restrictions near intersections, traffic lanes, fire hydrants/connections.	834

¹⁶ The Planning Department issued a statutory exemption pursuant to CEQA Guidelines section 15269(c) Emergency Projects for this action, which also covered subsequent supplementals including the clarified street closures in the August 26, 2020 supplement. Planning Department case number: 2020-005496ENV.

¹⁷ The existing temporary Shared Spaces program began in July 2020. Prior to July 2020, the city issued permits for public space occupancies through the equivalent pre-shared spaces programs (refer to Table 1).

Program category	Program Category Definition	Regulations	Approved Permits (between July and December 2020)
Both Sidewalk and Parking Lane Shared Spaces	Seating, dining, retail pickup, etc. for businesses owners and operators in both the public sidewalk and parking lane	<i>Restrictions:</i> not within traffic lane (for bikes or cars), bus stop, or red or blue curb zone.	715
Roadway Shared Spaces	Seating, dining, services, etc. for businesses owners and operators, merchant groups, and community organizations in traffic lanes on one or more blocks.	<i>Duration:</i> One-Year Maximum Permit Duration, renewable annually. <i>Access:</i> Access lanes as necessary for local access to off-street parking, paratransit and/or emergency vehicles. <i>Transportation preferences (not requirements):</i> free of public transit or bike lanes, few or no driveways or bike lanes, low traffic volumes and slow speeds, no fire or police stations or medical facilities.	51 ^{a,b}
Private Property Shared Spaces	Seating, dining, retail space, lines for customers, etc. for businesses owners and operators on private property like rear yards, vacant lots, parking lots, and patios.	Temporary Use Authorizations for Shared Spaces may not exceed two years. Any proposal to extend uses that are not otherwise allowed by zoning would need to go through a conditional use process.	71
^a The number of approved permits excludes permits processed during emergency conditions, but are not consistent with the definition of the program (e.g. permits for COVID response measures or that would typically be processed under ISCOTT, such as one-off events). It also excludes permits issued to renew or to modify the hours of a permit for an existing permitted location. ^b This category also includes permits that the city approved between January 1, 2021 to April 2021.			

Temporary Shared Space program permits may require review and approval by various city committees and agencies, including those mentioned for the Places for People program. The city denied permits for examples such as:

- Conflicts with space or physical characteristics that cannot be relocated or cause safety concerns:
 - Parking lane: bus stop, red color curb zones (hydrants, corner daylighting, transit boarding and alighting areas) and blue color curb zones (disabled parking), tow away lanes, too close to transit rail line, on a street with bus service and the shared space would conflict with maneuverability of buses, on a street with 30 mile per hour speed limit (in some instances);
 - Street closure: street with Muni Metro bus service substitution, no space for emergency access lane; blocking access to off-street parking;
- Lack of curbside frontage for property (e.g., no parking lane) and neighboring property with curbside frontage didn't agree to its use for shared space; and
- Conflicts with locational issues, such as zoning or city jurisdiction (e.g., redevelopment area).

In some instances, permittees have submitted revised permits to address denial reasons and the city has approved these revised permits.

For more information on how temporary Shared Spaces are related to the Places for People program, see Section B, Setting and Section C, Current Modified Project Description, below.

A.4 Proposed Shared Spaces Program Relationship to the Better Streets Plan FMND

The proposed Shared Spaces Program is a modification to the Better Streets Plan assessed in the FMND, including Places for People Program. Specifically, the current modified project would further implement ideas in the Better Streets Plan that the existing Places for People Program previously advanced. This addendum focuses on the physical environmental impacts that would occur from the current modified project. This addendum does not discuss Better Streets Plan elements that the current project would not modify. The FMND analysis remains valid for those Better Street Plan elements not proposed for modification by the current project.

The Green Connections Project, which received the first addendum to the Better Streets Plan FMND, included elements that the Shared Spaces Program would not modify. The first addendum analysis remains valid for the Green Connections Project.

B. Setting

For the baseline conditions used to assess the physical environmental effect of the current modified project, this addendum uses historical conditions, or those conditions related to the existing Places for People Program and related programs that existed in San Francisco prior to the COVID-19 emergency. This Setting section describes those conditions. This approach is consistent with CEQA guidelines section 15125(a)(1) in referencing historic conditions for the environmental setting and provides a conservative approach to the environmental impacts resulting from the current modified project.¹⁸

The setting also describes the temporary Shared Spaces program that exists during the ongoing COVID-19 emergency, as it provides informational value regarding the on-the-ground temporary conditions and to inform the near-term impacts of the current modified project (see Section C, Current Modified Project Description, below for more details on near-term current modified project impacts).

The setting, as well as the remaining sections of this addendum, categorizes Better Streets Plan elements, existing Places for People Program and related program elements, temporary existing Shared Spaces Program elements, and proposed Shared Spaces Program elements into four categories:

- Sidewalk, elements on the sidewalk;
- Curbside, elements in the lane next to the sidewalk that are generally¹⁹ not used as a travel lane (e.g., the “curb” lanes such as the parking lane);
- Roadway, elements in travel lanes (e.g., most often not the curb lane); and
- Private Property, elements on private property.

This categorization is to assist in assessing current modified project impacts to baseline conditions.

B.1 Overview

Most existing program and current modified project-related elements are in the public rights-of-way in the city. Some elements are on private property. These elements tend to be concentrated along or near streets with commercial activity (e.g., restaurants, retail, etc.).

The public rights-of-way are under the jurisdiction of various city agencies described in Section A. Background, above. Some elements may also apply to State Routes on surface arterial roadways that are in the city but under the jurisdiction of the California Department of Transportation (Caltrans).

B.2 Existing Conditions (Pre-COVID-19 Emergency Programs)

Sidewalks: Numerous business owners and operators had tables and chairs permits or merchandising permits pursuant to San Francisco Public Works code on sidewalks throughout San Francisco. As shown in Table 1, between July 1, 2019 and June 30, 2020,²⁰ there were 785 approved permits. Table 5 and Appendix

¹⁸ For more information in how this represents a conservative approach, see Section D, Analysis of Potential Environmental Impacts.

¹⁹ A movable commercial parklet may use a peak tow-away lane if the operator moves the commercial parklet out of the lane during the peak tow-away hours (e.g., non-fixed tables and chairs).

²⁰ Through this section, this period reflects that last full fiscal year prior to the temporary COVID-19 program. Permit activity may have been less for a portion of this period, as shelter-in-place orders started in March 2020.

A.1 display the geographic distribution of these existing permits. The three neighborhoods with the greatest sidewalk permit activity were Chinatown, the Mission, and the Financial District.

Curbside: Various stewards²¹ had parklets in the curbside lane throughout San Francisco pursuant to the existing Places for People Program. Parklets generally occupy one to two parking spaces with a fixed structure. These parklets were open to all members of the public to use. The city considers them small parks that provide amenities like seating, planting, bicycle parking, and art. The city prohibits commercial activity in day-to-day operations. As shown in Table 1, between July 1, 2019 and June 30, 2020, there were 56 approved permits. Table 5 and Appendix A.2 display the geographic distribution of these existing permits. The three neighborhoods with the greatest curbside permit activity were the Mission, Hayes Valley, and Sunset/Parkside.

Roadway: Persons have applied for temporary street closure on streets throughout San Francisco through the ISCOTT process. As shown in Table 1, between July 1, 2019 and June 30, 2020, there were 397 approved closures.²²

Two types of street closure programs exist:

- Neighborhood block party: single-day events limited to a one block closure. These closures should not block or affect intersections or Muni routes. Between July 1, 2019 and June 30, 2020, there were 161 approved neighborhood block party permits.
- Special events: single-day, multiple-day, or reoccurring events that could take space on multiple streets and intersections. These closures can require Muni re-routing. Between July 1, 2019 and June 30, 2020, there were 236 approved closures. The city does not have restrictions on the number of days or hours per day for such special events. Most events are single-day events, followed by two and three-day events. Table 3 presents the longest consecutive²³ number of days for street closures.²⁴ Table 4 presents the most days closed on any block (or multiple blocks of a street that affect same Muni route) of any street.²⁵

Table 3: Existing Conditions – Longest Consecutive Street Closures

Event / Impacted Street	Boundaries	Total Days Closed and Timeframe	Muni Route Present (Yes/No)
Street Soccer / Fulton Street	Larkin and Hyde streets	62 days; all day	No
Winter Walk/ Grant Avenue	Post and Geary streets	40 days; all day	No ^a
Maiden Lane	Stockton and Kearny streets		

21 A “Steward” may be any person or entity.

22 Geospatial data is unavailable for existing conditions roadway closures. Thus, the geographic distribution of roadway closures is not shown.

23 Some street closures are shown for non-consecutive days, but for dates close to each other.

24 Market Street is closed for spontaneous events (e.g., protests) and for planned events (e.g., parades). The city issues permits for planned events on Market Street under a program unrelated to the Places for People Program. Thus, Market Street is not shown here.

25 *Ibid.*

Table 3: Existing Conditions – Longest Consecutive Street Closures

Event / Impacted Street	Boundaries	Total Days Closed and Timeframe	Muni Route Present (Yes/No)
Dreamforce 2019/ Various streets	Various streets	13 days; up to all day	Yes, on some streets
St. Anthony's Holiday Donation Drive/ Golden Gate Avenue	Leavenworth and Jones streets	11 days over two different periods; 7 am to 5 pm	No
Oracle OpenWorld 2019/ Various streets	Various streets	10 days over two different periods; up to all day	Yes, on some streets
Salesforce Analytics/ Minna Street	New Montgomery and 2nd streets	6 days; all day	No
CNS Annual Meeting/ 4th Street	Howard and Minna streets	5 days; 12 pm to 5 pm	No ^a
a. No Muni route present on closed street, but Muni was affected by redirected general vehicular traffic.			

Table 4: Existing Conditions – Most Days Closed by Block (non-consecutive)

Impacted Street	Boundaries	Total Days Closed	Muni Route Present (Yes/No)
Fulton Street	Larkin and Hyde streets	93 days	No
Farmer's Markets: Clement Street; 22nd Street/ Bartlett Street; Noe Street; O'Farrell Street	Arguello Blvd and 4 th Avenue; Valencia and Mission streets/ 21 st and 22 nd streets; Beaver and Market streets; Fillmore and Steiner streets	52 days	Yes on one street, 2-Clement
Grant Avenue	Post and Geary streets	51 days	No ^a
Maiden Lane	Stockton Street and Grant Avenue	50 days	No
Howard Street (partial)	3 rd and 4 th streets	29 days	No
4th Street (one lane)	Minna and Howard streets	15 days	Yes, 30-Stockton
Jefferson Street	Hyde Street and the western terminus	14 days	No
Golden Gate Avenue	Leavenworth and Jones streets	12 days	No
Stevenson Street	6 th and 7 th streets	9 days	No
Irving Street	9th and 10th avenues	8 days	No
Waverly Place	Sacramento and Washington streets	7 days	No
a. No Muni route present on closed street, but Muni was affected by redirected general vehicular traffic.			

Private Property: Persons have applied for temporary use authorizations on private property throughout San Francisco pursuant to the San Francisco Planning Code. Examples include short-term uses as mobile food facilities, seasonal Christmas tree and pumpkin sales, construction trailers, festivals or exhibitions. As shown in Table 1, between July 1, 2019 and June 30, 2020, there were 43 approved permits. Table 5 and Appendix A.3 display the geographic distribution of these existing permits. The neighborhoods with the greatest temporary use authorizations on private property were the Financial District, Bayview Hunters Point, Chinatown, Mission, and Tenderloin.

Table 5: Existing Conditions – Permits by Type and Neighborhood

Neighborhood	Permit Type ^a		
	Sidewalks	Curbside	Private Property
Bayview Hunters Point	-	1	4
Bernal Heights	7	3	1
Castro / Upper Market	35	1	1
Chinatown	120	1	4
Excelsior	4	-	-
Financial District	79	-	6
Glen Park	-	-	-
Golden Gate Park	-	-	-
Haight Ashbury	20	2	-
Hayes Valley	28	6	2
Inner Richmond	32	2	-
Inner Sunset	17	-	1
Japantown	3	-	-
Lakeshore	-	-	1
Lincoln Park	-	-	-
Lone Mountain / USF	10	-	-
Marina	58	1	2
McLaren Park	-	-	-
Mission	97	16	4
Mission Bay	5	-	1
Nob Hill	30	1	-
Noe Valley	15	2	-
North Beach	43	2	2
Oceanview / Merced / Ingleside	1	-	-
Outer Mission	4	-	2
Outer Richmond	20	1	1
Pacific Heights	26	2	-
Portola	6	-	-
Potrero Hill	17	3	1

Presidio	-	-	-
Presidio Heights	9	-	-
Russian Hill	27	2	-
Seacliff	-	-	-
South of Market	12	4	3
Sunset / Parkside	36	5	2
Tenderloin	12	-	4
Treasure Island	-	-	-
Twin Peaks	-	-	-
Visitacion Valley	-	-	-
West of Twin Peaks	9	-	1
Western Addition	3	1	-
Total:	785	56	43

B.3 Temporary COVID-19 Emergency Shared Spaces Program

Businesses and organizations may currently apply to the city for a free, temporary Shared Spaces permit pursuant to the Mayoral proclamations that allowed for Shared Spaces in relation to the COVID-19 emergency, starting in July 2020. The following is provided for informational purposes, as the baseline conditions for the impact analysis of the current modified project uses those conditions related to the Places for People Program and related programs that existed in San Francisco prior to the COVID-19 emergency. This information is also used to inform the near-term impacts of the current modified project's impacts (see Section C, Current Modified Project Description, below for more details on near-term current project impacts).

Sidewalk-Only: Numerous business owners and operators received temporary sidewalk shared spaces permits. Business owners and operators did not need to receive a temporary shared space permit if they already had a permit for outdoor sidewalk tables & chairs. Between July and December 2020, there were 403 approved sidewalk-only permits. Table 7 and Appendix B.1 display the geographic distribution of these existing permits. The three neighborhoods with the greatest sidewalk permit activity were the Mission, Marina, and Financial District.

Curbside-Only: Numerous business owners and operators received temporary parking lane shared spaces permits. Between July and December 2020, there were 834 approved curbside-only permits. Table 7 and Appendix B.2 display the geographic distribution of these existing permits. The three neighborhoods with the greatest curbside permit activity were the Mission, Marina, and Chinatown.

Both Sidewalks and Curbside: Numerous business owners and operators received a combined temporary permit for occupying both a sidewalk and parking lane shared spaces permits. Between July and December 2020, there were 715 approved permits. Table 7 and Appendix B.3 display the geographic distribution of these existing permits. The three neighborhoods with the greatest number of combined sidewalk and curbside permits were the Mission, Marina, and Castro.

Roadway: Numerous organizations and businesses have applied for temporary shared streets throughout San Francisco. Between July and December 2020, permits were approved for 46 unique location.^{26,27} Between January 2021 and April 2021, permits were approved for 5 additional locations. The total number of permits approved for unique locations between July 2020 and April 2021 is 51.

The temporary shared street program includes single-day, multiple-day, or reoccurring events. Table 6 displays the characteristics of some streets with reoccurring closures.

Table 6: Temporary Shared Streets Program – Selected Streets with Reoccurring Closures

Street	Boundaries	Days of Week							Muni Service Affected
		Mon	Tues	Wed	Thurs	Fri	Sat	Sun	
18 th Street	Hartford to Collingwood streets						9:30 am to 10 pm	9:30 am to 10 pm	Reroute of 33-Ashbury/18th Street. Congestion impacts to 24-Divisadero.
37 th Avenue	Ortega to Quintara							6 am to 7 pm	None
Grant Avenue	California to Washington streets						8 am to 9 pm	8 am to 9 pm	None
Hayes Street	Laguna to Franklin streets					4 pm to 10 pm	10 am to 10 pm	10 am to 10 pm	21-Hayes (suspended service due to COVID-19)
Larkin Street	Eddy to O'Farrell streets				11 am to 8 pm	11 am to 8 pm	11 am to 8 pm	11 am to 8 pm	Reroute of 19-Polk
Stevenson Street	6 th to 7 th streets				4 pm to 9 pm				None
Taraval Street	46 th to 47 th avenues							9 am - 7 pm	None (L-Taraval track work so not impacted)
Valencia Street	16 th to 17 th streets, 18 th to 19 th streets, 20 th to 21 streets					5 pm to 9 pm	8 am to 9 pm	12 pm to 5 pm	None ^a
Washington Street	Fillmore to Steiner streets	9 am to 10 pm	9 am to 10 pm	9 am to 10 pm	9 am to 10 pm	9 am to 10 pm	9 am to 10 pm	9 am to 10 pm	10-Townsend (suspended service due to COVID-19)

²⁶ Geospatial data is unavailable for existing conditions roadway closures. Thus, the geographic distribution of roadway closures is not shown for temporary conditions either.

²⁷ The number of approved permits excludes permits processed during emergency conditions but are not consistent with the definition of the program (e.g., permits for City COVID response or that would typically be processed under ISCOTT, such as one-off events). In addition, permit modifications and renewals for the same location were nested together (i.e., counted as 1).

Note: This table does not include all Shared Spaces street closures. For a complete list of currently permitted Shared Spaces street closures, refer to this website: <https://www.sfmta.com/projects/shared-spaces>.
a. No Muni route present on closed street, but Muni was affected by redirected general vehicular traffic.

Private Property: Numerous business owners and operators received temporary private property shared spaces permits. Between July and December 2020, there were 71 approved permits. Table 7 and Appendix B.4 display the geographic distribution of these existing permits. The neighborhoods with the greatest private property permit activity were the Mission, Financial District, Castro/Upper Market, and Marina.

Table 7: Temporary Shared Spaces Program – Permits by Type and Neighborhood

Neighborhood	Permit Type ^a			
	Sidewalks Only	Curbside Only	Both Sidewalks and Curbside	Private Property
Bayview Hunters Point	4	14	8	-
Bernal Heights	15	26	19	1
Castro / Upper Market	16	34	40	5
Chinatown	27	61	37	-
Excelsior	4	4	4	1
Financial District	42	43	28	7
Glen Park	1	8	-	-
Golden Gate Park	-	-	-	-
Haight Ashbury	17	18	26	-
Hayes Valley	16	46	30	3
Inner Richmond	13	31	32	1
Inner Sunset	6	18	17	4
Japantown	5	8	5	-
Lakeshore	-	1	-	2
Lincoln Park	-	-	-	-
Lone Mountain / USF	2	3	7	1
Marina	21	53	58	5
McLaren Park	-	-	-	-
Mission	60	114	144	21
Mission Bay	5	10	5	2
Nob Hill	14	25	34	3
Noe Valley	6	21	14	2
North Beach	13	38	29	-
Oceanview / Merced / Ingleside	1	3	-	-
Outer Mission	4	3	4	-
Outer Richmond	8	31	27	2
Pacific Heights	8	25	20	2

Table 7: Temporary Shared Spaces Program – Permits by Type and Neighborhood

	Permit Type ^a			
Neighborhood	Sidewalks Only	Curbside Only	Both Sidewalks and Curbside	Private Property
Portola	1	6	4	1
Potrero Hill	5	21	11	-
Presidio	-	-	-	-
Presidio Heights	4	6	6	-
Russian Hill	11	33	29	-
Seacliff	-	-	-	-
South of Market	26	33	12	3
Sunset / Parkside	15	43	32	2
Tenderloin	19	19	17	2
Treasure Island	-	-	-	-
Twin Peaks	-	-	-	-
Visitacion Valley	3	-	-	-
West of Twin Peaks	8	21	10	1
Western Addition	3	14	6	-
<i>Total:</i>	403	834	715	71

a. Geospatial data is unavailable for existing conditions roadway closures. Thus, the geographic distribution of roadway closures is not shown for the temporary shared spaces program.

C. Current Modified Project Description

The city is proposing amendments to various codes to create the Shared Spaces Program (current modified project or current project) (Board of Supervisors File no. 160893). This includes proposing to make permanent the temporary Shared Spaces program and consolidate existing separate but related public programs.²⁸ The current modified project would revise and update existing processes by city agencies that would coordinate review and approval of shared spaces.

Some elements of the proposed Shared Spaces Program are the same as elements in the Better Streets Plan, and as such were previously analyzed as part of the FMND. However, the current project is a modification to the plan assessed in the FMND, including Places for People Program. The department did not fully assess location or intensity of some current modified project elements.

Thus, this addendum focuses on the physical environmental impacts that would occur from the current modified project elements. This addendum assesses the current modified project's location and intensity changes of the following elements: sidewalk, curbside, and roadway. The current modified project is not anticipated to result in modifications to elements on private property.²⁹ This addendum assesses the current modified project's program-level impacts based on anticipated permit amounts in the near-term and how that may change over the long-term. This addendum does not discuss Better Streets Plan elements that the current project would not modify. The FMND analysis remains valid for those Better Street Plan elements not proposed for modification by the current project.

All current modified project elements would be temporary, reversible physical treatments or programming activation on public rights-of-way. No current modified project elements would require excavation. All current modified project elements would require little to no construction activities.

The following describes the current modified project elements into the categories described in the setting (other than private property, for the reasons described above). For each category, Tables 8 through 10 and the subsequent text describe the current modified project's modifications to:³⁰

- Existing legislation;
- Existing city agencies terms and conditions or rules (collectively referred to as “regulations”); and
- Baseline (pre-COVID-19 emergency) conditions.

Like the existing Places for People Program and related programs, the proposed Shared Spaces Program may require review and approval by various city committees and agencies, as described further below.

²⁸ It also includes renaming the existing Places for People Program and associated terms to Shared Spaces Program and associated terms.

²⁹ The current modified project would incorporate private property into the Shared Spaces program. However, this incorporation would not effectively change the existing regulations applicable to private property (e.g., temporary use authorizations) and the associated existing conditions. Refer to Section D. Analysis of Environmental Impacts for more details on why the current modified project is not anticipated to result in changes to elements on private property.

³⁰ This addendum focuses on those current modified project changes that could result in potential physical environmental impacts. Thus, this addendum does not discuss all current modified project changes, such as legislation editorial changes or organizational clarity.

Table 8: Summary of Current Modified Project – Legislation & Regulations

Category		Existing Legislation & Regulations ^a	Proposed Legislation & Regulations Modifications ^b
All categories	Permit duration, prior to seeking renewal	One to two years	One year ^{c,d,e}
	Permitted activities	See below categories for permitted activities	See below categories for permitted activities, including allowing commercial use
	Selected regulations	All must remain accessible to public, except for restricted access events (limited to 8 single-day events per year).	New categories that allow commercial use; see below.
		<i>Good neighbor policies:</i> including noise and odors must be contained within immediate area of the People Place.	<i>Good neighbor policies:</i> no change.
Sidewalks	Permitted activities	<i>Places for People:</i> activities occurring on a portion of sidewalk <i>Other programs:</i> café tables and chairs and merchandise	Consolidates other programs into Shared Spaces. Allows private dining/table service, while requiring a bench or other public seating.
	Selected regulations	<i>Access:</i> Minimum 6 feet wide unobstructed pedestrian through path of travel	<i>Access:</i> No change
Curbside	Permitted activities	See all categories (e.g., parklets open to public)	Creates different types of parklets: <ul style="list-style-type: none"> Public Parklet: no change. Fixed Commercial Parklet: a curbside space occupied by the operator using a fixed structure, while requiring a bench or other public seating. Movable Commercial Parklet: a curbside space occupied by the operator using movable fixtures (e.g., non-fixed tables and chairs), while requiring a bench or other public seating.
	Selected regulations	<i>Access:</i> various standards for disability access.	<i>Access:</i> No change.
		<i>Transportation Safety:</i> width clearance restrictions near traffic lanes, bicycle lanes, and intersections; generally not on streets with speed limits above 25 mph, generally not on slopes/grades above five percent, and generally width clearance restrictions near intersections.	<i>Transportation Safety:</i> same, except changed to clarify clearance restrictions based on side of an intersection (near or farside).
		<i>Restrictions:</i> not within bus stop or above or on utility access panels, manhole covers, storm drains, or fire hydrant valves; generally not allowed in other color curb zones.	<i>Restrictions:</i> same, except added more restrictions (e.g., not within transit only lanes or tow-away lanes, except for movable commercial parklets) and changed to require color curb supply demand

Category		Existing Legislation & Regulations ^a	Proposed Legislation & Regulations Modifications ^b
			to be accommodated on the blockface and would allow longer-term closures.
Roadway	Permitted activities	Activities occurring in or on any portion of the roadway (e.g., street fairs, neighborhood block parties)	New category of activities in or on any portion of the roadway that allows for generally longer occupancy of the roadway (see restrictions below), except for activities occurring only in the curbside lane
	Selected regulations	Access: minimum 14 feet wide unobstructed emergency vehicle path.	Access: requires an emergency vehicle passageway as determined by Fire department but removes mandatory minimum of 14 feet.
		<i>Restrictions:</i> no objects within an intersection or crosswalk, or above or on manhole and valve box covers, and object width clearance restrictions near fire hydrants/connections.	<i>Restrictions:</i> No change to existing and added: <ul style="list-style-type: none"> Any street: generally not allowed for more than ten consecutive hours per day over four consecutive days per week and would allow for longer-term closures. Additional analysis required for streets with active transit service or higher vehicular volumes to assess if the activities would cause substantial delays to transit.
<p>a. Existing legislation refers to the existing Places for People Program (pre-COVID-19 emergency) and related programs; existing regulations refers to city agencies terms and conditions or rules and regulations. This includes the following:</p> <ul style="list-style-type: none"> All People Places: Chapter 94A of the San Francisco Administrative Code, Section 793 of the San Francisco Public Works Code, Article 15.1 of the San Francisco Police Code; Tables and Chairs and Display Merchandise: to San Francisco Public Works code articles 5.2 and 5.3; Curbside People Place or Parklets: San Francisco Parklet Manual, Summer 2020; Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT): San Francisco Transportation Code, Division I, section 6; and Temporary Use Authorization: San Francisco Planning Code section 205. <p>b. Proposed legislation refers to the Shared Spaces Program; proposed regulations refer to city agencies terms and conditions or rules and regulations for the Shared Spaces Program. This includes the following:</p> <ul style="list-style-type: none"> All Shared Spaces: Chapter 94A of the San Francisco Administrative Code, Section 793 of the San Francisco Public Works Code, Article 15.1 of the San Francisco Police Code; Sidewalks: No additional codes; San Francisco Public Works rules and regulations; Curbside: SFMTA Director for Transportation and SFMTA Board of Directors: Transportation Code, Division II, section 204, including rules and regulations, and San Francisco Public Works rules and regulations; and Roadways: Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT): San Francisco Transportation Code, Division I, section 6, San Francisco Transportation Code, Division II, section 205, and SFMTA Board of Directors: San Francisco Transportation Code, Division II, section 206. Also, SFMTA rules and regulations. <p>c. The SFMTA Director of Transportation would be the approving authority of temporary curbside closures, or those where the cumulative duration of permits considered for closure would be less than two consecutive years.</p> <p>d. ISCOTT would be the approving committee of temporary roadway closures, or those where the cumulative duration of permits considered for closure would be less than two consecutive years.</p> <p>e. The SFMTA Board of Directors may be (curbside, if someone files a request for such review) or would be (roadway) the approving body of a longer-term closure, or those where the cumulative duration of permits considered for closure would be in excess of two consecutive years.</p>			

Table 9: Summary of Current Modified Project – Near-Term Permits

Category	Existing ^a	Current Modified Project Near-Term (estimated range of net new permits) ^{b,c}	Existing plus Current Modified Project Near-term Total
Sidewalks	785	860 to 1,240	1,645 to 2,025
Curbside	56	1,230 to 1,710	1,286 to 1,766
Roadway	397	40 to 50 (17)	437 to 447

a. Existing refers to Existing Conditions (Pre-COVID-19 Emergency Programs). For more information see Section B, Setting, above.

b. The near-term refers to a two-year estimate of net new permit activity in each of the categories, or the reasonably foreseeable net new permit activity. The net new is compared to existing (pre-COVID-19 Emergency Programs) emergency conditions. The near-term permit range does not reflect a cap or limit on the number of permits that may be approved under the Shared Spaces program. See Section D. Analysis for Environmental Impacts for further discussion of methodology. See Appendix C.1, C.2, and C.3 for list of assumed near-term permit activity, including those roadway permits that may need additional analysis (subset shown in parentheses here).

c. This addendum assesses the current modified project's program-level impacts based on anticipated permit amounts in the near-term and how that may change over the long-term.

Sidewalks

The current modified project is anticipated to increase the intensity of sidewalk activity by approximately 70 to 90 percent in the near-term, from 785 permits to approximately 1,645 to 2,025 permits from San Francisco Public Works.

The location of the sidewalk activity is not anticipated to substantially change, as they would continue to be concentrated along or near streets with commercial activity (e.g., restaurants, retail, etc.). Table 10 displays the geographic distribution of projected net new near-term sidewalk permits. The three neighborhoods with the greatest projected net new sidewalk permit activity would be Mission, Financial District, and Marina. See Appendix C.1 for a list of where assumed near-term permit activity would occur by neighborhood and street name.

The current modified project would not substantially change regulations applicable to sidewalk activities, such as maintaining requirements for unobstructed pedestrian through path of travel.

Curbside

The current modified project is anticipated to increase the intensity of curbside activity exponentially in the near-term, from 56 permits to approximately 1,286 to 1,766 permits from the SFMTA³¹ and San Francisco Public Works. The anticipated increased would result from expanding the curbside activity uses to allow for commercial operations versus only for public uses under existing conditions.

The location of the curbside activity would occur on streets generally concentrated along or near streets with commercial activity and in the following zoning districts, as defined by the Planning Code: Neighborhood Commercial Districts, Neighborhood Commercial Transit Districts, Commercial Districts, Chinatown Mixed Use Districts, and Eastern Neighborhoods Mixed Use Districts; Mixed Residential Districts, Residential-Commercial Combined Districts, Residential Transit Oriented Districts, and Downtown

31 The SFMTA Director of Transportation would be the approving authority of temporary curbside closures, or those where the cumulative duration of permits considered for closure would be less than two consecutive years. The SFMTA Board of Directors may be the approving body of a longer-term closure, if someone files a request for such review, or those where the cumulative duration of permits considered for closure would be in excess of two consecutive years.

Residential Districts; and Production, Distribution, and Repair (PDR) 1-B, PDR 1-D, and PDR 1-G.³² Table 10 displays the geographic distribution of projected net new near-term curbside permits. The three neighborhoods with the greatest projected net new curbside permit activity would be Mission, Marina, and Chinatown. See Appendix C.2 for a list of where assumed near-term permit activity would occur by neighborhood and street name.

The current modified project would add regulations applicable to curbside activities, including curb demand and supply. For example, if a permit is proposed in an existing passenger or commercial loading zone, the SFMTA would evaluate possible relocation or removal to accommodate the curbside shared space, including evaluating the paratransit and disabled loading needs at the loading zone. The SFMTA would deny the permit if they would find that the curbside shared space would materially affect disabled access, or they would not be able to find a suitable replacement location on the blockface.³³

Roadway

The current modified project is anticipated to increase the intensity of roadway activity in the near-term, for two reasons. First, the number of permits is expected to increase by approximately 9 to 11 percent, from 397 permits to approximately 437 to 447 permits. Second, on average the net new permits would result in more days of closure per permit than existing permits. The anticipated increase would result from expanding the roadway activity uses to allow for reoccurring commercial activities (e.g., ten consecutive hours per day over four consecutive days per week) versus less frequent reoccurring commercial activities or more one-off events (e.g., street fairs) under existing conditions.

ISCOTT would be the approving committee of temporary roadway closures, or those where the cumulative duration of permits considered for closure would be less than two consecutive years. The SFMTA Board of Directors would be the approving body of a longer-term closure, or those where the cumulative duration of permits considered for closure would be in excess of two consecutive years.

Existing regulations do not restrict the location of roadway closures, nor does the current modified project. However, the current modified project would likely change the frequency and intensity of roadway closures on streets with active transit service and higher vehicular volumes (i.e., 300 vehicles in either direction during the peak hour) which were infrequent under existing conditions.

The current modified project would add regulations applicable to these roadway closures, including requiring additional analysis to proposed roadway closures on streets with active transit service or higher vehicular volumes (estimated total of 17 such closures in the near-term). For example, if a permit is proposed on such a street, the SFMTA would assess the potential for the permit to substantially delay active public transit service. The SFMTA would modify transit operations or require permit conditions to address substantial delays, which may include but are not limited to:

Modification of transit operations:

- Rerouting of active transit service, due to a permit on a street with an active transit route.
- Reducing the number of stops (“going express”) along the reroute.

32 The San Francisco Zoning Map, November 2020 is available at: <https://sfplanninggis.s3.amazonaws.com/hub/BIGmap.pdf>.

33 Blockface refers to the one side of the street, between the two intersections within a city block.

- Modification of intersection treatments along the reroute to give transit priority.
- Utilization of nearby temporary or permanent transit lanes along the reroute to reduce transit delay.
- Modification of traffic signal timing along the reroute to reduce transit delay.

Modification of permit conditions of the proposed closures:

- Reduction in the physical scope of the proposed closure (for example, reducing a four-block closure to a three-block closure to make the reroute less circuitous or lessen impacts of active transit service on parallel streets)
- Condition the closure to permit transit vehicles to pass through the closed street, either in one direction or both directions.

The SFMTA, as set forth in their proposed regulations, would deny the permit if they would find that the roadway shared space would substantially delay active public transit service using the criteria set forth in the San Francisco Planning Department's Transportation Impact Analysis Guidelines³⁴, even with the above modifications or permit conditions. The permit would then require further environmental review, which would not be covered by this addendum.

See Appendix C.3 for list of assumed near-term permit activity, including those that may need additional analysis.

Table 10: Summary of Current Modified Project Changes – Net New Near-Term Permits by Type and Neighborhood		
	Permit Type^a	
Neighborhood	Number of Sidewalk Permits	Number of Curbside Permits
Bayview Hunters Point	10 to 20	10 to 30
Bernal Heights	30 to 40	40 to 50
Castro / Upper Market	50 to 60	60 to 80
Chinatown	50 to 70	80 to 100
Excelsior	0 to 10	0 to 10
Financial District	60 to 70	60 to 80
Glen Park	0 to 10	0 to 10
Golden Gate Park	0 to 0	0 to 0
Haight Ashbury	30 to 50	30 to 50
Hayes Valley	40 to 50	60 to 80
Inner Richmond	40 to 50	50 to 70
Inner Sunset	20 to 30	30 to 40
Japantown	0 to 10	10 to 20
Lakeshore	0 to 0	0 to 10

³⁴ See Section D.5.1 Transportation for those criteria.

Table 10: Summary of Current Modified Project Changes – Net New Near-Term Permits by Type and Neighborhood		
	Permit Type^a	
Neighborhood	Number of Sidewalk Permits	Number of Curbside Permits
Lincoln Park	0 to 0	0 to 0
Lone Mountain / USF	0 to 10	0 to 10
Marina	70 to 80	90 to 120
McLaren Park	0 to 0	0 to 0
Mission	180 to 210	230 to 260
Mission Bay	0 to 10	10 to 20
Nob Hill	40 to 50	50 to 60
Noe Valley	10 to 20	30 to 40
North Beach	30 to 50	60 to 70
Oceanview / Merced / Ingleside	0 to 10	0 to 10
Outer Mission	0 to 10	0 to 10
Outer Richmond	30 to 40	50 to 60
Pacific Heights	20 to 30	40 to 50
Portola	0 to 10	0 to 10
Potrero Hill	10 to 20	20 to 40
Presidio	0 to 0	0 to 0
Presidio Heights	0 to 10	10 to 20
Russian Hill	30 to 40	50 to 70
Seacliff	0 to 0	0 to 0
South of Market	30 to 40	40 to 50
Sunset / Parkside	40 to 50	60 to 80
Tenderloin	30 to 40	30 to 40
Treasure Island	0 to 0	0 to 0
Twin Peaks	0 to 0	0 to 0
Visitation Valley	0 to 10	0 to 0
West of Twin Peaks	10 to 20	20 to 40
Western Addition	0 to 10	10 to 20
<i>Total:</i>	<i>860 to 1,240</i>	<i>1,230 to 1,710</i>
a. Geospatial data is unavailable for existing conditions roadway closures. Thus, the geographic distribution of roadway closures is not shown for near-term current project conditions.		

Example Blocks for Curbside and Roadway Activities

Table 11 use two city street blocks to illustrate the curbside and roadway changes that are anticipated to occur in the near-term on a small number of San Francisco streets due to the current modified project. The “# of Near-Term Parking Spaces Left” column provides an indicator of how much curb space would be available for other curbside uses in the near-term and beyond. See Section D. Analysis for Environmental Impacts for further discussion of methodology.

Table 11: Example Blocks^a

Curbside							Roadway		
Block-Face	# of Existing ^b Curbside Parklets	# of Existing ^b Occupied Parking Spaces	# of Existing ^b Parking Spaces ^c Left	# of Net New Near-Term Permits ^{d,e}	# of Near-Term Occupied Parking Spaces	# of Near-Term Parking Spaces ^c Left	Muni route present (Y/N)	Existing Permits (Y/N)	Near-term net new permits (Y/N)
An example block on Valencia Street between 16th and 21st street									
East	1	1	14	2	2	12	No	Yes	Yes
West	2	3	12	5	4	8	No	Yes	Yes
An example block on Clement Street between 8th and 12th Avenue									
North	0	0	8	1	2	6	Yes	Yes	No new
South	0	0	20	1	3	17	Yes	Yes	No new
<p>a. Table shows one block within the boundaries shown herein.</p> <p>b. Existing permits refers to Existing Conditions (Pre-COVID-19 Emergency Programs).</p> <p>c. This represents the total number of parking spaces available on the blockface, including commercial loading zones. Each parking space is approximately 20 feet long.</p> <p>d. The net near-term refers to a two-year estimate of net new permit activity in these categories, or the reasonably foreseeable net new permit activity. The net new is compared to existing (pre-COVID-19 Emergency Programs) emergency conditions. The near-term permit activity does not reflect a cap or limit on the number of permits that may be approved under the Shared Spaces program. See Section D. Analysis for Environmental Impacts for further discussion of methodology.</p> <p>e. The near-term estimate provided here represents the number of curbside permits that were approved during emergency conditions for this example block.</p>									

Project approvals

The current modified project’s legislation and associated regulations would require the following approvals:

- San Francisco Board of Supervisors: approval of the various code amendments, including Administrative, Public Works, and Transportation (Division I) codes

- SFMTA Board of Directors: resolution approval of various Transportation (Division II) code amendments
- San Francisco Planning Department resolution in support of the legislation.
- San Francisco Public Works Director: rules and regulations to implement the legislation.
- SFMTA Director of Transportation: rules and regulations to implement the legislation.

If the above bodies approve the current modified project's legislation and associated regulations, future permits would require approvals from various city committees and agencies, including:

- Planning Department;
- ISCOTT;
- SFMTA Director of Transportation and SFMTA Board of Directors;
- Director of Public Works;
- Department of Real Estate;
- Entertainment Commission; and
- Fire, Police, and Health departments, among others.

D. Analysis of Potential Environmental Impacts

The following describes:

- CEQA guidance for preparing an addendum;
- the Better Streets Plan FMND;
- current modified project elements and topic areas screened out from further assessment;
- approach to analysis for current modified project elements and topic areas assessed in this addendum; and
- the topic areas assessed in more detail in this addendum.

As shown below, the proposed modifications to the Better Streets Plan, including Places for People Program, (1) would not result in any new significant environmental impacts, and (2) would not result in a substantial increase in the severity of previously identified environmental impacts, and it explains that (3) no new information of substantial importance has emerged that would materially change the analyses or conclusions set forth in the FMND.

D.1 CEQA Guidelines

CEQA Guidelines section 15164 states that the lead agency shall prepare an addendum to a previously adopted FMND if the project sponsor needs to make changes or additions to a project and if certain conditions are met. These conditions are based on CEQA Guidelines section 15162, which specifies the conditions that require preparation of a subsequent MND or EIR. If none of the conditions described in section 15162 that call for preparation of a subsequent MND or EIR occur, then an addendum is the appropriate document for changes to a project.

Specifically, an addendum is appropriate if none of the following three conditions occurs:

1. Substantial changes to the project are proposed that will require major revision of the MND due to new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes have occurred with respect to the circumstances under which the project is being undertaken that will require major revision to the MND due to new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
3. New information of substantial importance, which was not known and could not have been known at the time the MND was adopted, has become available.

The department prepared this addendum to the FMND for the Better Streets Plan. It describes the proposed modifications to the Better Streets Plan and the following analyzes the potential environmental

effects of those modifications in comparison to the environmental impacts identified in the FMND³⁵ and in relation to the above three CEQA conditions.

D.2 Better Streets Plan FMND Summary

The Better Streets Plan FMND identified less-than-significant or no impacts for the following environmental topic areas: land use and land use planning; population and housing; noise; greenhouse gas emissions; wind and shadow; recreation; utilities and service systems; public services; geology and soils; hydrology and water quality; hazards and hazardous materials,³⁶ mineral and energy resources; and agricultural and forest resources. The FMND found that impacts for the following environmental topic areas could be reduced to a less-than-significant level with mitigation measures incorporated:

- aesthetics (tree root protection during construction);
- cultural and paleontological resources (archeology resources during construction);
- transportation and circulation (loading);
- air quality (dust control during construction); and
- biological resources (bird protection during construction).

D.3 Current Modified Project Elements and Topic Areas Screened Out from Further Assessment

The Places for People Program implemented the ideas in the Better Streets Plan. Some elements of the proposed Shared Spaces Program are the same as elements in the Better Streets Plan, and as such were previously analyzed as part of the FMND. However, the current project is a modification to the plan assessed in the FMND, including Places for People Program. The department did not fully assess location or intensity of some current modified project elements. Thus, this addendum focuses on the physical environmental impacts that would occur from the current modified project elements. This addendum assesses the current modified project's location and intensity modifications of the following elements: sidewalk, curbside, and roadway.

The current modified project is not anticipated to result in changes to elements on private property. The current modified project would incorporate private property into the Shared Spaces program. However, this incorporation would not effectively change the existing regulations applicable to private property (e.g., temporary use authorizations) and associated existing conditions. Further, the minor increase in temporary Shared Spaces permits compared to temporary use authorizations in existing conditions was mostly consequence of the COVID-19 pandemic, which forced indoor activities outside.³⁷ For example, many of the temporary Shared Spaces permit occupied parking lots or privately owned public open spaces and mostly by restaurants or personal services (hairs, nails, etc.). It is not anticipated these uses would

35 The "FMND" also may refer to the analysis conducted by the department in the Green Connections Project first addendum to the Better Streets Plan, where applicable. However, as stated in section A.4: Proposed Shared Spaces Program Relationship to the Better Streets Plan FMND, that the Green Connections Project included elements that the Shared Spaces Program would not modify.

36 The September 2010 FMND also identified a mitigation measure to reduce hazards and hazardous materials to less-than-significant levels for contaminated soils during construction. As noted in the Green Connections Project addendum, the department deemed that mitigation measure no longer applicable because the Board of Supervisors passed the Maher Ordinance (155-13, July 25, 2013) that effectively implemented the substantive elements and actions in the original FMND mitigation measure. Thus, that mitigation measure is also not listed here.

37 The temporary Shared Spaces permits on private property was 71 over 6 months; the temporary use authorizations in existing conditions was 43 in 12 months.

occupy parking lots as frequently post-pandemic and they would be restricted from occupying privately owned public open spaces post-pandemic. Thus, this addendum does not address private property further.

No current modified project elements would require excavation. All current modified project elements would require little to no construction activities and, therefore, this addendum does not further assess the construction-related impacts to any environmental topic areas. Thus, the Better Streets Plan FMND mitigation measures in the following environmental topic areas would not be applicable to the current modified project, although they remain valid to other Better Streets Plan elements that are not proposed for modification by the current project and are not subject to this addendum:

- aesthetics;
- cultural and paleontological resources;
- air quality; and
- biological resources.

All current modified project elements would be temporary, reversible physical treatments or programming activation.³⁸ The department adequately assessed these types of operational elements in the Better Streets Plan FMND. Thus, this addendum does not address the operational-related impacts further for the following topic areas: land use, aesthetics, population and housing, cultural and paleontological resources, wind and shadow, recreation, utilities and service systems, public services, biological resources, geology and soils, hydrology and water quality, hazards and hazardous materials, mineral and energy resources; and agricultural and forest resources.

D.4 Approach to Analysis for Current Modified Project Elements and Topic Areas Assessed in this Addendum

D.4.1 Baseline Conditions

For the baseline conditions used to assess the physical environmental effect of the current modified project, this addendum use historical conditions, or those conditions related to the existing Places for People Program and related programs that existed in San Francisco prior to the COVID-19 emergency. This approach is consistent with CEQA guidelines section 15125(a)(1) in referencing historic conditions for the environmental setting.

The use of this baseline condition provides a conservative assessment of environmental impacts from the current modified project. The city issued thousands of emergency permits as a result of temporary Shared Spaces Program, which temporarily changed the physical environment in San Francisco. This addendum

³⁸ As described in Section C: Current Modified Project Description, the city would issue permits under the proposed Shared Spaces program for one year prior to permit renewal, which includes fixed structures (e.g., fixed curbside parklet), movable fixtures (e.g., non-fixed tables and chairs), and/or programming activation (e.g., people participating in events). The city may approve longer-term closures in curb or roadway, but the city may remove or modified a fixed structure at any time or deny a renewal of a permit. Thus, all current modified project elements would be temporary, reversible treatments or programming activation.

acknowledges that changed environment and uses it to estimate near-term impacts, but this addendum does not use that changed environment in its baseline condition.

D.4.2 Current Modified Project Impacts Approach to Analysis

This addendum assesses the current modified project's location and intensity changes of the following project elements: sidewalk, curbside, and roadway. Permits that would require a subsequent level of environmental review are not reasonably foreseeable (e.g., those that do not comply with current modified project's regulations) and any such analysis for such permits would be speculative.

This addendum assesses the current modified project's program-level impacts based on anticipated permit amounts in the near-term and how that may change over the long-term. This addendum also uses an example block methodology.

The near-term refers to a two-year estimate of net new permit activity in each of the categories, or the reasonably foreseeable net new permit activity. The net new is compared to existing conditions, not COVID-19 emergency conditions. The near-term permit range does not reflect a cap or limit on the number of permits that the city may approve under the Shared Spaces program in the near-term or longer. In addition, the number of permits does not reflect that these permits are approved by the city in the near-term or long-term. The city has discretion to deny a permit or require a permittee to remove the activities granted by the permit, per the proposed legislation. Rather, the near-term permit range is an analytical tool to contextualize the potential environmental impacts of the current modified project in certain topic areas below. The range reflects the department's best estimates available at the time of this addendum.

An exceedance of the near-term range would also not necessarily result in subsequent environmental review. This addendum also assesses the long-term impacts anticipated by the current modified project. Each permit would require a review to see if the FMND and this addendum adequately assessed its impacts or if the conditions cited in Section D.1 CEQA Guidelines for subsequent environmental review are met.

The following describes the near-term permit activity for each category and example block methodology. For each category, the department used the number of temporary shared space permits as an indicator of near-term permit activity because these permits would result in different location and intensity of baseline conditions. Further, the department anticipates that many of the permittees who obtained temporary shared spaces permits may seek a permit under the current modified project, based on small business owner responses to the Shared Spaces Small Business Impact Survey.³⁹ This provides a conservative estimate of near-term permit activity though, as all temporary shared space permittees may not seek a permit under the current modified project.

Sidewalks

The near-term sidewalk permits include a range. The department divided the city into analysis neighborhoods and summed up the total number of temporary shared spaces sidewalk permits that the city approved between July and December 2020 by neighborhood. The list of neighborhoods is provided in Table 7, above. This sum included two permit types: "Sidewalk Only" and "Both Sidewalk and Curbside"

³⁹ The survey is ongoing. The most recent available survey results showed that 94 percent of Shared Spaces operators survey takers would operate an outdoor Shared Space even if they can operate indoors. Small Business Commission, "Shared Spaces" April 13, 2021. Available at: https://sfosb.org/sites/default/files/documents/SBC/Item%202_Shared%20Spaces%2020210412%20SBC.pdf.

permits. Next, the department developed a lower and upper range for each neighborhood to account for potential variability compared to emergency conditions as illustrated by the example below.

Example: a neighborhood with a near-term sidewalk permit range of 30 to 40:

- 34 = temporary shared spaces permit total
- 40 = upper range, defined as rounded up to the nearest multiple of 10
- 30 = lower range, defined as 90 percent of temporary shared spaces permit total (30.6), rounded down to the nearest multiple of 10

Lastly, the department added together the respective lower and upper ranges for each neighborhood to develop the anticipated number (i.e., range) of permits for the entire city.

Curbside

The process the department used to estimate the number of near-term curbside permits is like the process that the department used to estimate near-term sidewalk permits, as described above. However, instead of summing the number of near-term sidewalk permits, the department totaled the number of “Curbside Only” and “Both Sidewalk and Curbside” permits and used that number to develop the lower and upper ranges.

Roadway

The near-term roadway permit activity includes a set of two numbers: 1) the total near-term permit activity and 2) a subset of the total that may need additional analysis. The estimated set used the number of temporary shared spaces permits between July 2020 and April 2021 minus any shared space permits that were clearly used in response to the COVID-19 emergency (e.g., testing sites) or were by the same applicant for the same street. In addition, the estimate excluded permits that were approved during emergency conditions but are not consistent with the definition of the program (i.e., permits that would typically be processed under ISCOTT, such as one-off events, were processed under this category during emergency conditions because ISCOTT was temporarily suspended). The numbers are provided as a range rounded to the nearest 10, assuming 90 to 100 percent of the estimated set.

Example Blocks

This addendum also uses example blocks to illustrate the curbside and roadway changes that are anticipated to occur in the near-term on a small number of San Francisco streets due to the current modified project. The “# of Near-Term Parking Spaces Left” column provides an indicator of how much curb space would be available for other curbside uses in the near-term and beyond. For example, it indicates the availability of parking spaces if the near-term permits would increase in the long-term, although it does not necessarily indicate that permits would increase in the long-term. Like the near-term permits, example blocks are an analytical tool to contextualize the potential environmental impacts of the current modified project in certain topic areas below. The example blocks reflect the department’s best estimates available at the time of this addendum of the types of permit activity that may occur on some streets throughout San Francisco. The same disclaimers for near-term permits apply here (e.g., that these example blocks don’t represent caps or approvals of permits).

The department used the following criteria to select the example blocks:

- Adjacent to a zoning district that allows a curbside shared space activity;
- One with active transit service;
- One with reoccurring street closure in the near-term current project conditions; and
- A range of anticipated curbside and sidewalk permit activity in the near-term current project conditions.

D.4.3 Cumulative Context and Approach

The cumulative context for the current modified project is the public rights of way throughout San Francisco, particularly along public right-of-way and along or near streets with commercial activity (e.g., restaurants, retail, etc.). Cumulative projects consist of future city projects, such as streetscape redesigns,⁴⁰ transit improvements,⁴¹ pedestrian and bicycle projects⁴², and on-going maintenance needs. Other cumulative projects include those on private property, such as changes of use to existing buildings or new construction.⁴³

Each topic area assessed in more detail in this addendum assesses the cumulative effects of the current modified project with these cumulative projects, depending on the current modified project's potential to combine to result in cumulative impacts. The current modified project's sidewalk and curbside activities cumulative context tends to be localized: on the project block or along the street corridor. The current modified project's roadway activities cumulative context may be a larger geographic area, depending on the characteristics of the roadway activity (e.g., roadway closures with high vehicular volumes may have a larger geographic area).

D.5 Topic Areas Assessed in More Detail in this Addendum

As shown in the analysis below, the current modified project would not result in new significant environmental impacts, or substantially increase the severity of previously identified environmental impacts. Additionally, no new information has emerged that would materially change the analyses or conclusions set forth in the Better Streets Plan FMND. Because the current modified project is like the previous project evaluated in the MND, only the environmental topics that require further analysis are discussed in more detail below. These topics are: Transportation, Noise, Air Quality, and Greenhouse Gas Emissions.

40 Examples include Better Market Street, and those assessed in the Central SoMa Environmental Impact Report (e.g., Folsom Street).

41 Examples include those assessed in the Transportation Effectiveness Project (now known as Muni Forward) Environmental Impact Report (e.g., 16th Street).

42 Examples include those Slow Streets that the city is considering making permanent (i.e., Page, Sanchez, and Shotwell streets).

43 Examples include those private development projects in Central SoMa or Hub Plan environmental impact reports.

D.5.1 Transportation

Better Streets Plan FMND Findings

Potentially Hazardous Conditions and Accessibility

The Better Streets Plan includes a range of possible streetscape improvements that can be implemented on existing sidewalks and roadways within the public right-of-way in the city to improve the overall pedestrian realm. Overall, the plan FMND determined that implementation of the plan's streetscape elements would not create potentially hazardous conditions for people walking and biking. On the contrary, many of the streetscape elements would improve pedestrian and bicyclist facilities and would improve street realm conditions for people walking and biking. Furthermore, the plan would not substantially interfere with pedestrian or bicyclist accessibility, and in many cases the streetscape improvements would improve accessibility. For these reasons, plan implementation would have a less than significant impact related to accessibility and potentially hazardous conditions for people walking and biking.

Public Transit Delay

Overall, the Better Streets Plan FMND found that plan implementation would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, which includes the city's Transit-First Policy. The plan included parameters so that transit operations would not be significantly impacted; for example, multi-modal shared streets, which are streets designed to accommodate all travel modes but where pedestrians have the right-of-way, and pedestrian-only streets were prohibited to be implemented on existing streets with transit. Such instances beyond those parameters could not occur without additional environmental review. In addition, the FMND determined that adherence to city street design guidelines for future streetscape improvements would not result in significant transit delay impacts. Because project implementation would adhere to city design guidelines and eligibility parameters established by the plan, the FMND determined that no significant transit delay impacts would occur.

Loading

Most of the Plan's streetscape elements received environmental clearance through the FMND. However, the FMND determined that certain streetscape elements would require additional, site-specific environmental analysis if certain criteria were met.

One of these criteria is the removal of loading zones. The FMND determined that removal of a single loading space to implement a streetscape element would not be considered a significant impact because alternate loading spaces would remain nearby. However, removal of multiple loading spaces may create a significant loading impact in certain parts of the city.

To address this issue, Mitigation Measure MM TR-1 was identified, which requires the installation of new loading spaces of equal length on the same block and side-of-the street for locations where truck loading spaces are removed and there is still a need for truck loading. The FMND determined that by replacing any removed loading spaces within a convenient distance, the significant impact of plan implementation on loading supply would be less than significant.

Vehicle Miles Traveled

The Better Streets Plan FMND evaluated the plan's impact on automobile delay and did not include an analysis on vehicle miles traveled (VMT) because VMT, by itself, was not a CEQA significance criterion when the city adopted the FMND in 2010. In September 2013, the state amended CEQA to remove automobile delay as a consideration and directed the development of new criteria (CEQA section 21099(b)). In March 2016, the San Francisco Planning Commission implemented this state-level change in San Francisco through resolution 19579 and adopted VMT as a new CEQA significance criterion. Accordingly, because of state and local actions, this addendum does not evaluate the project's impact on automobile delay and instead evaluates the project's impact based on the new criterion: VMT.

Parking

The FMND notes that parking supply is not part of the permanent physical environment and does not consider changes in parking conditions to be environmental impacts as defined by CEQA. Rather, parking deficits are social effects and under CEQA, a project's social impacts need not be treated as significant impacts on the environment. However, the FMND did consider secondary physical impacts that could be triggered by a social impact, such as increased traffic congestion and safety, air quality, and noise impacts caused by congestion. To that end, the FMND found that the secondary effects of drivers searching for parking is typically offset by a reduction in vehicle trips by others who are aware of constrained parking conditions in a given area and may choose other modes of transportation instead of driving, or choose to forgo the trip.

Shared Spaces Program Impacts

Potentially Hazardous Conditions and Accessibility: Near-Term and Long-Term

Sidewalks: The current modified project would increase the number of sidewalk tables and chairs and merchandising stands on city sidewalks compared to existing conditions. The current modified project is anticipated to increase the intensity of sidewalk activity by approximately 70 to 90 percent in the near-term, from 785 permits to approximately 1,645 to 2,025 permits.

However, like existing conditions, the current modified project would continue to be regulated by Public Works regulations, which would require compliance with the American Disabilities Act (ADA). For instance, all sidewalk Shared Spaces would need to provide a minimum 6-foot-wide unobstructed pedestrian through path of travel; if a proposed sidewalk Shared Space is unable to do so, that permit would be denied. The application review process would require that the current modified project would not result in potentially hazardous conditions and would continue to provide adequate access. The current modified project would not affect roadway conditions and would not create a roadway hazard nor affect accessibility. Thus, like the findings of the Better Streets Plan FMND, this element of the current modified project would have less than significant impacts related to potentially hazardous conditions and accessibility.

Curbside: The current modified project would increase the number of curbside Shared Spaces, including parklets, curbside dining, retail, and pick-up zones, and public seating areas, compared to existing conditions. The current modified project is anticipated to increase the intensity of curbside activity exponentially in the near-term, from 56 permits to approximately 1,286 to 1,766 permits.

However, like existing conditions, Shared Spaces on the curbside (i.e., in the parking lane) would continue to be regulated by Public Works and SFMTA regulations. Curbside Shared Spaces would not be permitted within bus stops, or above or on utility access panels, manhole covers, storm drains, or fire hydrant valves. In addition, they would generally not be allowed in other color curb zones (e.g., handicapped parking spots), they could not block pedestrian curb ramps, and they would be required to be located a minimum distance away from intersections, traffic, and bicycle lanes, amongst other safety requirements. For these reasons, this element of the current modified project would have less than significant impacts related to potentially hazardous conditions and accessibility, like the findings of the Better Streets Plan FMND.

Roadway: The current modified project would increase the number of roadway Shared Spaces compared to existing conditions. The current modified project is anticipated to increase the intensity of roadway activity in the near-term, for two reasons. First, the number of permits is expected to increase by approximately 9 to 11 percent, from 397 permits to approximately 437 to 447 permits. Second, on average the net new permits would result in more days of closure per permit than existing permits. However, like existing conditions, these roadway Shared Spaces would continue to be regulated by the SFMTA regulations. At no time would occupancy of the travel lane be allowed to obstruct emergency facilities, including, but not limited to fire hydrants, and red zones. Proposed roadway closures would also be required to comply to Public Works regulations, including compliance with ADA regulations.

For these reasons, this element of the current modified project would have less than significant impacts related to potentially hazardous conditions and accessibility, like the findings of the Better Streets Plan FMND.

Public Transit Delay: Near-Term and Long-Term

Sidewalks: The current modified project would increase the number of sidewalk Shared Spaces compared to existing conditions. However, like existing conditions, sidewalk Shared Spaces would not be permitted in a bus zone or transit stop and would be located entirely within the sidewalk right-of-way (i.e., not on the roadway). Therefore, public transit loading operations would not be hindered and the current modified project element would have a less than significant impact on public transit delay, like the findings of the Better Streets Plan FMND.

Curbside: The current modified project would increase the number of curbside Shared Spaces compared to existing conditions. However, like existing conditions, Shared Spaces on the curbside (i.e., in the parking lane) would continue to be regulated by Public Works and SFMTA regulations. Curbside Shared Spaces would not be permitted within bus zones. Curbside Shares Spaces would be located entirely within the parking lane and would not create conditions that could slow bus operations and potentially delay public transit. Therefore, public transit loading operations would not be hindered and the current modified project element would have a less than significant impact on public transit delay, like the findings of the Better Streets Plan FMND.

Roadway: The current modified project would increase the number of roadway Shared Spaces compared to existing conditions. However, the ISCOTT or SFMTA Board of Directors process would include regulations applicable to proposed roadway Shared Spaces.

The current modified project would add regulations applicable to certain roadway closures, including requiring additional analysis to proposed roadway closures on streets with active transit service or higher vehicular volumes (300 vehicles in either direction during the peak hour). If a permit is proposed on such a street, the SFMTA would assess the potential for the permit to substantially delay active public transit service using the criteria in the 2019 guidelines.

The 2019 guidelines define substantial delay as:

- For individual Muni routes, if the project would result in transit delay greater than or equal to four minutes, then it might result in a significant impact. For individual Muni routes with headways less than eight minutes, the department may use a threshold of significance less than four minutes (e.g., a three-minute threshold for a Muni route with headway of six minutes).
- The department considers qualitative criteria for determining whether that delay would result in significant impacts due to a substantial number of people riding transit switching to riding in private or for-hire vehicles.

The SFMTA would assess active transit service impacts on the street closure itself or diversions of existing traffic volumes from the roadway closed for the Shared Space to surrounding streets (e.g., parallel streets). The SFMTA would modify transit operations or require permit conditions to address substantial delays, which may include those described in section C. Current Modified Project Description. The SFMTA, as set forth in their proposed regulations, would deny the permit if they would find that the roadway shared space would substantially delay active public transit service, even with modifications or permit conditions. The permit would then require further environmental review, which would not be covered by this addendum.

Thus, no substantial transit delay would occur from the current modified project, either in the near-term or even if roadway shared spaces increase in the long-term.

As described in Table 11, temporary roadway closures in both the near-term and long-term may occur on streets with public transit routes, such as Clement Street, or on streets with high vehicular volumes parallel to streets with public transit, such as Valencia Street. However, such closures would not cause significant transit delays as SFMTA review in accordance with SFMTA regulations would occur for each future roadway closure application. The examples below help illustrate this process.

Under existing conditions (prior to COVID-19 emergency conditions), the 2-Clement bus route operated on Clement Street between 8th and 12th Street, which has been closed for limited durations on an annual basis for street events (e.g., street fair). During these temporary closures, the 2-Clement was routed onto parallel streets for a limited duration with no significant transit delay. Under project conditions, temporary roadway closures on similar streets in similar contexts throughout the city would also not result in significant delay transit. Roadway closure permit applications that could potentially result in significant transit delays would be denied or subject to further environmental review.

Under existing conditions, Valencia Street is a high-volume roadway and a major north-south thoroughfare that connected downtown San Francisco with the southeastern parts of the city. However, segments of Valencia Street between 16th Street and 21st Street were also closed for limited durations for special events (e.g., Sunday Streets). Consequently, vehicular traffic was diverted onto nearby parallel streets, including

Mission Street which has active transit routes. However, public transit operations on Mission Street operate in transit-only lanes, which prevented buses from being significantly delayed by the temporary influx of travel. Under project conditions, the SFMTA would assess the potential for the permit to substantially delay active public transit service using the criteria in the 2019 guidelines. The SFMTA modify transit operations or require permit conditions to address substantial delays, which may include those described in section C. Project Description.

Therefore, roadway Shared Spaces would have a less than significant impact on public transit, like the findings of the Better Streets Plan FMND.

Loading: Near-Term and Long-Term

Sidewalks: The current modified project would increase the number of sidewalk Shared Spaces compared to existing conditions. However, like existing conditions, sidewalk Shared Spaces would be located entirely within the sidewalk right-of-way and would not obstruct a curbside loading zone. Public Works regulations would also be applicable to proposed sidewalk Shared Spaces, which would require that loading zones remain clear of obstructions and that a clear path of travel is provided. Sidewalk Shared Space permits that are unable to meet city regulations for accessibility would be denied. Thus, the current modified project element would have a less than significant impact on loading, like the findings of the Better Streets Plan FMND.

Curbside: The current modified project would increase the number of curbside Shared Spaces compared to existing conditions. The current modified project would add regulations applicable to curbside activities, including curb demand and supply. If a permit is proposed in an existing passenger or commercial loading zone, the SFMTA would evaluate possible relocation or removal to accommodate the curbside shared space, including evaluating the paratransit and disabled loading needs at the loading zone. The SFMTA would deny the permit if they would find that the curbside shared space would materially affect disabled access, or they would not be able to find a suitable replacement location on the blockface. Thus, no loading deficit would occur from the current modified project, either in the near-term or even if curbside shared spaces increase in the long-term. The examples below help illustrate this process.

Under existing conditions, no curbside parklets exist on Clement Street. Under near-term current project conditions, it is anticipated that each side of one example block would include one curbside parklet. These curbside parklets would each take two or three parking spaces on their respective blockface. There would still be several parking spaces left on each blockface (6 to 17) if the curbside parklet would need to relocate an existing loading zone to those parking spaces. Each blockface would continue to have adequate space for additional parklets in the long-term if the city would approve additional curbside parklets. The city would deny the permit if they would not be able to find a suitable replacement location on the blockface. A similar situation would occur on Valencia Street, even though Valencia Street has more curbside parklets under existing conditions and is anticipated to result in more curbside parklets in the near-term and long-term.

The Better Streets Plan FMND identified Mitigation Measure MM TR-1 to reduce significant impacts of the plan on loading supply to a less than significant level. However, as discussed above, the current modified project includes regulations to replace loading zones if they are impacted. Thus, implementation of the current modified project's regulations would not contribute to the significant impact identified in the

Better Streets Plan FMND. Therefore, Mitigation Measure MM TR-1 is not required for the current modified project.

Roadway: The current modified project would increase the number and intensity of roadway Shared Spaces compared to existing conditions. Any curbside loading zones that are blocked off because of a temporary roadway closure or rerouting of transit service (e.g., new transit stops on parallel streets) would be relocated or restored when the temporary street closure ends. In addition, loading activities would either be accommodated in a temporary designated loading area, or would occur outside of the street closure timeframe or prior to the start of the proposed event. For these reasons, the current modified project element would have a less than significant impact on loading, like the findings of the Better Streets Plan FMND.

Vehicle Miles Traveled: Near-Term, Long-Term, and Cumulative

The following analysis of the current modified project's VMT impact focuses on the current modified project's contribution to cumulative VMT because VMT by its nature is largely a cumulative impact.

In 2019, the department updated its Transportation Impact Analysis Guidelines (2019 guidelines). The 2019 guidelines set forth screening criteria for types of projects that would typically not result in significant VMT impacts. The current modified project elements meet the screening criteria, such as the reduction in the number of through lanes. Therefore, the current modified project would not result in significant VMT impacts. The following further substantiates this finding.

Sidewalks and Curbside: The current modified project would make temporary improvements to the pedestrian street realm, including adding tables and chairs and curbside seating areas, and temporarily closing roadways for events or seating. The current modified project is intended to enhance the overall pedestrian streetscape environment, and could encourage pedestrian trips citywide, thereby reducing overall VMT citywide. Like the findings of the FMND, these current modified project elements would not generate new vehicle trips.

Roadway: Reducing roadway capacity will generally reduce VMT. The current modified project could slightly increase VMT from vehicles making small detours where roadway closures occur. However, it is likely that drivers would become familiar with reoccurring closures and make travel behavior changes to adjust to the closures (e.g., use available nearby streets, change modes). The current modified project meets the definition of an "active transportation...and transit project" and "minor transportation project", as defined in the department's Transportation Impact Analysis Guidelines (2019). The department substantiates that these projects would not lead to substantial increases in VMT based on a literature review provided in the 2019 guidelines, Appendix L: Vehicle Miles Traveled/Induced Automobile Travel, Attachment C: Combined Vehicle Miles Traveled Annotated Bibliography. Furthermore, CEQA Guidelines section 15064.3(b)(2) states that transportation projects that reduce, or have no impact on, VMT should be presumed to have a less than significant transportation impact.

Parking: Near-Term and Long-Term

The 2019 guidelines set forth screening criteria for types of projects that would typically not result in substantial parking deficits. The current modified project elements meet the screening criteria, such as the

reduction in the number of through lanes. Therefore, the current modified project would not result in a substantial parking deficit.

The transportation impact analysis does not consider the availability and adequacy of parking supply in determining the significance of project impacts under CEQA. For informational purposes, the following discussion details the current modified project's effect on parking supply throughout the city.

Sidewalks: Sidewalk Shared Spaces would be located entirely within the sidewalk right-of-way and would not be constructed within a parking space. Therefore, this current modified project element would have no effect on parking supply in the city.

Curbside: Curbside Shared Spaces permits generally allow permit holders to convert one to two parking spaces fronting their property into a curbside Shared Space. The department estimated that under the temporary shared spaces program at a citywide level, the average number of parking spaces that each temporary permittee replaced was 1.66; in other words, each temporary curbside commercial shared space replaced 1.66 parking spaces. Under the current modified project, the SFMTA would generally only grant one curbside shared space to a business for a maximum length of two metered parking spaces or 40 linear feet along curb (parallel parking) or 20 linear feet along curb (angled or perpendicular parking). Thus, the current modified project is anticipated to result in approximately 1,230 to 3,420 removed on-street parking spaces in the near-term.⁴⁴ This range is also intended cover any additional parking spaces that may be converted to loading spaces a result of curbside parking spaces relocating existing loading spaces on the blockface. This would represent a removal of approximately 0.4 to 1.2 percent of all on-street parking spaces in San Francisco. If all the estimated near-term removed on-street parking spaces would be metered, the current modified project would represent a removal of approximately 4.5 to 12.4 percent of all on-street metered parking spaces in San Francisco.⁴⁵

The department reviewed blocks throughout the city to evaluate the real-world parking supply conditions resulting from the emergency curbside program. As an example, on a one block segment of Valencia Street, approximately 24 percent of available parking spaces converted to a temporary curbside commercial space during emergency conditions. The department observed that this pattern generally held true of the evaluated example blockfaces. In general, approximately 30 percent or less of the available parking supply on any applicable blockface was converted into a temporary curbside Shared Space.

Roadway: The current modified project would increase the number and intensity of roadway Shared Spaces compared to existing conditions. Any roadside parking supply that is temporarily removed because of the associated street closure or rerouting of transit service (e.g., new transit stops on parallel streets) would be restored when the temporary street closure ends.

Cumulative

Sidewalks and Curbside: Other cumulative projects, as mentioned in Section D.4.3 Cumulative Context and Approach, could increase the demand for sidewalk and curbside space along the current modified

⁴⁴ The 1,230 assumes one on-street parking space removed per near-term curbside permit on the lower range, whereas the 3,420 assumes two on-street parking spaces removed per near-term curbside permit on the upper range.

⁴⁵ Estimated on-street parking spaces comes from a SFMTA citywide census of on-street parking spaces in 2014 (the latest year available at citywide level): 275,500 total on-street parking spaces, of which 10 percent are metered. Available at: <https://www.sfmta.com/press-releases/sfmta-completes-citywide-census-street-parking-spaces>.

project's blocks and streets. However, as explained below, regulations would be applicable the current modified project and cumulative projects such that significant impacts would not occur, or if cumulative impacts would occur, the current modified project would not contribute considerably to them.

Regulations would be applicable to the current modified project and cumulative projects that restrict the location of sidewalk structures to require an unobstructed pedestrian through path of travel.

Cumulative projects could result in increased loading demand or remove loading supply on current modified project's blocks and streets. That increased loading demand may not always be able to be accommodated by an adequate loading supply. Thus, cumulative projects could result in a loading deficit under cumulative conditions. That loading deficit could create potentially hazardous conditions or substantially delay public transit, a potentially significant cumulative impact. However, the current modified project would add regulations applicable to curbside activities, including curb demand and supply. If a permit is proposed in an existing passenger or commercial loading zone, the SFMTA would evaluate possible relocation or removal to accommodate the curbside shared space, including evaluating the paratransit and disabled loading needs at the loading zone. The SFMTA would deny the permit if they would find that the curbside shared space would materially affect disabled access, or they would not be able to find a suitable replacement location on the blockface. Thus, the current modified project would not contribute to any loading deficit under cumulative conditions or the potential secondary effects.

For these reasons, these current modified project elements would not have a considerable contribution to any significant cumulative impacts, like the findings of the Better Streets Plan FMND.

Roadway: Other cumulative projects could combine with the current modified project to increase congestion on roadways with active transit service. However, as explained below, if cumulative impacts would occur, the current modified project would not contribute considerably to them.

Cumulative projects could result in the closure of vehicular lanes that may result in diversions of existing traffic volumes to streets with active transit service. The current modified project could combine with those cumulative projects to result in diversions of existing traffic volumes to streets with active transit service. Thus, cumulative projects could result in substantial delay to transit under cumulative conditions, a potentially significant cumulative impact. However, the current modified project would add regulations applicable to certain roadway closures, including requiring additional analysis to proposed roadway closures on streets with active transit service or higher vehicular volumes (300 vehicles in either direction during the peak hour). For example, if a permit is proposed on such a street, the SFMTA would assess the potential for the permit to substantially delay active public transit service using the criteria in the 2019 guidelines. This includes assessing active transit service impacts on the street closure itself or diversions of existing traffic volumes from the roadway closed for the Shared Space to surrounding streets (e.g., parallel streets). The SFMTA would modify transit operations or require permit conditions to address substantial delays, which may include those described in section C. Current Modified Project Description. Thus, the current modified project would not contribute to any substantial transit delay under cumulative conditions.

For these reasons, this current modified project element would not have a considerable contribution to any significant cumulative impacts, like the findings of the Better Streets Plan FMND.

D.5.2 Noise

Better Streets Plan FMND Findings

The noise environment of an urban area like San Francisco is dominated by land use activities and development and vehicular traffic, including trucks, cars, Muni buses, and emergency vehicles. Noise generated by residential and commercial uses is common and generally tolerated in urban areas. The Better Streets Plan envisions physical improvements to the city's pedestrian network and operational noise associated with the plan would mainly be associated to increased pedestrian activity. Based on published scientific studies, traffic volumes in a given project area would need to approximately double to produce a noticeable increase in ambient noise levels to most people in the area. Implementation of the plan would not add new vehicle trips to the roadway network and accordingly would not double local roadway vehicular volumes.

While the plan could result in new amenities and facilities that produce operational noise, such as new stormwater facilities, the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code) would apply to the operation of such facilities, which establishes noise limits for fixed noises such as mechanical equipment. Overall, the FMND found that compliance with Article 29 would minimize operational noise from future projects, and that plan implementation would have less than significant noise impacts.

Shared Spaces Program Impacts

Near-Term and Long-Term

Sidewalks and Curbside: The current modified project would increase the intensity of Shared Spaces on the sidewalk and curbside. As a result, the current modified project may incrementally increase noise levels in areas where Shared Spaces are permitted by increasing the amount of pedestrian activity and commercial activity such as outdoor dining and shopping and street events. However, like existing conditions, sidewalk and curbside Shared Spaces would be required to contain noise within the immediate area of the Shared Space so as not to be a nuisance or annoyance to neighbors (Good Neighborhood policies). In addition, the Noise Ordinance (Article 29 of the Police Code) and Entertainment Commission (Article 15.1 of the Police Code) regulations would continue to be application operation of current modified project features.

Therefore, sidewalks and curbside Shared Spaces would have a less than significant impact on operational noise, like the findings of the Better Streets Plan FMND.

Roadway: The current modified project would increase the intensity and change the location of Shared Spaces on the roadway. As a result, the current modified project may incrementally increase noise levels in areas where Shared Spaces are permitted in two ways.

First, the current modified project may increase noise levels by increasing the amount of pedestrian activity and commercial activity such as outdoor dining and shopping and street events. However, roadway Shared Spaces would be required to contain noise within the immediate area of the Shared Space so as not to be a nuisance or annoyance to neighbors (Good Neighborhood policies).

Second, the current modified project may redirect noise levels through a diversion of existing traffic volumes from the roadway closed for the Shared Space to surrounding streets (e.g., parallel streets). For most roadway Shared Spaces, the current modified project would create a less noisy environment on the street with the roadway shared space. It is not anticipated that most roadway Shared Spaces would be on streets with higher vehicular volumes or 300 vehicles in either direction during the peak hour such a large diversion of existing traffic volumes could occur. For those streets where a large diversion of existing traffic volumes could occur, long-term ambient noise levels are generally not substantial unless traffic volumes in the local area double. The current modified project would not change the amount of roadway volumes, it would redirect them.⁴⁶ The diversion would occur temporarily during the street closure period and generally not during the nighttime, or the period when people are most sensitive to noise. It is also anticipated that drivers from the diverted traffic would have multiple options for other travel routes such that the traffic noise would not concentrate onto only one parallel street. Further, any rerouting of active transit service, due to a permit on a street with an active transit route, would not be expected to substantially increase localized noise due the relatively low volume of transit vehicles in comparison to total vehicles.

Lastly, the department reviewed other projects⁴⁷ in the city that would divert a substantial number of vehicle trips to other streets because of permanent roadway closures. While diverted traffic may slightly increase ambient noise levels on adjacent and parallel streets, the increase in these projects remained well below the respective thresholds of significance. Thus, diverted traffic from the current modified project's temporary roadway closures would not significantly increase ambient noise levels on adjacent and parallel streets such that a significant noise impact would occur. For these reasons, diverted traffic would result in a less than significant noise impact.

For the above reasons, this current modified project element would result in less than significant operational noise impacts, like the findings of the FMND.

Cumulative

Sidewalks and Curbside: The current modified project's sidewalk and curbside activities cumulative context for noise would be localized: on the project block. As discussed above, regulations would apply to the current modified project such it would not result in substantial increases in noise levels. Therefore, the current modified project would not result in a considerable contribution to ambient noise levels from sidewalks and curbside shared spaces activities.

Roadway: The cumulative context for traffic noise analyses is typically confined to the local roadways nearest the project. As current modified project generated vehicle trips disperse along the local roadway network, the contribution of project-generated traffic noise along any given roadway segment would similarly be reduced. As discussed above, the current modified project would not likely result in a doubling

⁴⁶ As stated above in the VMT section, it is also likely that drivers would become familiar with reoccurring closures and make travel behavior changes to adjust to the closures (e.g., use available nearby streets, change modes).

⁴⁷ The following projects with substantial vehicle trip diversions were reviewed: the Second Street Improvement Project (case no. 2007.0347E), Sixth Street Pedestrian Safety Project (case no. 2014.1010E), and Better Market Street Project (case no. 2014.0012E). The Second Street Improvement Project analyzed diversion of 950 vehicles during the PM peak hour. The Sixth Street Pedestrian Safety Project analyzed a range of diversion volumes during the PM peak hour, including over 1,000 vehicles at one intersection. The Better Market Street project analyzed diversion of a range of diversion volumes during the PM peak hour, including many intersections of between 200 and 300 vehicles.

of traffic volumes in a local area. Therefore, the current modified project would not result in a considerable contribution to ambient noise levels from project traffic.

D.5.3 Air Quality

Better Streets Plan FMND Findings

The Better Streets Plan includes a vision, policies, guidelines, and proposed streetscape improvements that are intended to enhance the pedestrian environment. The FMND found that implementation of the plan would improve the pedestrian realm and result in pedestrian-friendly streetscapes, which could reasonably be expected to reduce emissions citywide by shifting a portion of motor vehicle trips to pedestrian trips (mode change). Thus, the FMND found that implementation of the plan would not conflict with, or obstruct implementation of, applicable air quality plans, and that impacts related to air quality plans and operational criteria air pollutants would be less than significant.

The FMND found that the plan would not generate any new trips and any increases in vehicle delay from the plan would not be anticipated to result in substantial increases in air pollutants which have the potential to affect nearby sensitive receptors. Therefore, the FMND found the plan would not expose sensitive receptors to a substantial amount of pollutants and impacts were considered less than significant.

The FMND found that the plan would not result in a perceptible increase or change in odors in the project area or its vicinity.

Shared Spaces Program Impacts

Regional air pollution is by its nature a cumulative impact. Emissions from past, present, and future projects contribute to the region's adverse air quality on a cumulative basis. No single project by itself would be sufficient in size to result in regional nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulative adverse air quality impacts.⁴⁸ The project-level thresholds for criteria air pollutants are based on levels by which new sources are not anticipated to contribute to an air quality violation or result in a considerable net increase in criteria air pollutants.

Like regional air pollutants, the department assesses local health risk in the cumulative context. San Francisco partnered with the air district to conduct a citywide health risk assessment based on an inventory and assessment of air pollution and exposures from mobile, stationary, and area sources within San Francisco. The city identified areas with poor air quality, termed the "Air Pollutant Exposure Zone," based on health-protective criteria that consider estimated cancer risk, exposures to fine particulate matter, proximity to freeways, and locations with particularly vulnerable populations. Some project areas are located within the Air Pollutant Exposure Zone. If a project's localized health risk is below levels not anticipated to contribute to a health risk within the Air Pollutant Exposure Zone, the project would not be considered to contribute considerably to cumulative health risk impacts.

48 Bay Area Air Quality Management District, *CEQA Air Quality Guidelines*, May 2017, page 2-1. Available at: <https://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/updated-ceqa-guidelines>.

As explained below, regulations would apply to the current modified project that would limit odors to within the immediate area such that the current modified project would not be able to combine with cumulative odors beyond the immediate area.

Sidewalks and Curbside: The current modified project would increase the intensity of Shared Spaces on the sidewalk and curbside. As a result, the current modified project may incrementally increase odors in areas where Shared Spaces are permitted by increasing the amount of commercial activity such as outdoor dining and street events. However, like existing conditions, sidewalk and curbside Shared Spaces would be required to contain odor within the immediate area of the Shared Space so as not to be a nuisance or annoyance to neighbors (Good Neighborhood policies). No other aspects of the sidewalk and curbside Shared Spaces would result in air pollutant impacts such as toxic air contaminants.

Therefore, sidewalks and curbside Shared Spaces would have a less than significant impact on operational air quality, like the findings of the Better Streets Plan FMND.

Roadway: The current modified project would increase the intensity and change the location of Shared Spaces on the roadway. As a result, the current modified project may incrementally increase odors and air pollutants in areas where Shared Spaces are permitted in two ways.

First, the current modified project may increase odors by increasing the amount of commercial activity such as outdoor dining and street events. However, roadway Shared Spaces would be required to contain odors within the immediate area of the Shared Space so as not to be a nuisance or annoyance to neighbors (Good Neighborhood policies).

Second, the proposed may redirect air pollution through a diversion of existing traffic volumes from the roadway closed for the Shared Space to surrounding streets (e.g., parallel streets). For most roadway Shared Spaces, the current modified project would create a less pollution on the street with the roadway shared space. It is not anticipated that most roadway Shared Spaces would be on streets with higher vehicular volumes or 300 vehicles in either direction during the peak hour such a large diversion of existing traffic volumes could occur. For those streets where a large diversion of existing traffic volumes could occur, the Bay Area Air Quality Management District's guidelines for evaluating toxic air contaminants in CEQA review identifies "Minor Low Impact Sources", stating that these sources "do not pose a significant health impact even in combination with other nearby sources. These determinations were made through extensive modeling, sources tests, and evaluation of their toxic air contaminant emissions."⁴⁹ These guidelines further state that projects meeting the criteria can be excluded from the CEQA process. Among the sources listed are roads with less than 10,000 total vehicles/day and less than 1,000 trucks per day. The current modified project would not change the amount of roadway volumes, it would redirect them and not at levels anticipated to be above the Minor Low Impact Source amount.⁵⁰ In addition, the diversion would occur temporarily during the street closure period (i.e., not all day). Further, any rerouting of active transit service, due to a permit on a street with an active transit route, would not be expected to

49 Bay Area Air Quality Management District, Recommended Methods for Screening and Modeling Local Risks and Hazards, pg. 12. May 2011. Available online at: <https://www.baaqmd.gov/~media/Files/Planning%20and%20Research/CEQA/BAAQMD%20Modeling%20Approach.ashx>.

50 As stated above in the VMT section, it is also likely that drivers would become familiar with reoccurring closures and make travel behavior changes to adjust to the closures (e.g., use available nearby streets, change modes).

substantially increase localized air pollution due to the low emissions from SFMTA transit vehicle fleet and the relatively low volume of SFMTA and regional transit vehicles in comparison to total vehicles.

Lastly, the department reviewed other projects⁵¹ in the city that would divert a substantial number of vehicle trips to other streets because of permanent roadway closures. While diverted traffic may slightly increase local air pollutant concentrations on adjacent and parallel streets, the increase in all studied projects remained below the air district's respective thresholds of significance. Thus, diverted traffic from the current modified project's temporary roadway closures would not significantly increase local air pollution on adjacent and parallel streets such that a significant air pollution impact could occur. No exceedances of operational criteria pollutant thresholds or localized health risk are anticipated.

For the above reasons, the roadway Shared Spaces would result in less than significant operational air pollutant impacts, like the findings of the FMND.

D.5.4 Greenhouse Gas Emission

Better Streets Plan FMND Findings

The Better Streets Plan FMND determined that long-term operational benefits would likely result in a net greenhouse gas (GHG) benefit. Although operation of some streetscape improvements would require electricity, such use would be limited in nature.

The FMND notes that the goal of the plan is to provide a pedestrian friendly environment. Pedestrians have no associated emissions and promoting walking can reasonably be expected to reduce emissions citywide by shifting a portion of motor vehicle trips to pedestrian trips. Therefore, it can be reasonably concluded that implementing the plan would result in GHG benefits, and GHG impacts related to plan implementation would be less than significant.

Shared Spaces Program Impacts

The following analysis of the current modified project's GHG impact focuses on the project's contribution to cumulatively significant GHG emissions. Because no individual project could emit GHGs at a level that could result in a significant impact on global climate, this analysis is in a cumulative context only, and the analysis of this resource topic does not include a separate cumulative impact discussion.

The proposed Shared Spaces would consist of temporary, reversible, and movable street furniture. Operation of Shared Spaces may use electricity, but such use would be limited in nature and not at level to increase greenhouse gas emissions substantially.

Reducing roadway capacity will generally reduce VMT and associated greenhouse gas emissions. The current modified project could slightly increase VMT from vehicles making small detours where roadway closures occur. However, it is likely that drivers would become familiar with reoccurring closures and make travel behavior changes to adjust to the closures (e.g., use available nearby streets, change modes). The

51 The following projects with substantial vehicle trip diversions were reviewed: the Second Street Improvement Project (case no. 2007.0347E), Sixth Street Pedestrian Safety Project (case no. 2014.1010E), and Better Market Street Project (case no. 2014.0012E). The Second Street Improvement Project analyzed diversion of 950 vehicles during the PM peak hour. The Sixth Street Pedestrian Safety Project analyzed a range of diversion volumes during the PM peak hour, including over 1,000 vehicles at one intersection. The Better Market Street project analyzed diversion of a range of diversion volumes during the PM peak hour, including many intersections of between 200 and 300 vehicles.

project meets the definition of an “active transportation...and transit project” and “minor transportation project”, as defined in the department’s Transportation Impact Analysis Guidelines (2019). The department substantiates that these projects would not lead to substantial increases in VMT based on a literature review provided in the 2019 guidelines, Appendix L: Vehicle Miles Traveled/Induced Automobile Travel, Attachment C: Combined Vehicle Miles Traveled Annotated Bibliography.

The Better Streets Plan FMND concluded that the proposed objectives and policies of the plan are not anticipated to generate substantial amount of GHG emissions, either directly or indirectly; nor conflict with any plans, policies or regulations adopted for the purpose of reducing GHG emissions. Since the objectives and policies of the current modified project are consistent with those of the Better Streets Plan, the conclusions reached in the Better Streets Plan FMND for GHG emissions remain valid for the current modified project. Therefore, implementation of the current modified project would result in less than significant impacts related to GHG emissions.

E. Conclusion

Based on the discussion and analysis presented above, the department has determined that the information presented and conclusions reached in the Better Streets Plan FMND and first addendum remain valid. Specifically, the proposed modifications to the Better Streets Plan 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.

No changes have occurred with respect to circumstances relevant to the Better Streets Plan that would cause new significant environmental impacts or cause a substantial increase in the severity of previously identified significant effects. No new information has become available that would affect the analysis or conclusions in the FMND. Therefore, no major revision of the FMND is required, and no additional environmental review is required beyond this FMND addendum.

F. Determination

I do hereby certify that the above determination has been made pursuant to CEQA, the CEQA Guidelines, and San Francisco Administrative Code Chapter 31.



Lisa Gibson, Environmental Review Officer

April 19, 2021

Date of Determination

CC:

Robin Abad, San Francisco Planning Department

Angela Calvillo, Clerk of the San Francisco Board of Supervisors

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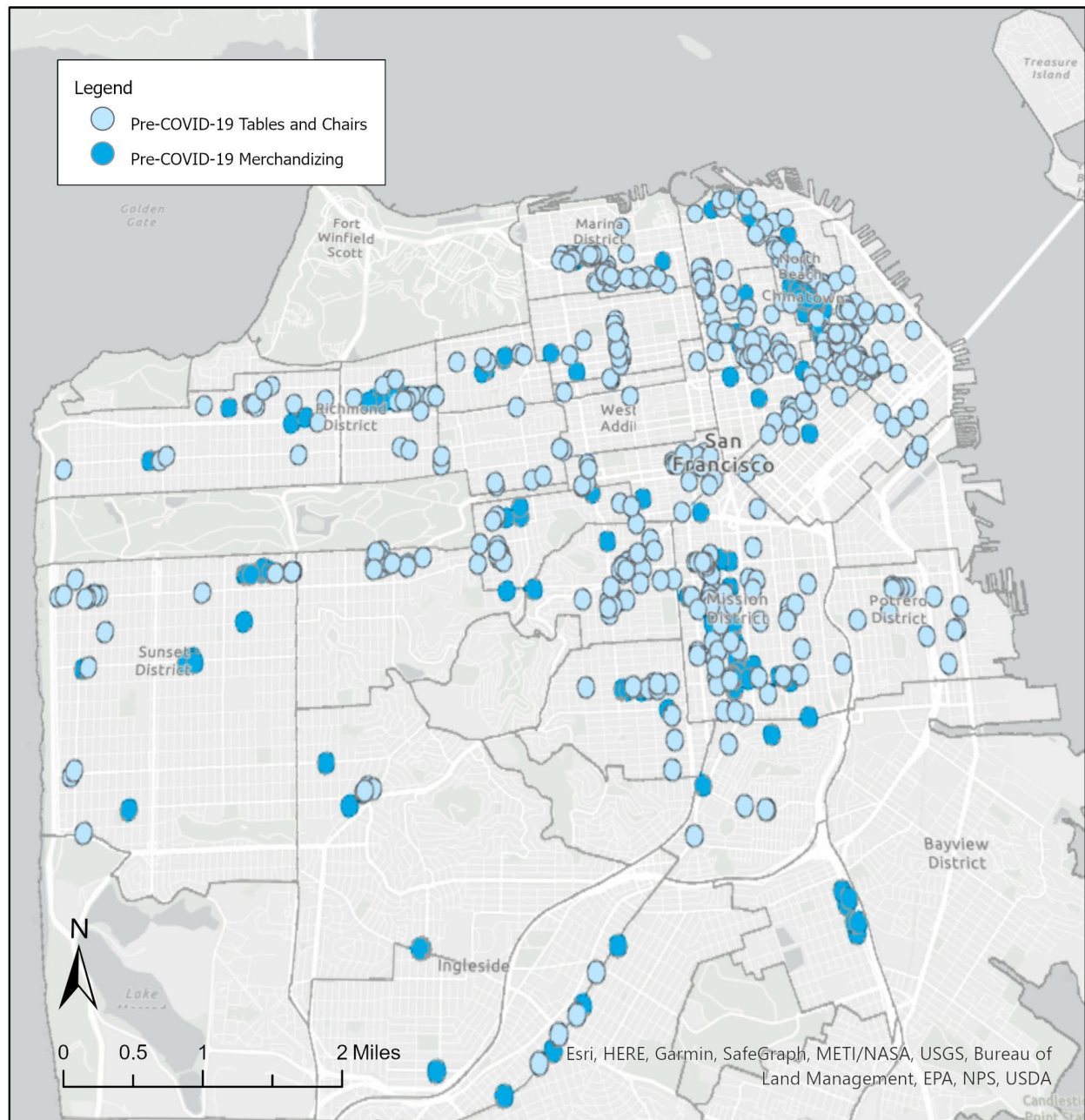
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APPENDIX A.1

Locations of Pre-COVID-19 Emergency Sidewalk Permits

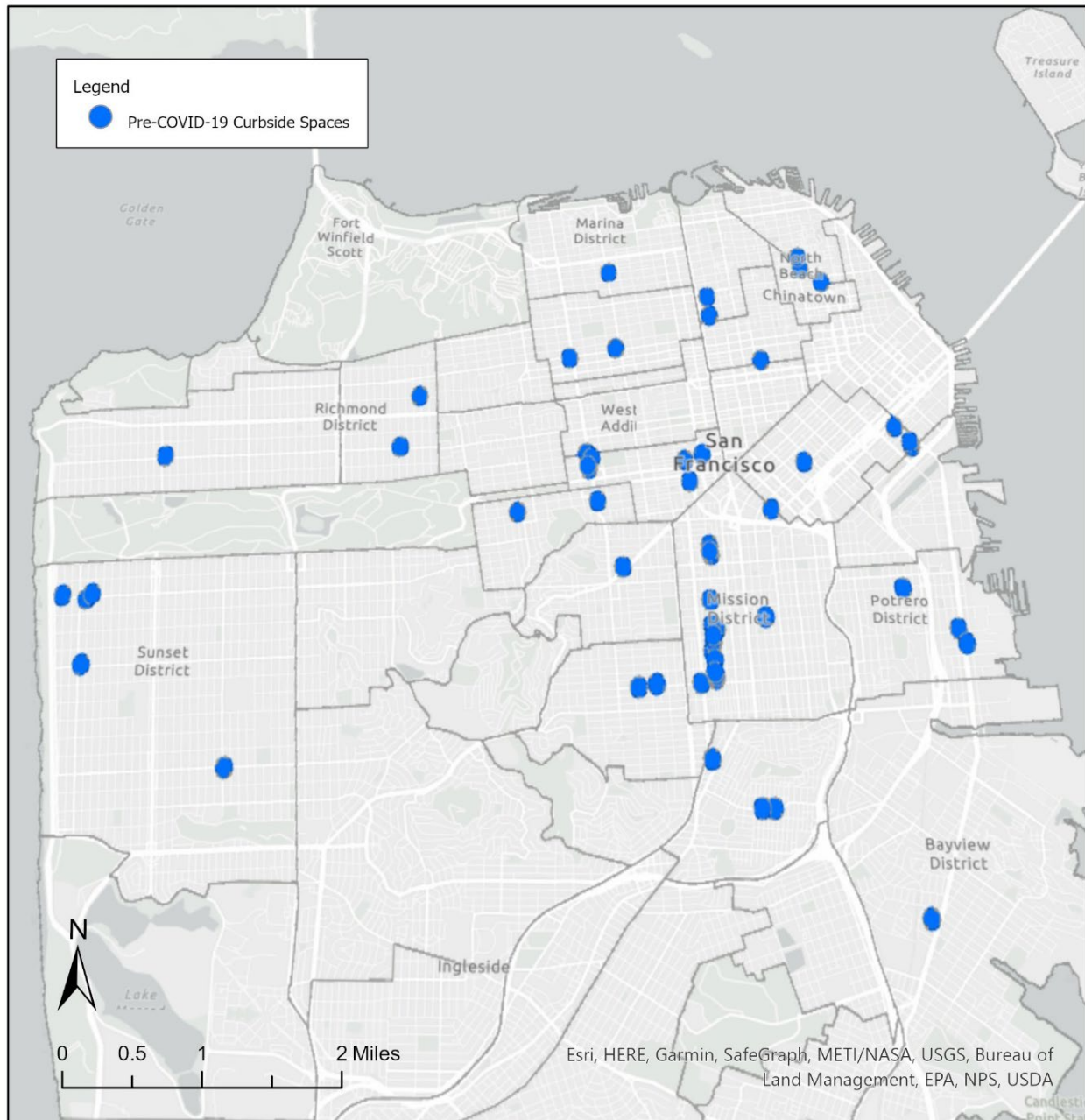


Note: Sidewalk permits were previously categorized into two categories: Tables and Chairs and Merchandizing

Source: San Francisco Department of Public Works. March 2021.

APPENDIX A.2

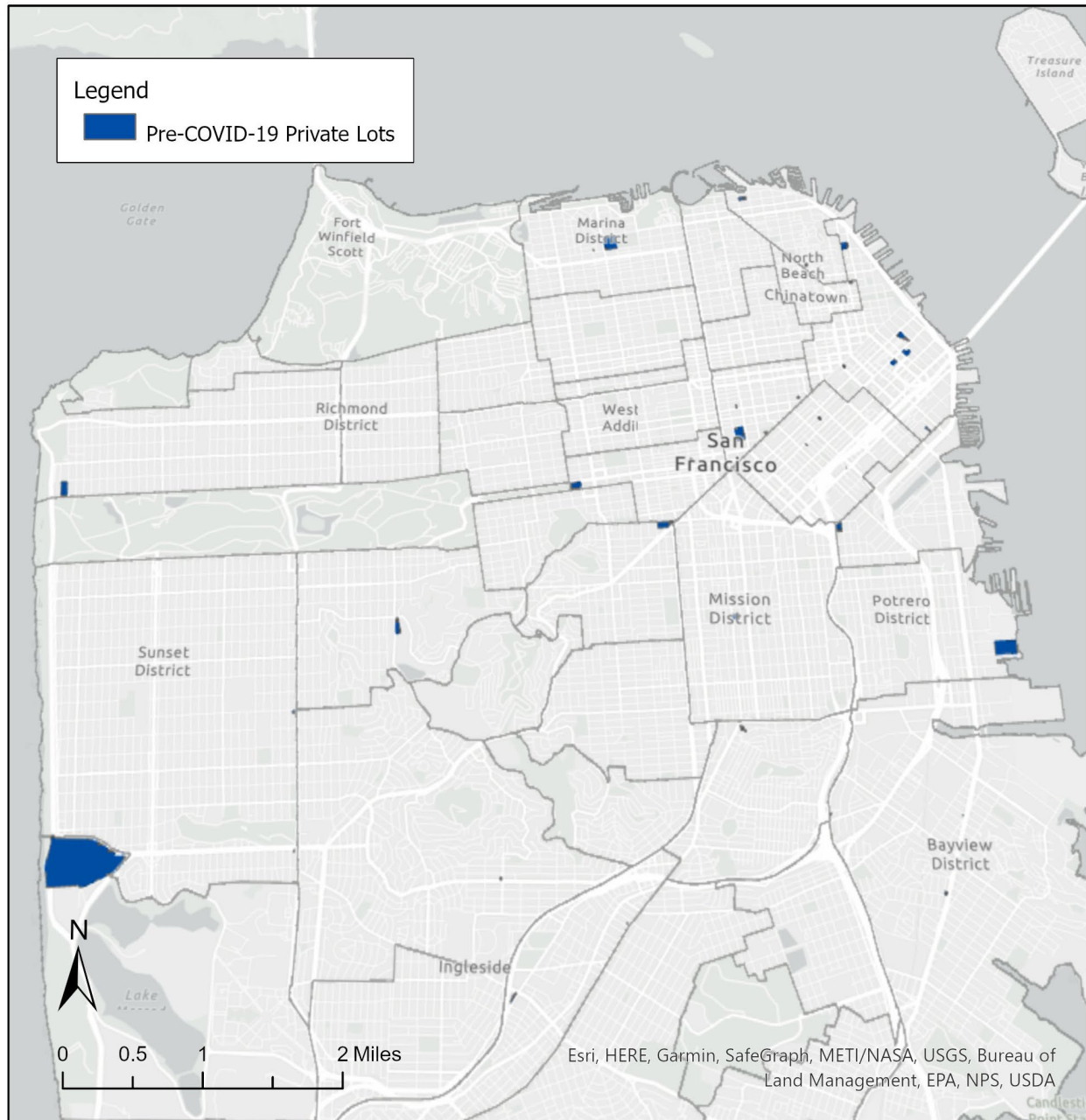
Locations of Pre-COVID-19 Emergency Curbside Spaces or 'Parklets'



Source: San Francisco Department of Public Works. March 2021.

APPENDIX A.3

Locations of Pre-COVID-19 Emergency Temporary Use Authorizations on Private Lots



Source: San Francisco Planning Department. March 2021.

APPENDIX B.1

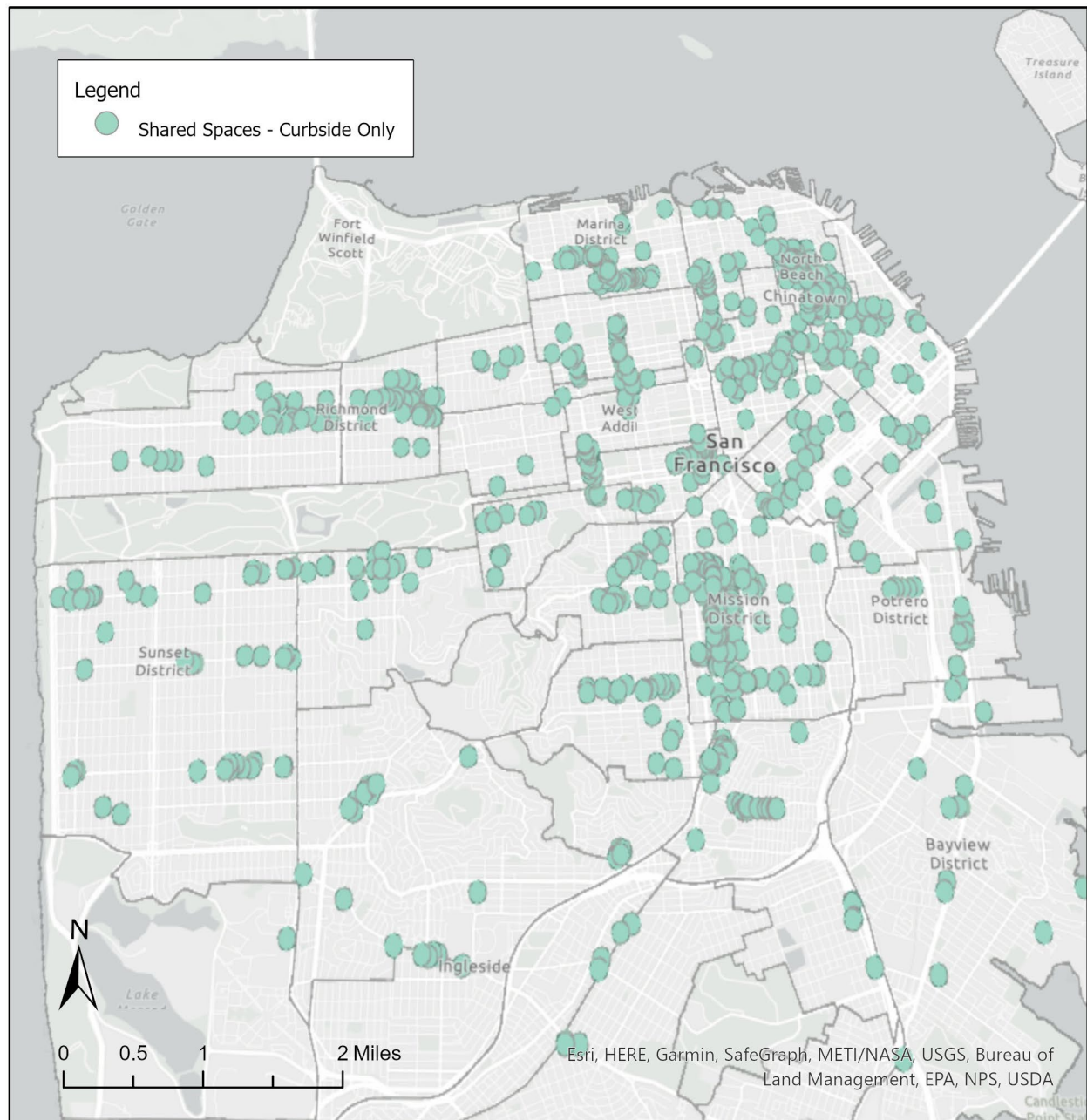
Locations of Temporary COVID-19 Emergency Sidewalk-Only Shared Spaces



Source: San Francisco Department of Public Works. March 2021.

APPENDIX B.2

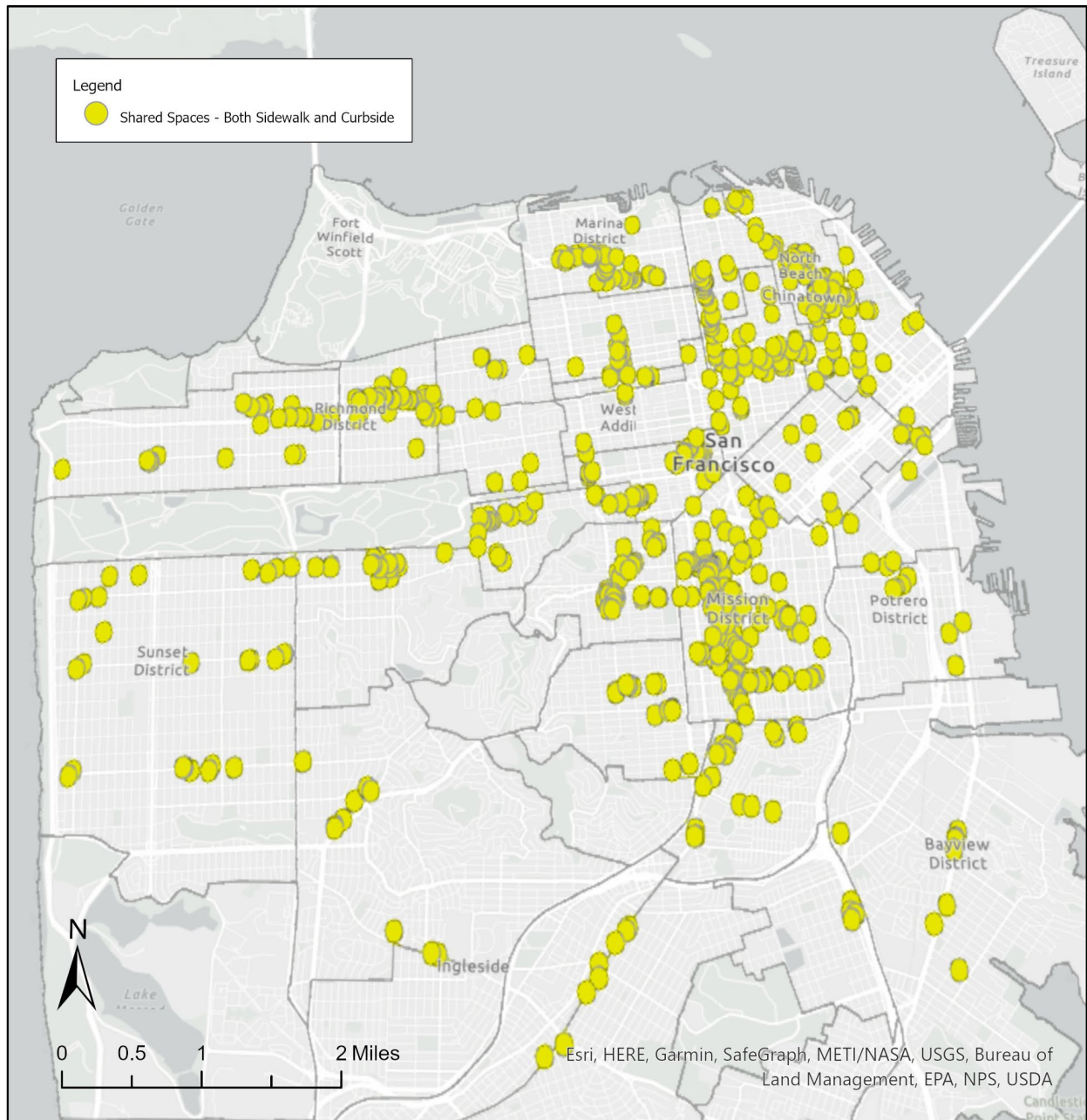
Locations of Temporary COVID-19 Emergency Curbside-Only Shared Spaces



Source: San Francisco Department of Public Works. March 2021.

APPENDIX B.3

Locations of Temporary COVID-19 Emergency Both Curbside and Sidewalk Shared Spaces



Source: San Francisco Department of Public Works. March 2021.

APPENDIX B.4

Locations of Temporary COVID-19 Emergency Shared Spaces on Private Lots



Source: San Francisco Planning Department. March 2021.

APPENDIX C.1

The table below is a list of where assumed near-term permit activity for **sidewalk Shared Spaces** may occur by neighborhood and street name based on where the city issued permits for “Sidewalk Only” and “Both Sidewalk and Curbside” during emergency conditions. The near-term permit range does not reflect a cap or limit on the number of permits that the city may approve under the Shared Spaces program in the near-term or longer. In addition, the number of permits does not reflect that these permits are approved by the city in the near-term or long-term. The city has discretion to deny a permit or require a permittee to remove the activities granted by the permit, per the proposed legislation. Rather, the near-term permit range is an analytical tool to contextualize the potential environmental impacts of the current modified project in certain topic areas below. The range reflects the department’s best estimates available at the time of this addendum.

EMERGENCY CONDITIONS (JULY 2020 TO DECEMBER 2020)			NEAR-TERM
Neighborhood	Street Name	Count	Estimated #
Bayview Hunters Point	03RD	7	
	CARROLL	1	
	CHARTER OAK	1	
	LANE	1	
	MENDELL	1	
	YOSEMITE	1	
Bayview Hunters Point Total		12	10 to 20
Bernal Heights	29TH	1	
	CORTLAND	5	
	FOLSOM	2	
	MISSION	23	
	PRECITA	3	
Bernal Heights Total		34	30 to 40
Castro/Upper Market	14TH	1	
	16TH	4	
	18TH	14	
	CASTRO	18	
	CHURCH	4	
	MARKET	9	
	NOE	4	
	SANCHEZ	2	
Castro/Upper Market Total		56	50 to 60
Chinatown	BROADWAY	3	
	CLAY	3	
	COLUMBUS	10	

EMERGENCY CONDITIONS (JULY 2020 TO DECEMBER 2020)			NEAR-TERM
Neighborhood	Street Name	Count	Estimated #
	FILBERT	1	
	GRANT	2	
	GREEN	1	
	JACKSON	5	
	KEARNY	7	
	MASON	3	
	MONTGOMERY	2	
	POWELL	3	
	SANSOME	1	
	STOCKTON	6	
	VALLEJO	3	
	WALTER U LUM	1	
	WASHINGTON	7	
	WAVERLY	4	
	WAVERLY PL	2	
Chinatown Total		64	50 to 70
Excelsior	GENEVA	1	
	LONDON	1	
	MISSION	6	
Excelsior Total		8	0 to 10
Financial District/South Beach	02ND	4	
	03RD	6	
	BATTERY	1	
	BELDEN	2	
	BRANNAN	1	
	BUSH	2	
	CALIFORNIA	1	
	CLAY	1	
	ELLIS	1	
	FREMONT	2	
	FRONT	1	
	GRANT	8	
	HARRISON	1	
	HOWARD	2	
	JESSIE	1	
	KEARNY	5	
	LEIDESDORFF	1	
	MARKET	4	
	MINNA	1	

EMERGENCY CONDITIONS (JULY 2020 TO DECEMBER 2020)			NEAR-TERM
Neighborhood	Street Name	Count	Estimated #
	MISSION	1	
	MONTGOMERY	1	
	NEW MONTGOMERY	1	
	OFARRELL	3	
	PACIFIC	1	
	PINE	3	
	POST	2	
	POWELL	2	
	SACRAMENTO	1	
	SANSOME	1	
	SOUTH	1	
	SPEAR	2	
	STEUART	2	
	SUTTER	3	
	TOWNSEND	1	
Financial District/South Beach Total		70	60 to 70
Glen Park	30TH	1	
Glen Park Total		1	0 to 10
Haight Ashbury	CARL	2	
	COLE	7	
	DIVISADERO	4	
	HAIGHT	23	
	MASONIC	1	
	PAGE	1	
	SHRADER	1	
	STANYAN	2	
	STEINER	1	
	WALLER	1	
Haight Ashbury Total		43	30 to 50
Hayes Valley	DIVISADERO	4	
	FELL	1	
	FILLMORE	3	
	FRANKLIN	2	
	GOUGH	7	
	GROVE	3	
	HAIGHT	7	
	HAYES	10	
	LAGUNA	2	
	MARKET	4	

EMERGENCY CONDITIONS (JULY 2020 TO DECEMBER 2020)			NEAR-TERM
Neighborhood	Street Name	Count	Estimated #
	OCTAVIA	3	
Hayes Valley Total		46	40 to 50
Inner Richmond	06TH	1	
	07TH	1	
	10TH	1	
	BALBOA	5	
	CALIFORNIA	3	
	CLEMENT	26	
	GEARY	7	
	GEARY BLVD	1	
Inner Richmond Total		45	40 to 50
Inner Sunset	07TH	1	
	09TH	7	
	FREDERICK	1	
	IRVING	13	
	JUDAH	1	
Inner Sunset Total		23	20 to 30
Japantown	BUCHANAN	5	
	POST	3	
	SUTTER	2	
Japantown Total		10	0 to 10
Lone Mountain/USF	FULTON	1	
	GEARY	4	
	HAYES	4	
Lone Mountain/USF Total		9	0 to 10
Marina	BAKER	1	
	BUCHANAN	1	
	CHESTNUT	23	
	FILLMORE	10	
	GREENWICH	2	
	LOMBARD	6	
	OCTAVIA	1	
	PIERCE	1	
	POINT	2	
	SCOTT	3	
	STEINER	6	
	UNION	21	
	VAN NESS	2	
Marina Total		79	70 to 80

EMERGENCY CONDITIONS (JULY 2020 TO DECEMBER 2020)			NEAR-TERM
Neighborhood	Street Name	Count	Estimated #
Mission	11TH	1	
	12TH	1	
	14TH	2	
	16TH	20	
	17TH	1	
	18TH	5	
	19TH	7	
	20TH	7	
	21ST	9	
	22ND	4	
	24TH	30	
	26TH	2	
	ALABAMA	2	
	BRYANT	1	
	DOLORES	3	
	FOLSOM	6	
	GUERRERO	3	
	HARRISON	4	
	HOWARD	2	
	JULIAN	1	
	MARKET	2	
	MISSION	43	
	POTRERO	2	
	TREAT	1	
	UTAH	1	
	VALENCIA	34	
	VAN NESS	9	
	YORK	1	
Mission Total		204	180 to 210
Mission Bay	03RD	1	
	17TH	1	
	DIVISION	3	
	KING	3	
	MISSOURI	1	
	TOWNSEND	1	
Mission Bay Total		10	0 to 10
Nob Hill	BUSH	6	
	CALIFORNIA	2	
	HYDE	1	

EMERGENCY CONDITIONS (JULY 2020 TO DECEMBER 2020)			NEAR-TERM
Neighborhood	Street Name	Count	Estimated #
	JACKSON	1	
	JONES	1	
	POLK	14	
	POST	4	
	POWELL	2	
	SACRAMENTO	1	
	SUTTER	14	
	TAYLOR	2	
<i>Nob Hill Total</i>		<i>48</i>	<i>40 to 50</i>
Noe Valley	24TH	8	
	CASTRO	2	
	CHURCH	7	
	DOLORES	2	
	SANCHEZ	1	
<i>Noe Valley Total</i>		<i>20</i>	<i>10 to 20</i>
North Beach	BEACH	4	
	BROADWAY	4	
	COLUMBUS	8	
	GRANT	2	
	GREEN	5	
	JONES	2	
	KEARNY	1	
	MASON	2	
	PACIFIC	2	
	POINT	1	
	STOCKTON	3	
	TAYLOR	3	
	UNION	5	
<i>North Beach Total</i>		<i>42</i>	<i>30 to 50</i>
Oceanview/Merced/Ingleside	NIAGARA	1	
<i>Oceanview/Merced/Ingleside Total</i>		<i>1</i>	<i>0 to 10</i>
Outer Mission	MISSION	6	
	OCEAN	1	
	PERSIA	1	
<i>Outer Mission Total</i>		<i>8</i>	<i>0 to 10</i>
Outer Richmond	19TH	1	
	20TH	1	
	BALBOA	9	
	CLEMENT	8	

EMERGENCY CONDITIONS (JULY 2020 TO DECEMBER 2020)			NEAR-TERM
Neighborhood	Street Name	Count	Estimated #
	GEARY	13	
	GEARY BLVD	1	
	LA PLAYA	2	
Outer Richmond Total		35	30 to 40
Pacific Heights	BUCHANAN	1	
	CALIFORNIA	4	
	DIVISADERO	2	
	FILLMORE	17	
	PINE	1	
	SUTTER	1	
	WASHINGTON	2	
Pacific Heights Total		28	20 to 30
Portola	SAN BRUNO	5	
Portola Total		5	0 to 10
Potrero Hill	03RD	3	
	17TH	1	
	18TH	6	
	22ND	1	
	CONNECTICUT	1	
	MARIPOSA	1	
	MINNESOTA	3	
Potrero Hill Total		16	10 to 20
Presidio Heights	CALIFORNIA	2	
	GEARY	2	
	LYON	1	
	SACRAMENTO	5	
Presidio Heights Total		10	20 to 30
Russian Hill	BROADWAY	1	
	COLUMBUS	2	
	HYDE	6	
	LARKIN	1	
	PACIFIC	2	
	POLK	27	
	VAN NESS	1	
Russian Hill Total		40	30 to 40
South of Market	04TH	1	
	05TH	2	
	06TH	2	
	08TH	1	

EMERGENCY CONDITIONS (JULY 2020 TO DECEMBER 2020)			NEAR-TERM
Neighborhood	Street Name	Count	Estimated #
	09TH	3	
	10TH	1	
	11TH	1	
	BRANNAN	3	
	FOLSOM	10	
	HOWARD	1	
	MARKET	3	
	MINT	3	
	MISSION	7	
South of Market Total		38	30 to 40
Sunset/Parkside	45TH	1	
	IRVING	9	
	JUDAH	7	
	LAWTON	3	
	LINCOLN	1	
	NORIEGA	11	
	TARAVAL	15	
Sunset/Parkside Total		47	40 to 50
Tenderloin	CYRIL MAGNIN	1	
	EDDY	2	
	ELLIS	1	
	FELL	1	
	GEARY	12	
	GOLDEN GATE	2	
	LARKIN	3	
	MARKET	2	
	OFARRELL	3	
	POLK	2	
	POST	2	
	TAYLOR	1	
	VAN NESS	4	
Tenderloin Total		36	30 to 40
Visitacion Valley	GENEVA	1	
	LELAND	2	
Visitacion Valley Total		3	0 to 10
West of Twin Peaks	DEWEY	1	
	KEYSTONE	1	
	MONTEREY	2	
	OCEAN	2	

EMERGENCY CONDITIONS (JULY 2020 TO DECEMBER 2020)			NEAR-TERM
Neighborhood	Street Name	Count	Estimated #
	PLYMOUTH	1	
	PORTAL	9	
	TARAVAL	2	
<i>West of Twin Peaks Total</i>		18	10 to 20
Western Addition	BUSH	2	
	DIVISADERO	1	
	FILLMORE	4	
	FULTON	1	
	MCALLISTER	1	
<i>Western Addition Total</i>		9	0 to 10
Grand Total		1,118	860 to 1,240

APPENDIX C.2

The table below is a list of where assumed near-term permit activity for **curbside Shared Spaces** may occur by neighborhood and street name based on where the city issued permits for “Curbside Only” and “Both Sidewalk and Curbside” during emergency conditions. The near-term permit range does not reflect a cap or limit on the number of permits that the city may approve under the Shared Spaces program in the near-term or long-term (e.g., if the streets are in the zoning districts, as defined by the Planning Code, that allow curbside activity). In addition, the number of permits does not reflect that these permits are approved by the city in the near-term or long-term. The city has discretion to deny a permit or require a permittee to remove the activities granted by the permit, per the proposed legislation. Rather, the near-term permit range is an analytical tool to contextualize the potential environmental impacts of the current modified project in certain topic areas below. The range reflects the department’s best estimates available at the time of this addendum.

EMERGENCY CONDITIONS (JULY 2020 to DECEMBER 2020)		NEAR-TERM	
Neighborhood	Street Name	Count	Estimated #
Bayview Hunters Point	03RD	6	
	25TH	1	
	26TH	1	
	BAY SHORE	1	
	CARROLL	1	
	CHARTER OAK	1	
	EGBERT	1	
	GRIFFITH	1	
	INNES	3	
	JERROLD	2	
	LANE	1	
	MARIN	1	
	PHELPS	1	
	YOSEMITE	1	
Bayview Hunters Point Total		22	10 to 30
Bernal Heights	29TH	4	
	CORTLAND	14	
	FOLSOM	1	
	MISSION	21	
	PRECITA	4	
	VALENCIA	1	
Bernal Heights Total		45	40 to 50

EMERGENCY CONDITIONS (JULY 2020 to DECEMBER 2020)		NEAR-TERM	
Neighborhood	Street Name	Count	Estimated #
Castro/Upper Market	14TH	1	
	16TH	3	
	17TH	1	
	18TH	21	
	CASTRO	16	
	CHURCH	7	
	MARKET	18	
	NOE	5	
	SANCHEZ	2	
Castro/Upper Market Total		74	60 to 80
Chinatown	BROADWAY	4	
	CLAY	6	
	COLUMBUS	23	
	COMMERCIAL	2	
	FILBERT	1	
	GRANT	4	
	GREEN	1	
	JACKSON	11	
	KEARNY	6	
	MONTGOMERY	2	
	PACIFIC	1	
	POWELL	7	
	SANSOME	1	
	STOCKTON	3	
	VALLEJO	4	
	WASHINGTON	16	
	WAVERLY	4	
	WAVERLY PL	2	
Chinatown Total		98	80 to 100
Excelsior	GENEVA	4	
	MISSION	4	
Excelsior Total		8	0 to 10
Financial District/South Beach	01ST	1	
	02ND	1	
	03RD	3	
	BATTERY	2	
	BRANNAN	1	
	BUSH	3	
	CALIFORNIA	5	

EMERGENCY CONDITIONS (JULY 2020 to DECEMBER 2020)		NEAR-TERM	
Neighborhood	Street Name	Count	Estimated #
	CLAY	2	
	DRUMM	1	
	ELLIS	2	
	FOLSOM	1	
	FRONT	2	
	GRANT	8	
	HARRISON	1	
	HOWARD	2	
	KEARNY	4	
	MARKET	1	
	MINNA	2	
	MISSION	3	
	MONTGOMERY	1	
	NATOMA	1	
	NEW MONTGOMERY	2	
	PACIFIC	1	
	PINE	3	
	POST	3	
	POWELL	1	
	SACRAMENTO	2	
	SANSOME	1	
	SOUTH	1	
	SPEAR	2	
	STEUART	3	
	SUTTER	4	
	TOWNSEND	1	
Financial District/South Beach Total		71	60 to 80
Glen Park	CHENERY	3	
	DIAMOND	5	
Glen Park Total		8	0 to 10
Haight Ashbury	COLE	8	
	DIVISADERO	7	
	HAIGHT	23	
	PAGE	1	
	SHRADER	1	
	STANYAN	2	
	STEINER	1	
	WALLER	1	
Haight Ashbury Total		44	30 to 50

EMERGENCY CONDITIONS (JULY 2020 to DECEMBER 2020)		NEAR-TERM	
Neighborhood	Street Name	Count	Estimated #
Hayes Valley	DIVISADERO	11	
	FILLMORE	3	
	FRANKLIN	2	
	FULTON	1	
	GOUGH	13	
	GROVE	7	
	HAIGHT	11	
	HAYES	20	
	IVY	1	
	LAGUNA	2	
	OAK	1	
	OCTAVIA	3	
	VAN NESS	1	
Hayes Valley Total		76	60 to 80
Inner Richmond	07TH	1	
	BALBOA	4	
	CALIFORNIA	5	
	CLEMENT	38	
	CORNWALL	1	
	GEARY	13	
	GEARY BLVD	1	
Inner Richmond Total		63	50 to 70
Inner Sunset	07TH	1	
	09TH	10	
	11TH	2	
	12TH	1	
	FREDERICK	1	
	HUGO	1	
	IRVING	17	
	JUDAH	1	
	LINCOLN	1	
Inner Sunset Total		35	30 to 40
Japantown	BUCHANAN	1	
	FILLMORE	2	
	GEARY	1	
	POST	4	
	SUTTER	3	
	WEBSTER	2	

EMERGENCY CONDITIONS (JULY 2020 to DECEMBER 2020)		NEAR-TERM	
Neighborhood	Street Name	Count	Estimated #
<i>Japantown Total</i>		13	10 to 20
Lakeshore	20TH	1	
<i>Lakeshore Total</i>		1	0 to 10
Lone Mountain/USF	FULTON	2	
	GEARY	4	
	HAYES	4	
<i>Lone Mountain/USF Total</i>		10	0 to 10
Marina	BUCHANAN	3	
	CHESTNUT	30	
	FILLMORE	13	
	FRANKLIN	1	
	GREENWICH	2	
	LOMBARD	7	
	OCTAVIA	1	
	PIERCE	1	
	PIXLEY	1	
	POINT	2	
	SCOTT	6	
	STEINER	11	
	UNION	33	
<i>Marina Total</i>		111	90 to 120
Mission	11TH	4	
	12TH	1	
	14TH	2	
	16TH	26	
	17TH	3	
	18TH	12	
	19TH	7	
	20TH	9	
	21ST	7	
	22ND	7	
	24TH	29	
	26TH	1	
	ALABAMA	3	
	CAPP	1	
	DOLORES	2	
	ERIE	1	
	FOLSOM	7	
	GUERRERO	8	

EMERGENCY CONDITIONS (JULY 2020 to DECEMBER 2020)		NEAR-TERM	
Neighborhood	Street Name	Count	Estimated #
	HARRISON	3	
	HOWARD	1	
	MARKET	3	
	MISSION	51	
	POTRERO	2	
	TREAT	1	
	UTAH	2	
	VALENCIA	59	
	VAN NESS	6	
Mission Total		258	230 to 260
Mission Bay	03RD	1	
	04TH	1	
	17TH	2	
	DE HARO	2	
	DIVISION	3	
	HENRY ADAMS	1	
	KING	1	
	LONG BRIDGE	1	
	MISSION BAY	1	
	MISSOURI	1	
	WARRIORS	1	
Mission Bay Total		15	10 to 20
Nob Hill	BUSH	10	
	CALIFORNIA	5	
	COSMO	1	
	HYDE	1	
	JACKSON	1	
	JONES	1	
	LARKIN	1	
	LEAVENWORTH	2	
	POLK	14	
	POST	6	
	POWELL	1	
	SUTTER	11	
	TAYLOR	4	
	VAN NESS	1	
Nob Hill Total		59	50 to 60
Noe Valley	24TH	17	

EMERGENCY CONDITIONS (JULY 2020 to DECEMBER 2020)		NEAR-TERM	
Neighborhood	Street Name	Count	Estimated #
	CASTRO	4	
	CHURCH	8	
	DIAMOND	1	
	DOLORES	2	
	SANCHEZ	3	
Noe Valley Total		35	30 to 40
North Beach	BAY	2	
	BEACH	2	
	BROADWAY	5	
	COLUMBUS	14	
	FRANCISCO	1	
	GRANT	10	
	GREEN	9	
	JONES	1	
	KEARNY	1	
	PACIFIC	3	
	POINT	1	
	POWELL	1	
	SAROYAN	1	
	STOCKTON	6	
	TAYLOR	2	
	UNION	7	
	VALLEJO	1	
North Beach Total		67	60 to 70
Oceanview/Merced/Ingleside	OCEAN	3	
Oceanview/Merced/Ingleside Total		3	0 to 10
Outer Mission	MISSION	5	
	PERSIA	1	
	SAN JUAN	1	
Outer Mission Total		7	0 to 10
Outer Richmond	23RD	1	
	30TH	1	
	BALBOA	13	
	CALIFORNIA	1	
	CLEMENT	12	
	GEARY	27	
	GEARY BLVD	1	
	LA PLAYA	2	

EMERGENCY CONDITIONS (JULY 2020 to DECEMBER 2020)		NEAR-TERM	
Neighborhood	Street Name	Count	Estimated #
<i>Outer Richmond Total</i>		58	50 to 60
Pacific Heights	BUSH	1	
	CALIFORNIA	6	
	DIVISADERO	8	
	FILLMORE	23	
	PINE	1	
	SACRAMENTO	1	
	SUTTER	1	
	WASHINGTON	4	
<i>Pacific Heights Total</i>		45	40 to 50
Portola	SAN BRUNO	10	
<i>Portola Total</i>		10	0 to 10
Potrero Hill	03RD	10	
	18TH	11	
	20TH	1	
	22ND	2	
	CONNECTICUT	3	
	MARIPOSA	1	
	MINNESOTA	4	
<i>Potrero Hill Total</i>		32	20 to 40
Presidio Heights	CALIFORNIA	4	
	GEARY	1	
	SACRAMENTO	7	
<i>Presidio Heights Total</i>		12	10 to 20
Russian Hill	BEACH	2	
	BROADWAY	2	
	COLUMBUS	4	
	HYDE	13	
	LEAVENWORTH	1	
	POLK	37	
	UNION	1	
	VALLEJO	1	
	VAN NESS	1	
<i>Russian Hill Total</i>		62	50 to 70
South of Market	03RD	1	
	06TH	4	
	07TH	2	
	08TH	3	

EMERGENCY CONDITIONS (JULY 2020 to DECEMBER 2020)		NEAR-TERM	
Neighborhood	Street Name	Count	Estimated #
	09TH	4	
	11TH	1	
	BLUXOME	1	
	BRANNAN	6	
	BRYANT	3	
	FOLSOM	11	
	HARRISON	1	
	HOWARD	6	
	MISSION	1	
	TOWNSEND	1	
<i>South of Market Total</i>		45	40 to 50
Sunset/Parkside	40TH	2	
	46TH	1	
	IRVING	15	
	JUDAH	11	
	LA PLAYA	1	
	LAWTON	3	
	NORIEGA	19	
	TARAVAL	22	
	VICENTE	1	
<i>Sunset/Parkside Total</i>		75	60 to 80
Tenderloin	ELLIS	3	
	GEARY	12	
	GOLDEN GATE	1	
	JONES	2	
	LARKIN	4	
	MASON	1	
	OFARRELL	2	
	POLK	2	
	POST	4	
	TAYLOR	1	
	VAN NESS	4	
<i>Tenderloin Total</i>		36	30 to 40
West of Twin Peaks	HEARST	1	
	KEYSTONE	1	
	OCEAN	6	
	PLYMOUTH	1	
	PORTAL	19	
	PORTOLA	1	

EMERGENCY CONDITIONS (JULY 2020 to DECEMBER 2020)		NEAR-TERM	
Neighborhood	Street Name	Count	Estimated #
	TARAVAL	1	
	ULLOA	1	
<i>West of Twin Peaks Total</i>		31	20 to 40
Western Addition	BUSH	2	
	DIVISADERO	8	
	FILLMORE	5	
	FRANKLIN	2	
	FULTON	2	
	OFARRELL	1	
<i>Western Addition Total</i>		20	10 to 20
Grand Total		1,549	1,230 to 1,710



APPENDIX C.3

The table below is a list of where assumed near-term permit activity for **roadway Shared Spaces** would occur by location. The table below lists the permits that the city approved during emergency COVID-19 conditions, excluding those removed for the reasons described in Section D.4.2 Current Modified Project Impacts Approach to Analysis. The near-term permit range does not reflect a cap or limit on the number of permits that the city may approve under the Shared Spaces program in the near-term or longer. In addition, the number of permits does not reflect that these permits are approved by the city in the near-term or long-term. The city has discretion to deny a permit or require a permittee to remove the activities granted by the permit, per the proposed legislation. Rather, the near-term permit range is an analytical tool to contextualize the potential environmental impacts of the current modified project in certain topic areas below. The range reflects the department's best estimates available at the time of this addendum.

The table identifies if a permit is on an active transit route or a high-volume roadway. Based on those criteria, the following preliminary identifies those roadway permits that may need additional analysis if a permittee seeks a roadway closure permit on such roadway. For such permits, the department may receive details that indicate additional analysis would not be needed (e.g., revised permit details to avoid active transit route, data that indicates permit is not on a high-volume roadway).

Table C.3: Shared Spaces – Roadway Closures

Case No. ^a	Case Name	Location	On Active Transit Route? ^b	On High Volume Roadway? ^c	Additional Analysis may be Needed?
1.	18th St - Castro Merchants	18th Street from Hartford Street to Castro Street; 18th Street from Castro Street to Collingwood Street	Yes	Yes	Yes
2.	18th St - Potrero Dogpatch Merchants Association	18th Street from CONNECTICUT ST to MISSISSIPPI ST	No	No	No
3.	37th Ave - Sunset Mercantile	37TH AVE from ORTEGA ST to PACHECO ST	No	No	No
4.	37th Avenue Farmer's Market	37TH AVE from PACHECO ST to QUINTARA ST; Pacheco St from Sunset Blvd to 37th Ave	No	No	No

Table C.3: Shared Spaces – Roadway Closures

Case No. ^a	Case Name	Location	On Active Transit Route? ^b	On High Volume Roadway? ^c	Additional Analysis may be Needed?
5.	Austin St - Lower Polk CBD	Austin Street from Polk Street to Van Ness Avenue	No	No	No
6.	Beach Street - Buena Vista Café	Beach Street (southernmost travel lane only) from Hyde to Larkin streets	No	Yes	Yes
7.	Beach Street – Ghirardelli	BEACH ST from LARKIN ST to POLK ST	No	Yes	Yes
8.	Beckett - Pork Chop House	BECKETT ST from JACKSON ST to PACIFIC AVE	No	No	No
9.	Church St - Il Casaro	CHURCH ST from MARKET ST to 15TH ST	Yes	Yes	Yes
10.	Church St- Pilsner	CHURCH ST from MARKET ST to 15TH ST	Yes	Yes	Yes
11.	Church St- Red Jade	CHURCH ST from MARKET ST to 15TH ST	Yes	Yes	Yes
12.	Ellis Street - Union Square BID	ELLIS ST from POWELL ST to STOCKTON ST	No	No	No
13.	Fern St. - Mayes Oyster House	FERN ST from POLK ST to VAN NESS AVE	No	No	No
14.	Folsom St - Livable City	FOLSOM ST from 06TH ST to 08TH ST	Yes	Yes	Yes
15.	Galvez Street - EDoT	GALVEZ AVE from 03RD ST to 100 feet West	No	No	No
16.	Gold Street - Bix	Gold Street from Montgomery Street to Balance Street	No	No	No
17.	Golden Gate Avenue - Tenderloin	GOLDEN GATE AVE from LARKIN ST to HYDE ST	Yes	Yes	Yes
18.	Grant - Chinatown	Grant Ave from Washington St to California St; Commercial St from Kearny St to Grant Ave	No	No	No
19.	Harlan Place - Bar Fluxus	HARLAN PL from GRANT AVE to MARK LN	No	No	No

Table C.3: Shared Spaces – Roadway Closures

Case No. ^a	Case Name	Location	On Active Transit Route? ^b	On High Volume Roadway? ^c	Additional Analysis may be Needed?
20.	Hayes Valley	Hayes Street from Laguna Street to Gough Street; Octavia Street from Hayes Street to Ivy Street; Hayes Street from Gough Street to Franklin Street	Yes	Yes	Yes
21.	Irving Street	Irving Street from 19th Ave to 20th Ave	No	Yes	Yes
22.	Ivy Street - Fig & Thistle	IVY ST from GOUGH ST to OCTAVIA ST	No	No	No
23.	Jack Kerouac Alley - Vesuvio	JACK KEROUAC ALY from COLUMBUS AVE to GRANT AVE	No	No	No
24.	Jane Warner Plaza	17TH ST from CASTRO ST to HARTFORD ST	Yes	No	Yes
25.	Jasper Alley - Vicoletto	JASPER PL from GREEN ST to UNION ST	No	No	No
26.	Jessie - Westfield	JESSIE from 5TH ST to JESSIE WEST ST; JESSIE WEST ST from MISSION ST to JESSIE ST	No	No	No
27.	Larkin St - Tenderloin	LARKIN ST from EDDY ST to OFARRELL ST	Yes	Yes	Yes
28.	Leidesdorff St - Wayfare Tavern	Leidesdorff Street from Sacramento Street to Commercial Street	No	No	No
29.	Leidesdorff Street - Credo	Leidesdorff Street from Pine Street to California Street	No	No	No
30.	Linden Street - SF Parks Alliance	Linden Street from Gough Street to Franklin Street	No	No	No
31.	Maiden Lane - Hawthorn	MAIDEN LN from KEARNY ST to GRANT AVE	No	No	No
32.	Michigan Street - The Midway	MICHIGAN ST from MARIN ST to CESAR CHAVEZ ST	No	No	No

Table C.3: Shared Spaces – Roadway Closures

Case No. ^a	Case Name	Location	On Active Transit Route? ^b	On High Volume Roadway? ^c	Additional Analysis may be Needed?
33.	Natoma Street - East Cut	Natoma Street from 02nd Street to Easterly Terminus	No	No	No
34.	Noe St. - Castro Merchants	NOE ST from MARKET ST to BEAVER ST	No	No	No
35.	Octavia St - Mercury Cafe	OCTAVIA ST FRONTAGE ROAD from PAGE ST to LILY ST	No	No	No
36.	O'Farrell - Fillmore merchants	OFARRELL ST from FILLMORE ST to STEINER ST	No	No	No
37.	Onondaga Avenue - Livable City	ONONDAGA AVE from MISSION ST to ALEMANY BLVD	No	No	No
38.	Powell Street - Lillie Coit's	Powell Street from Columbus Avenue to Union street	No	Yes	Yes
39.	Richard Henry Dana Place - Cioppino's	RICHARD HENRY DANA PL from JEFFERSON ST to JEFFERSON ST	No	No	No
40.	Ritch St - District	Ritch Street from Townsend Street to Lusk Street	No	No	No
41.	Rose St - Zuni	ROSE ST from MARKET ST to GOUGH ST	No	No	No
42.	Shannon Street - Joy-JK	SHANNON ST from POST ST to GEARY ST	No	No	No
43.	Steiner Street - Izzy's	Steiner Street from Chestnut Street to Lombard St	No	Yes	Yes
44.	Stevenson St - Park Alliance	Stevenson Street from 06th Street to 07th Street	No	No	No
45.	Taraval Street	TARAVAL ST from 46TH AVE to 47TH AVE	Maybe	No	Yes
46.	Thornton Ave - Breakfast	THORNTON AVE from SAN BRUNO AVE to SAN BRUNO AVE	No	No	No

Table C.3: Shared Spaces – Roadway Closures

Case No. ^a	Case Name	Location	On Active Transit Route? ^b	On High Volume Roadway? ^c	Additional Analysis may be Needed?
47.	Valencia Shared Space`	VALENCIA ST from 16TH ST to 17TH ST; VALENCIA ST from 18TH ST to 19TH ST; Valencia St from 20th St to 21st St	No	Yes	Yes
48.	Via Bufano - Bodega	Via Bufano from Greenwich Street to Columbus Ave	No	No	No
49.	Washington St - Choquet's	Washington Street from Fillmore Street to Steiner Street	Yes	No	Yes
50.	Waverly Place - Mister Jiu's	Waverly Place from Clay Street to Sacramento Street	No	No	No
51.	Yosemite Ave - Black Wallstreet	Yosemite Ave from Lane Street to 90' west, Yosemite Ave from Lane Street to 3rd Street, Lane Street from 3rd to Yosemite, Lane Street from Yosemite to 90' south, Intersection(s) close: Lane Street at Yosemite Street	No	No	No

^a Permits for the same applicant and roadway segment were consolidated into a single case number. In addition, roadway closure permits that were clearly used for emergency-related purposes (e.g., COVID-19 testing sites) were removed from this list.

^b An “active transit route” refers to Existing Conditions (Pre-COVID-19 Emergency), prior to the suspension of some transit service during the COVID-19 Emergency.

^c A “high volume roadway” is defined as a roadway with existing volumes of more than 300 vehicles in either direction during the peak hour.



EXECUTIVE SUMMARY SHARED SPACES ORDINANCE

HEARING DATE: April 22, 2021

Project Name: Shared Spaces
Case Number: **2021-003010PRJ** [Board File No. 210284]
Initiated by: Mayor London Breed / Introduced March 16, 2021
Staff Contact: Robin Abad Ocubillo, Citywide Planning
Robin.Abad@sfgov.org, 628-652-7456
Reviewed by: Aaron Starr, Manager of Legislative Affairs
Aaron.Starr@sfgov.org, 628-652-7456

Recommendation: None proposed – Informational Hearing Only

Background

The Shared Spaces Program has been a critical part of the City's crisis response strategy to sustain the locally-owned small business sector in San Francisco. In addition to stabilizing neighborhood commercial corridors, merchants, and jobs, the Program has contributed positively to walkability, social and psychological wellbeing during the COVID-19 pandemic. Due to widespread success throughout the City's neighborhoods, on Friday, March 12, Mayor Breed announced legislation to transition Shared Spaces from an emergency response into a permanent program through and after the pandemic. The legislation was officially introduced on Tuesday, March 16.

The permanent version of the program will carry forward the streamlined permit process; encourage arts & culture; and better balance commercial activities with public space and transportation demands of the recovering economy. Revised design and operating regulations won't 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 essential changes. Once the legislation goes into effect, any 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.

This legislation was developed in coordination with multiple City agencies and stakeholders, including Planning, SFMTA, Public Works, the Fire Department, the Police Department, the Entertainment Commission, the Mayor's

Office on Disability, the Economic Recovery Task Force, the Board of Supervisors, Commercial Business Districts, Merchant Associations, Small Business Commission, the Planning Commission, and public space and mobility advocates.

Policy Goals and Outcomes

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. 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.

Commission Action

No City Planning Commission action is triggered as the Shared Ordinance does not propose amendments to the Planning Code.

Attachments:

- Exhibit A: Presentation Slides
Exhibit B: Board of Supervisors File No. 210284



City and County
of San Francisco

Shared Spaces

INFORMATIONAL PRESENTATION

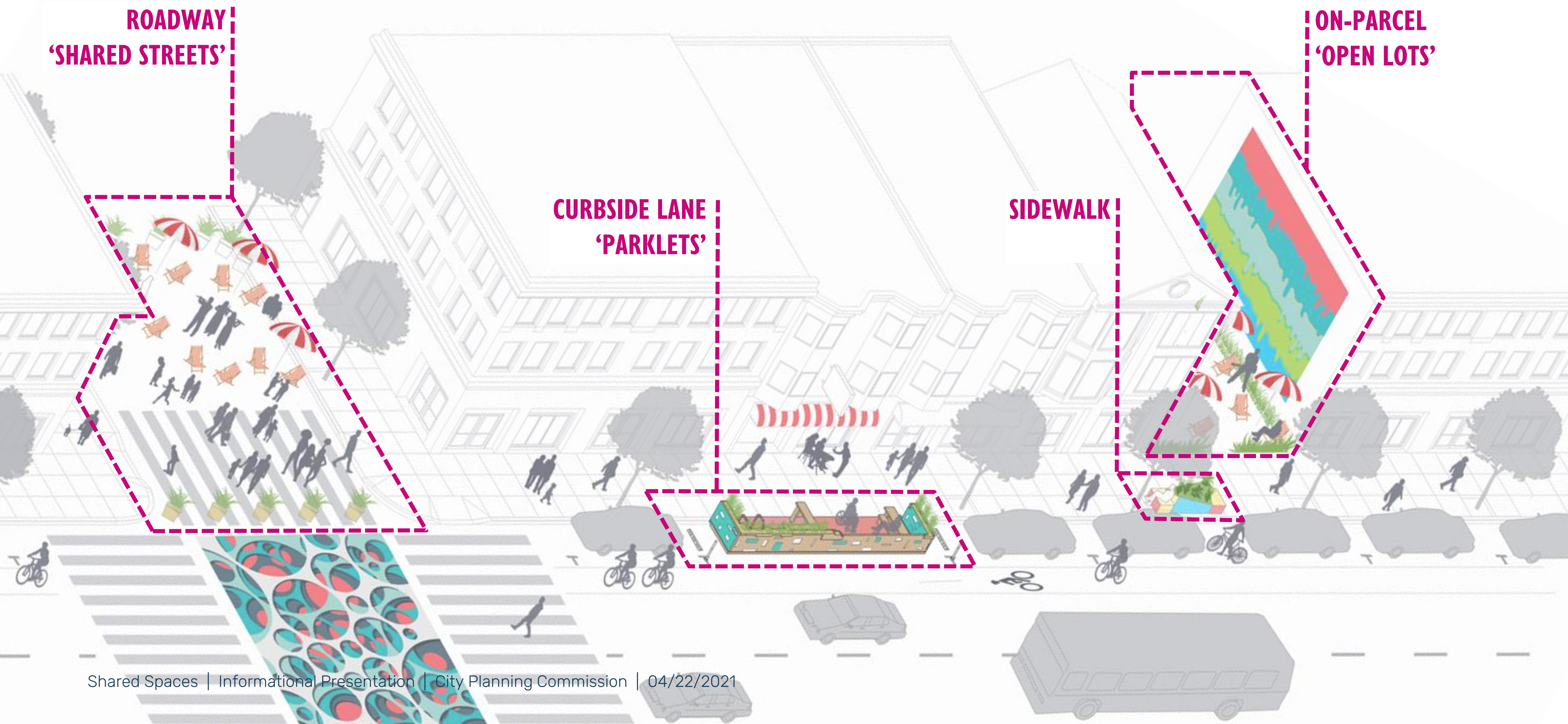
Thursday, April 22, 2021



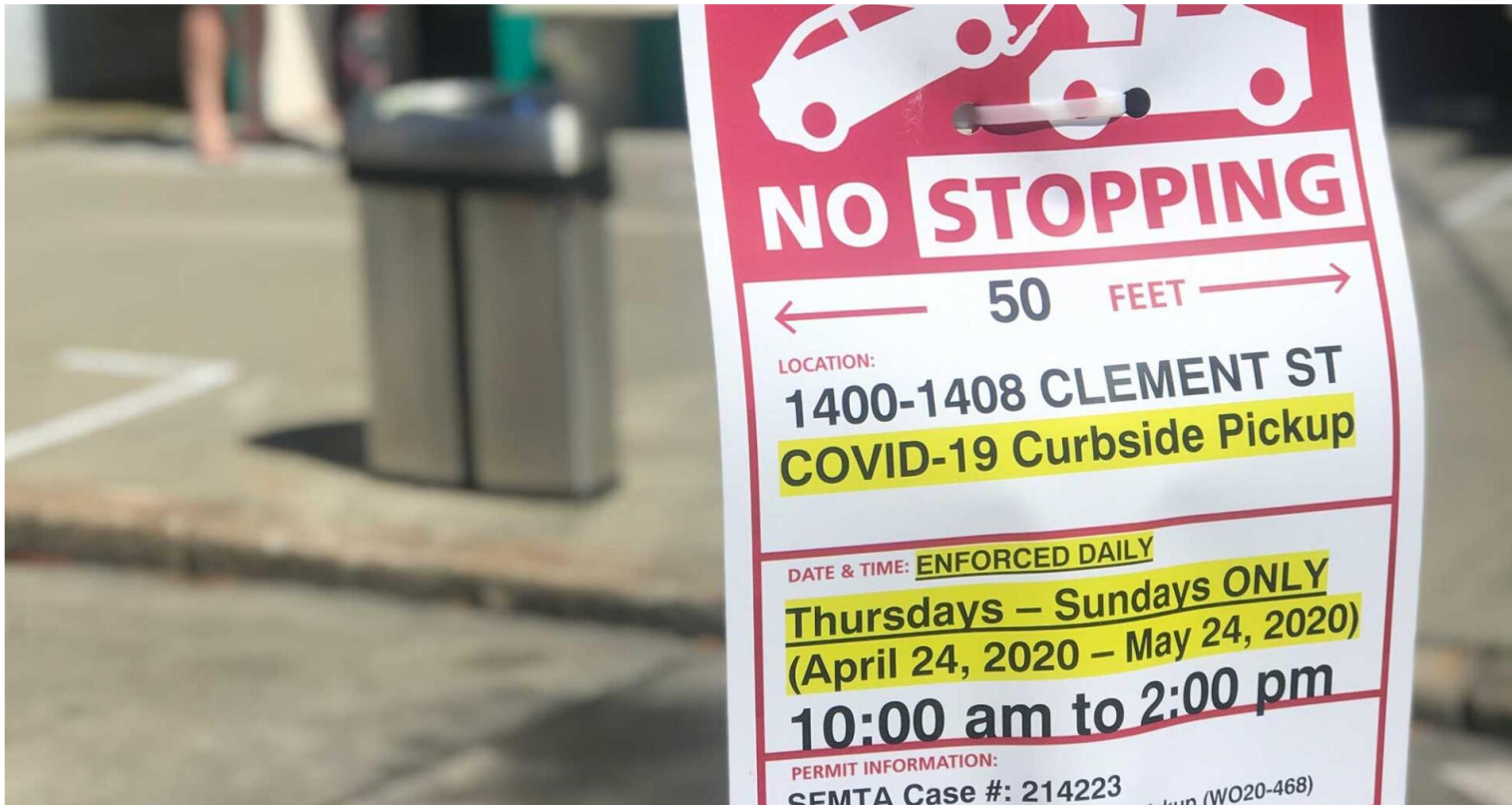
Topics

1. Context & Snapshot of Shared Spaces Program Today
2. Policy Goals and Legislative Actions
3. Transitioning to a Codified Program
4. Questions & Discussion

Where are Shared Spaces?



How are Shared Spaces used?



Curbside Pickup



Outdoor Retail



Distanced Queuing



Personal Services



Outdoor Dining

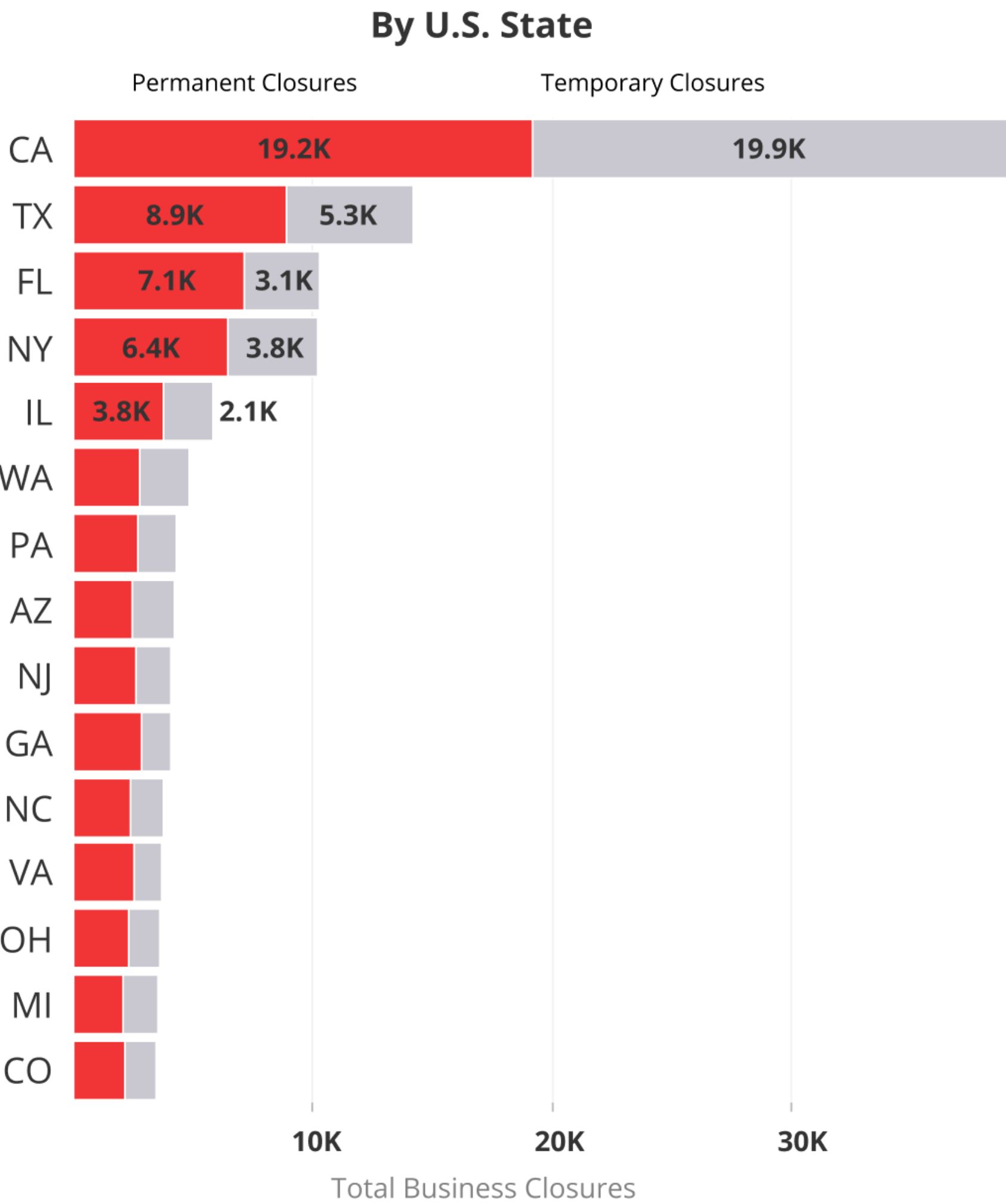
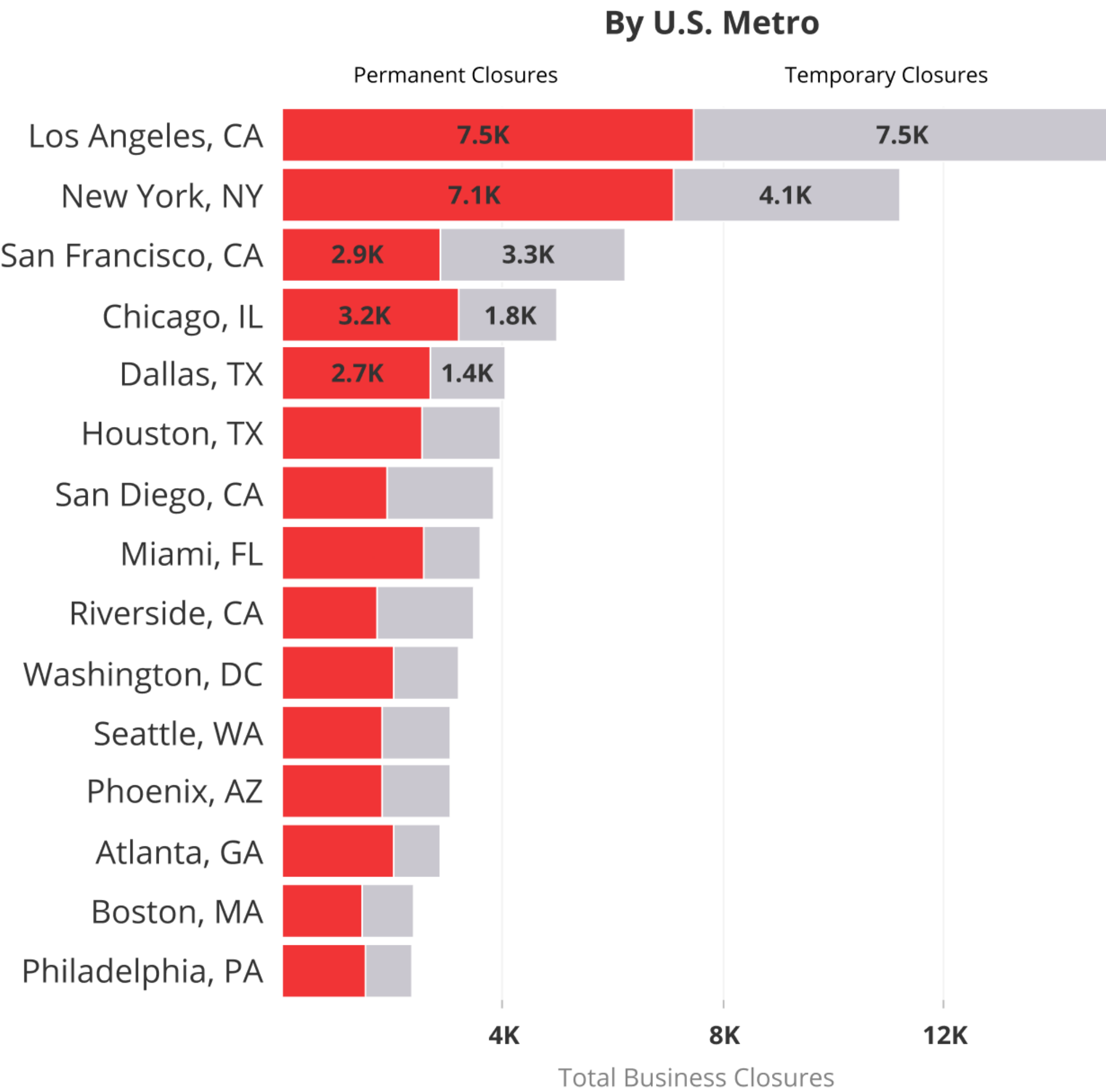


Entertainment

Economic Context

Where are the Most Businesses Closed?

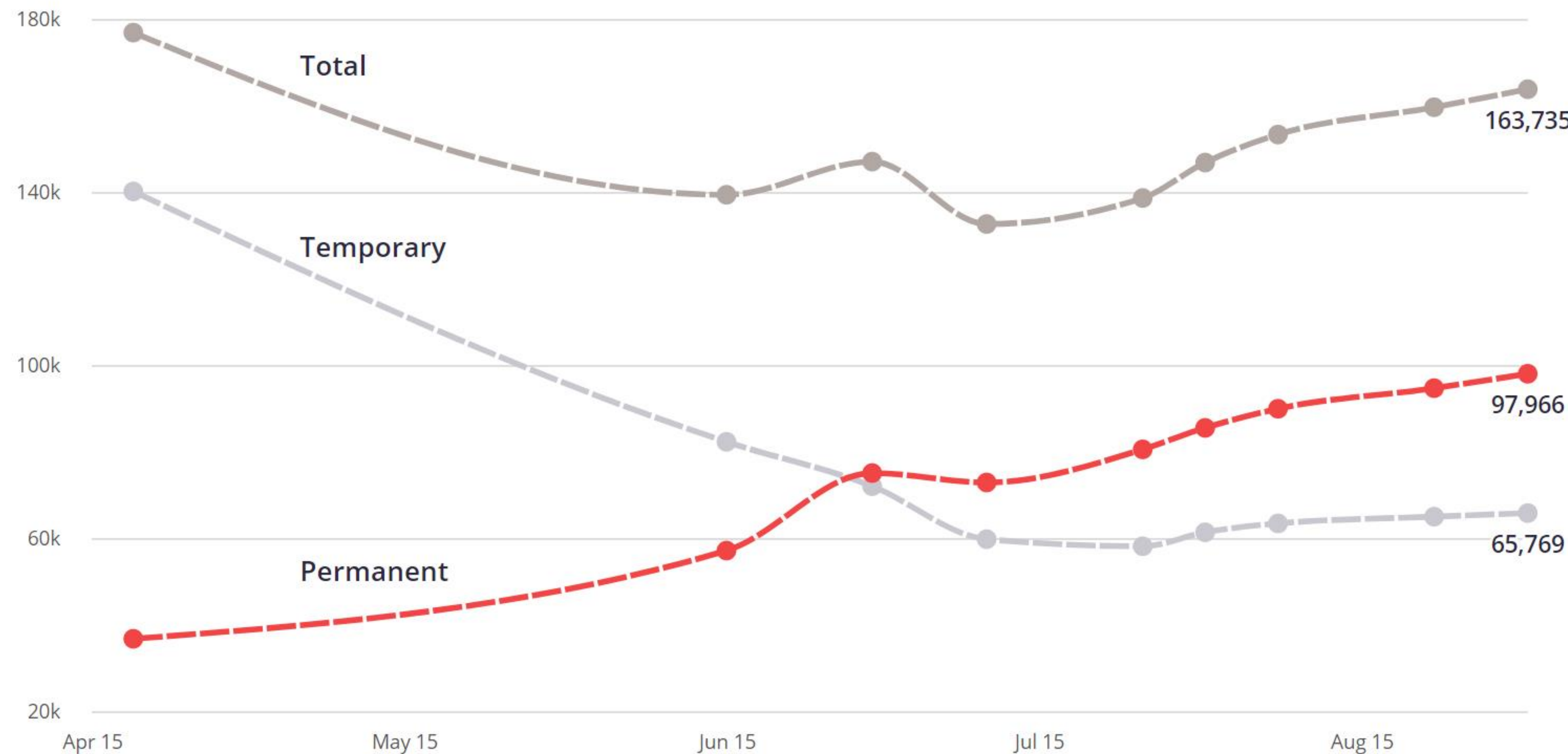
Geographic areas with the largest number of business closures since March 1



Responding to Economic Context

Business Closures Continue to Increase Nationally

Number of businesses marked closed on Yelp that were open March 1

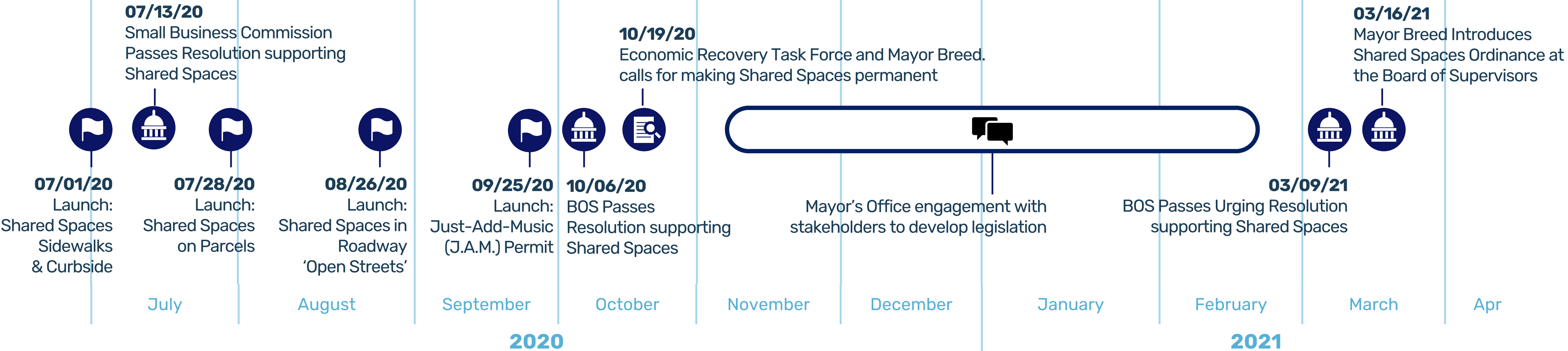


Timeline of Program Evolution

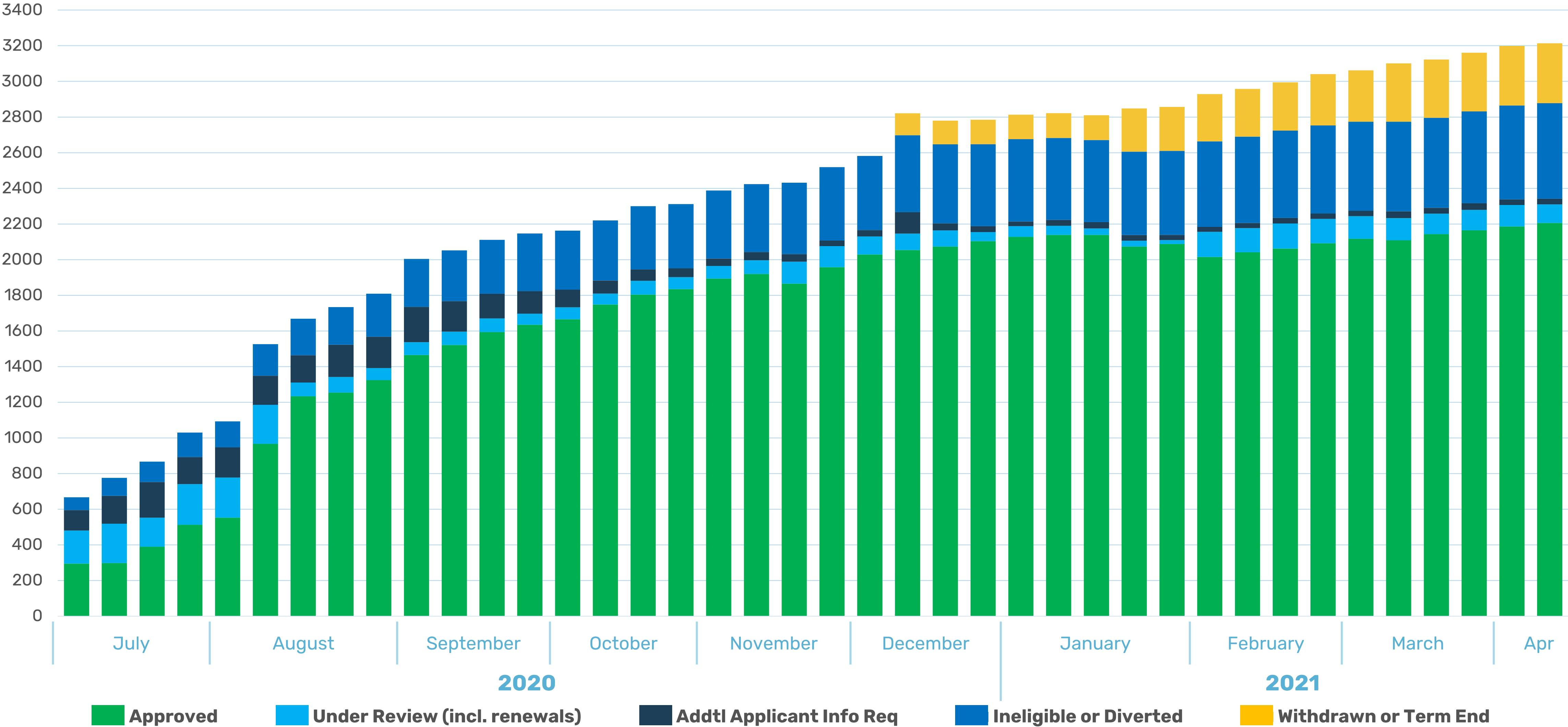
CITY & REGIONAL CONTEXT

- 2009**
San Francisco Parklet Program kicks off
- 02/25/20**
San Francisco declares state of public health emergency
- 03/04/20**
State of California declares state of public health emergency
- 03/15/20**
Governor closes all bars, nightclubs, wineries, and brewpubs
- 03/17/20 – 05/03/20**
Shelter in Place Order takes effect in SF and five other bay area counties
- 03/19/20**
Statewide shelter in place order goes into effect
- 04/17/20**
Six bay area counties mandate face coverings
- 04/24/20**
Economic Recovery Task Force created by Mayor Breed and BOS President Yee
- 04/28/20**
Governor creates 4-stage 'Resilience Roadmap' for lifting restrictions
- 05/18/20**
California enters 'Resilience Roadmap' Stage 2
- 05/26/20**
California enters 'Resilience Roadmap' Stage 3
- 06/12/20**
San Francisco resumes outdoor dining
- 08/31/20**
California's Color-Coded System Initiated. SF in the Red Tier
- 09/07/20**
Personal Services Allowed Outdoors
- 12/06/20 - 01/25/21**
activities suspended in Bay Area counties under State's Regional Stay-At-Home Order

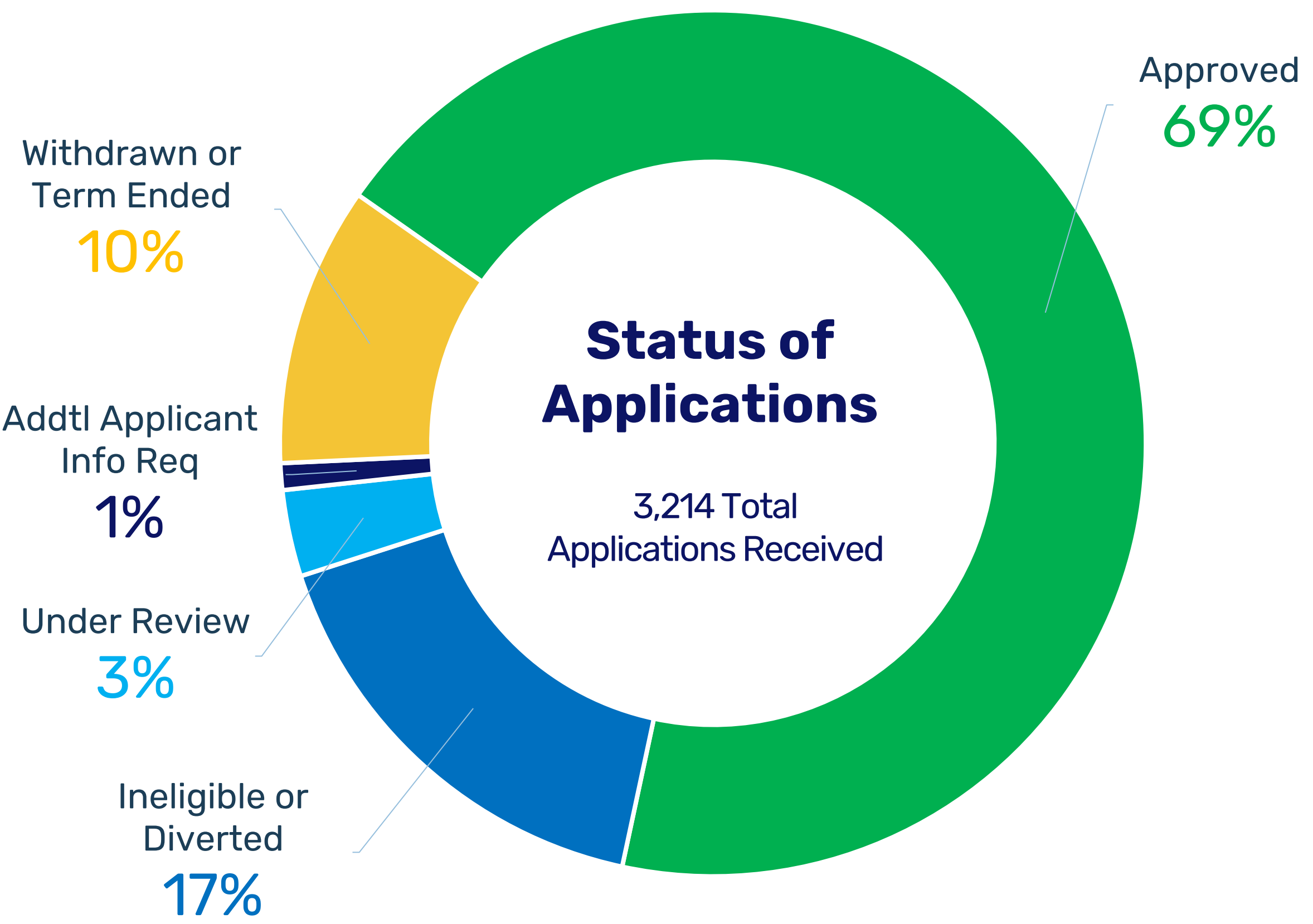
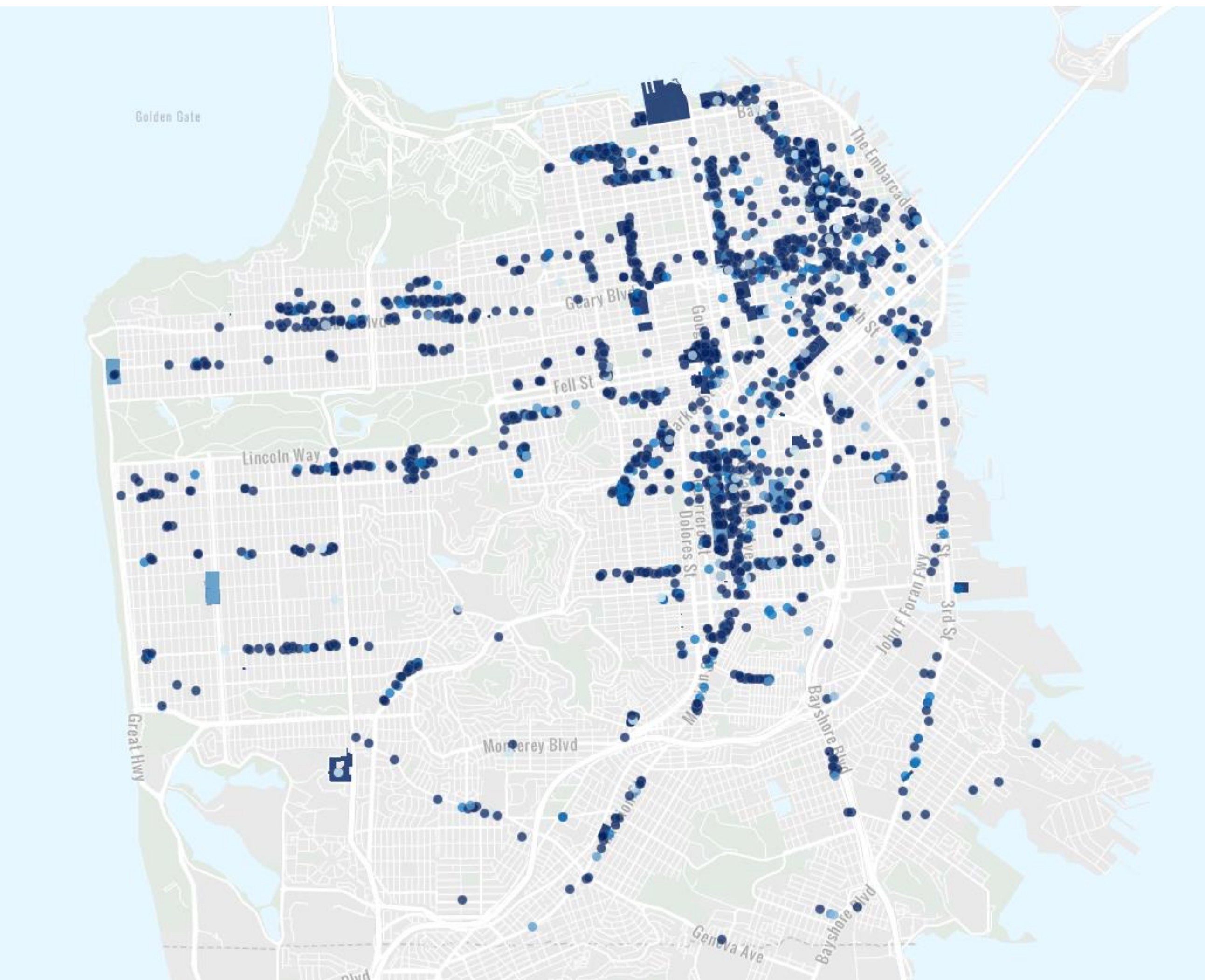
SHARED SPACES PROGRAM



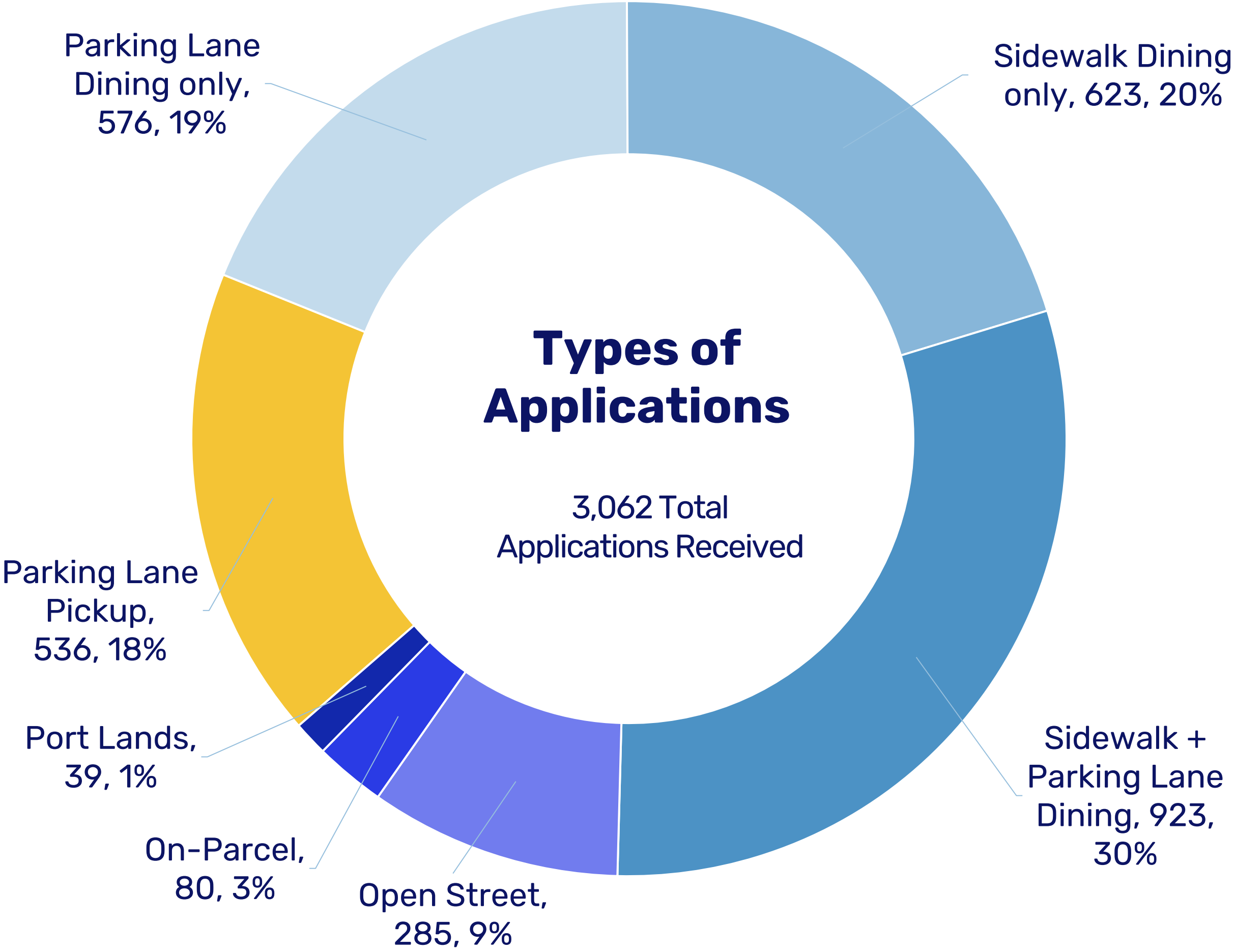
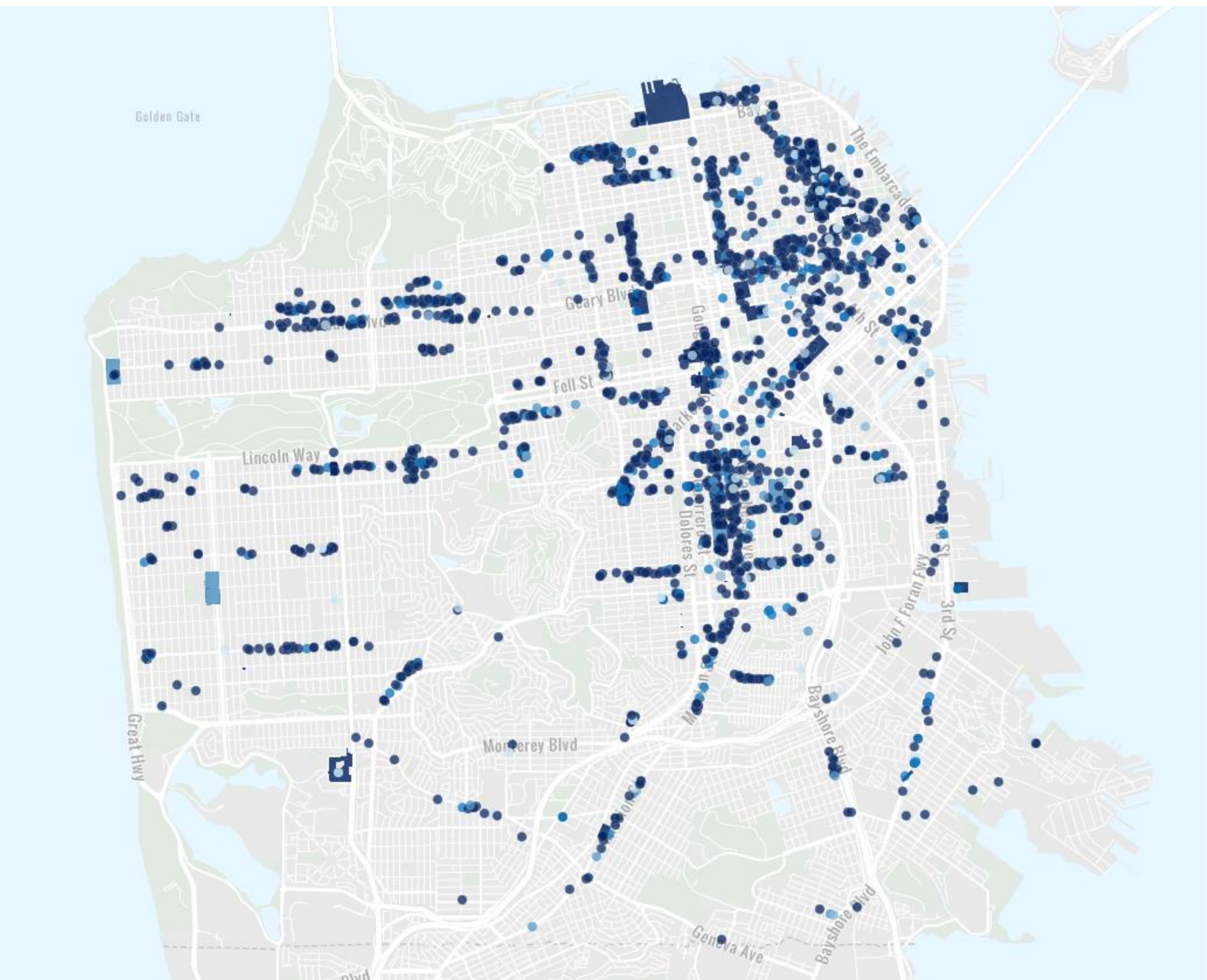
Timeline of Program Growth by week



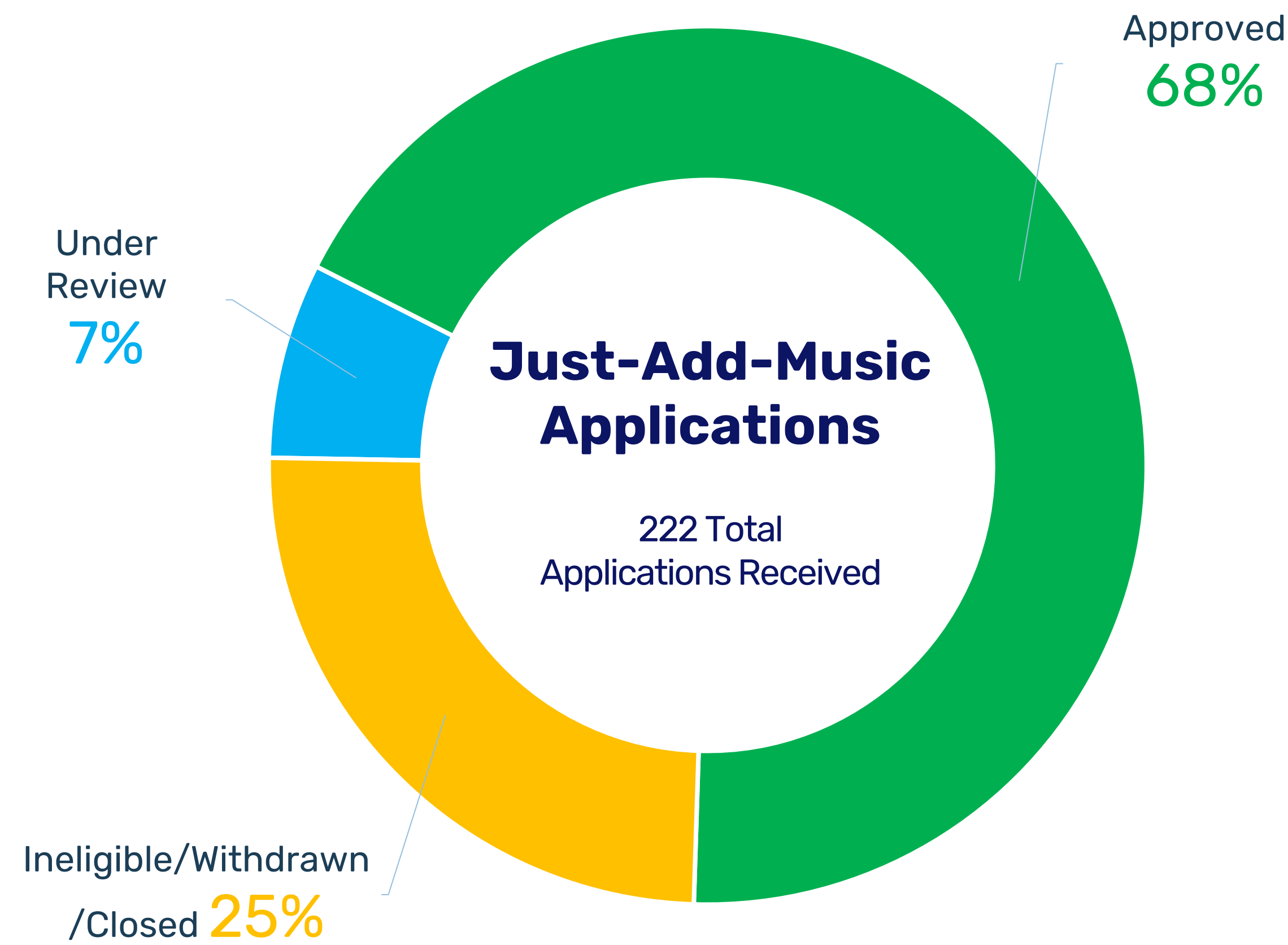
Shared Spaces Program Statistics



Shared Spaces Program Statistics



Shared Spaces Program Statistics

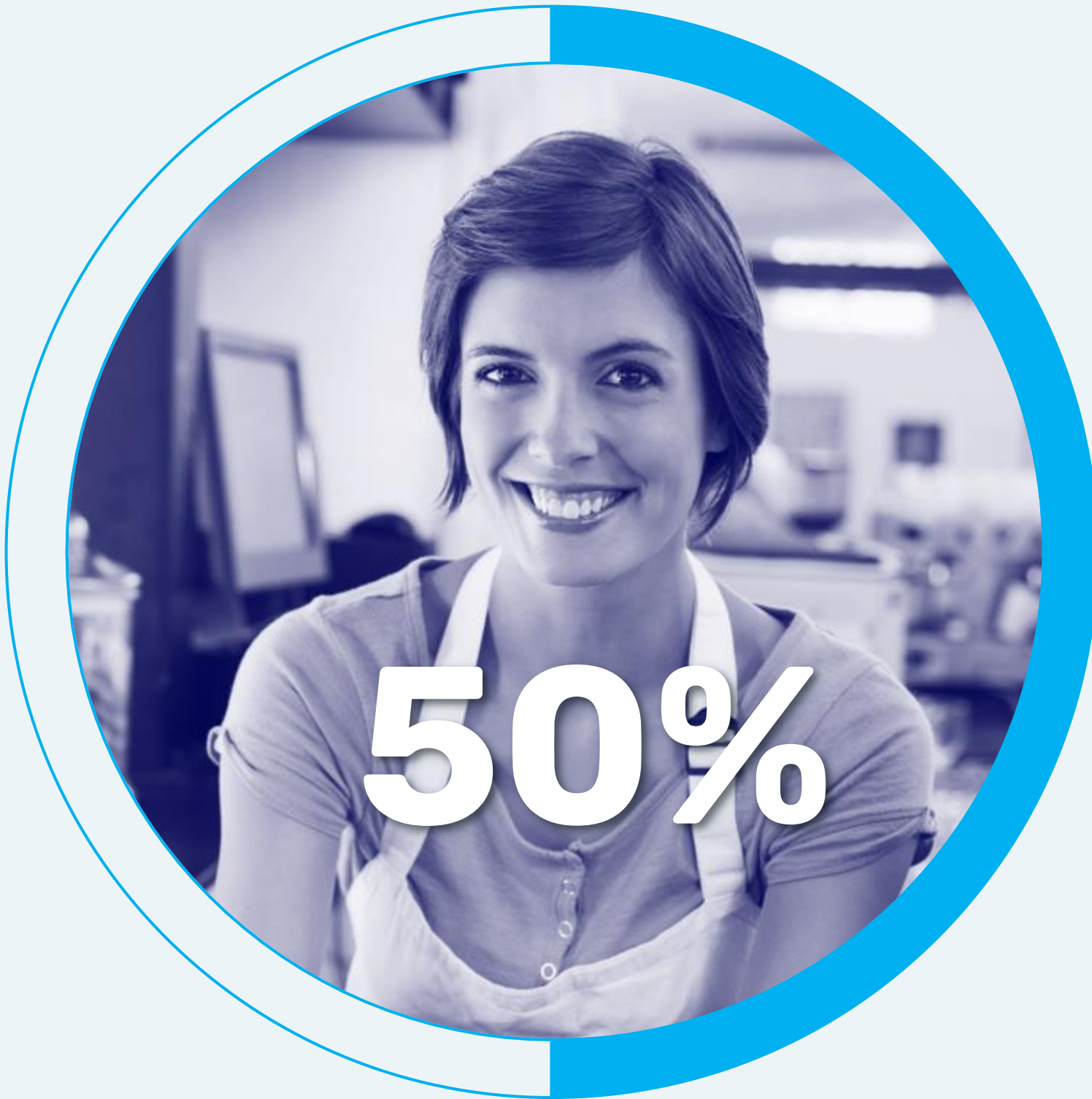


What are the benefits?



- A Shared Space Permit has a **positive benefit** for struggling small businesses.
- A sample of over 100 restaurants with an active permit for the entire first quarter of the program (July to September 2020) **generated an additional \$82k in taxable sales**, compared to other comparable restaurants without Shared Spaces. The second quarter of the program had hundreds more active permits, salvaging even more in taxable sales.
- Shared Spaces permits are a **benefit in all neighborhoods**, even those commercial districts that were doing less well than others before the pandemic.

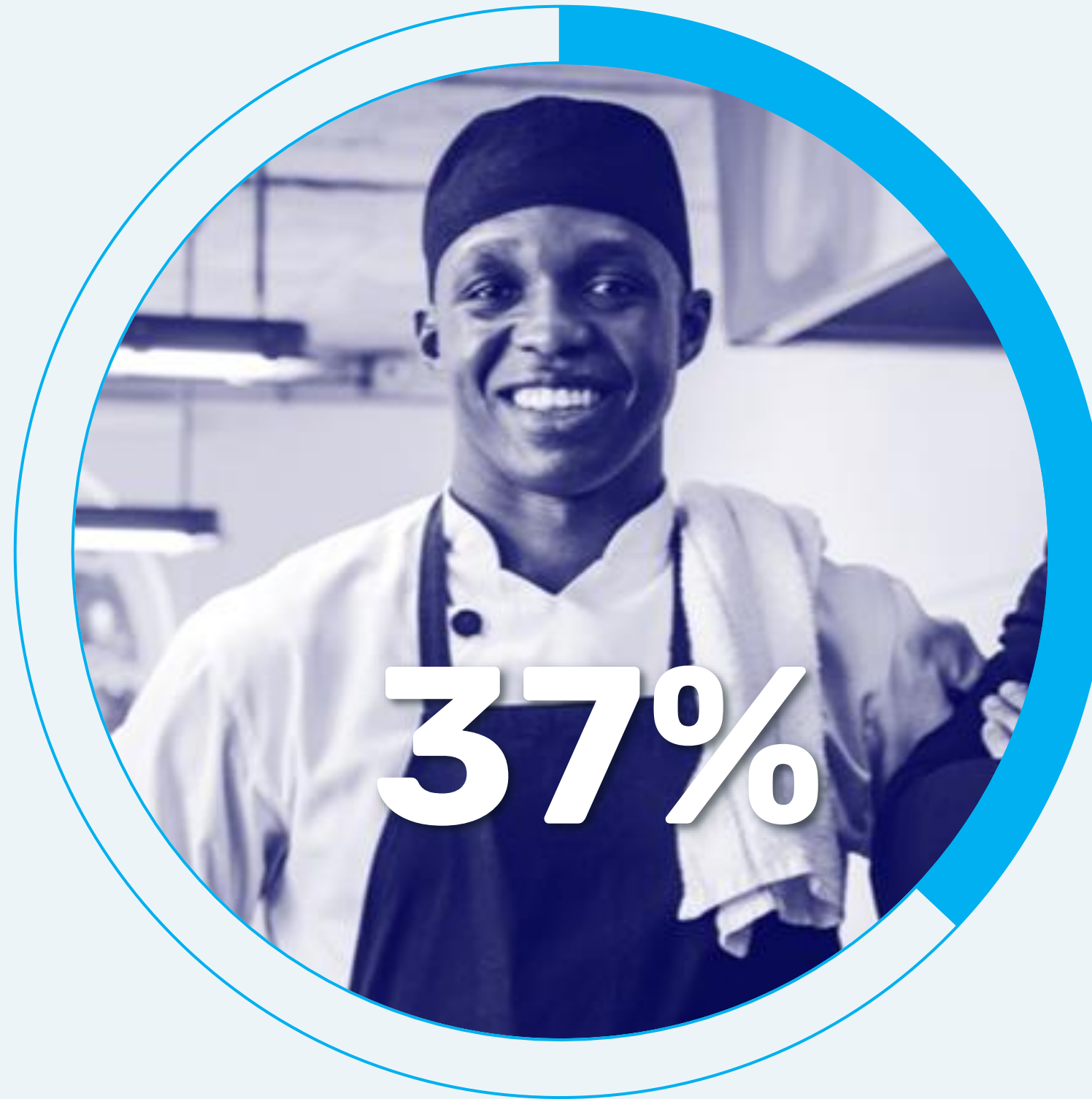
Who are Shared Spaces Small Businesses?



WOMEN-OWNED



IMMIGRANT-OWNED



'MINORITY-OWNED'

What do Shared Spaces operators want for the future?



"The Shared Spaces Program enabled me to reopen under public health directives..."



8%
Strongly
Disagree
or N/A

8%
Disagree

34%
Agree

50%
Strongly Agree

What do Shared Spaces operators want for the future?



"The Shared Spaces Program is enabling me to avoid permanent closure..."



6%
Strongly
Disagree
or N/A

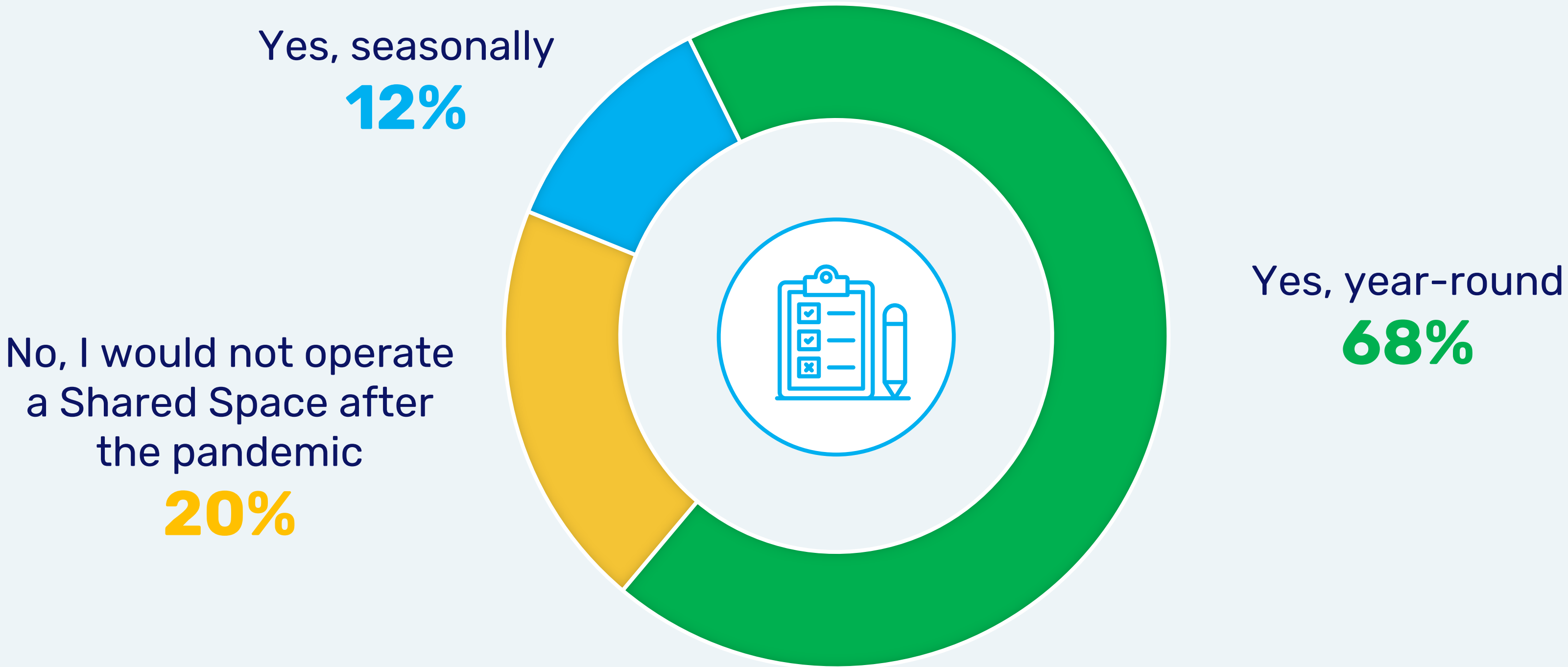
14%
Disagree

39%
Agree

41%
Strongly Agree

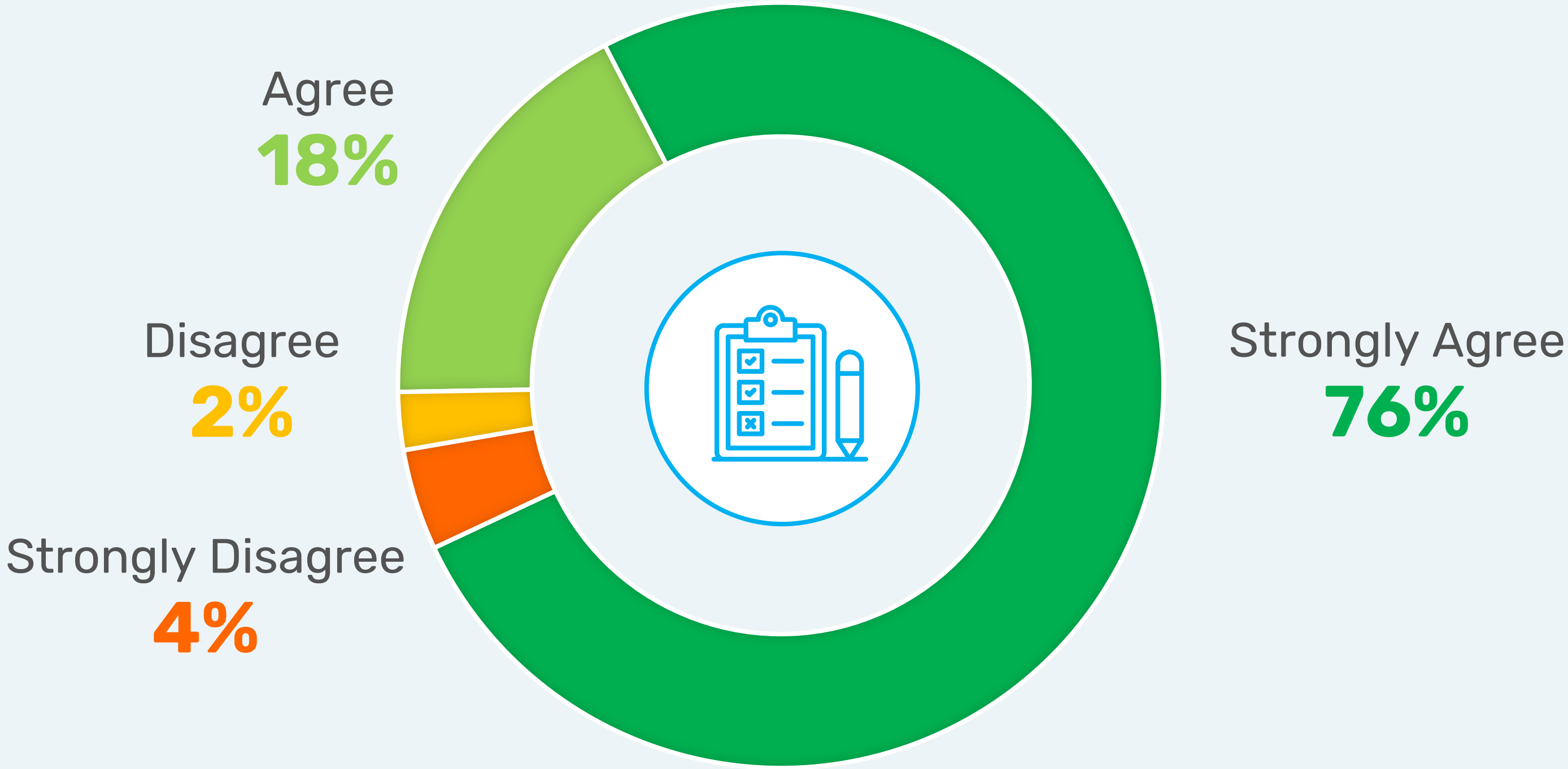
What do Shared Spaces operators want for the future?

"I would operate a Shared Space if permits are extended..."

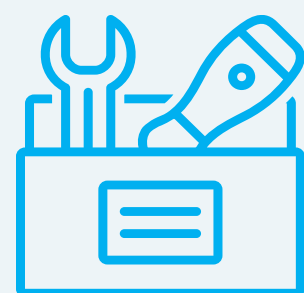


What do Shared Spaces operators want for the future?

"I would operate an outdoor Shared Space even if I am allowed to operate indoors."



Shared Spaces Ordinance: Policy Goals



1.
**Simplify the
City's Toolbox**



2.
**Prioritize Equity
& Inclusion**



3.
**Phase Implementation
with Economic
Conditions**



4.
**Encourage Arts,
Culture, &
Entertainment**



5.
**Balance Curbside
Functions**



6.
**Maintain
Public Access**



7.
**Efficient Permit
Review & Approval**



8.
**Clear Public
Input Procedures**



9.
**Coordinated
Enforcement**

1. Simplify the City's Toolbox



Consolidate similar pre-covid permit types into Shared Spaces, rather than creating whole new provisions alongside pre-existing ones.

Maximize efficiency for permittees and administering departments by aligning approvals timetables, public notice requirements, appeals procedures, and enforcement triggers across typologies and jurisdictions.



2. Prioritize Equity & Inclusion



Ensure needs of disabled persons are accommodated.

Prioritize City resources for those neighborhoods and communities most impacted by historical disparities.

Prioritize locations of most vulnerable populations for the City's project management, funding, and materials.

Provide grants for materials, technical assistance, and community ambassadors.



3. Phase Implementation with Economic Conditions

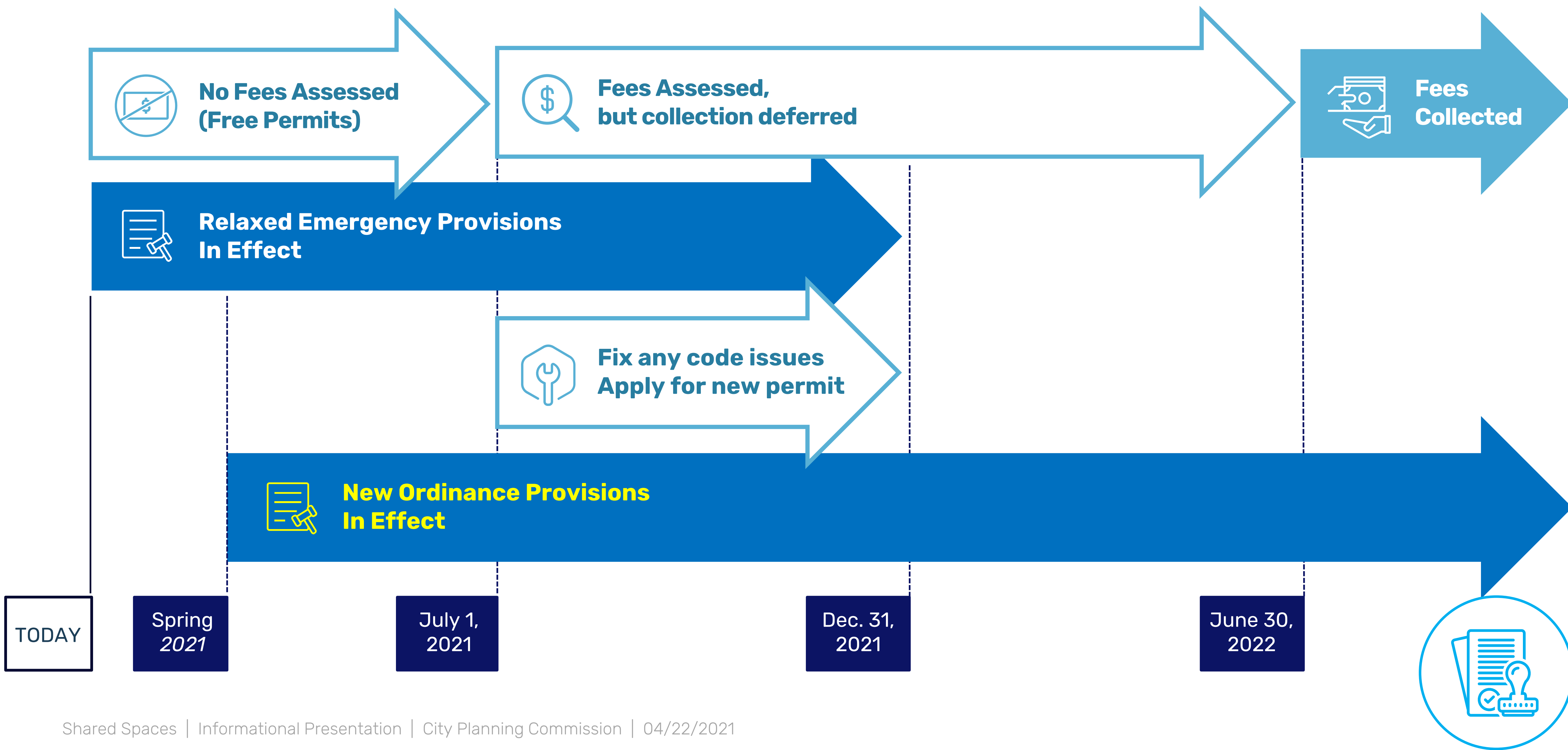


Economic recovery will be a long process, exceeding the state of public health emergency and spanning multiple future fiscal years.

Code Requirements and fees for Shared Spaces should be implemented in phases that are **calibrated to stages of economic improvement.**



3. Phase Implementation with Economic Conditions



4. Encourage Arts, Culture & Entertainment Activities



Carry forward the features of the **Just Add Music (JAM) Permit**.

Once a Shared Space permit has been granted, authorizing occupancy by the project sponsor on that land, **allow for** the project sponsor to provide **recurring entertainment, arts & culture activities**.

Allow for arts & culture activities to be **primary; not just accessory** to dining or other commerce.



5.1 Balance Curbside Functions



Balance Shared Spaces occupancies with loading, micromobility, short-term car parking, and other needs on the block and corridor.

Encourage sharing and turnover of Shared Spaces locations amongst merchants on the block.

Transit First and **Vision Zero** Policies remain priorities.



6. Maintain Public Access



image: Samuel Heller

Shared Spaces, as occupancies of public space and the public realm, should provide for some public access:

- During daylight hours while not being used for commercial purposes
- At least one seating opportunity – such as a bench – during business hours
- A graduated fee schedule will correspond to types of use.



6. Public Access: Proposed Curbside Use Types & Fees



1 Public Parklet



2 Movable Commercial Parklet



3 Commercial Parklet







6. Public Access: Proposed Curbside Use Types & Fees



2 Movable Commercial Parklet



6. Public Access: Proposed Curbside Use Types & Fees

TIER	TYPE	 PUBLIC ACCESS	 COMMERCIAL ACTIVITY	 DAILY OCCUPANCY	 CONSTRUCTION
1	Public Parklet <i>Like pre-COVID parklets</i>	Entire facility during daylight hours through 10pm	None	24 hours	Fixed Structure
2	Movable Commercial Parklet	At least one bench during hours of commercial operation	During hours of operation	During hours of Operation	Movable Fixtures
3	Commercial Parklet <i>Like most Shared Spaces today</i>	At least one bench during hours of commercial operation, Otherwise entire facility during daylight hours through 10pm	During hours of operation	24 hours	Fixed Structure



6. Public Access: Proposed Curbside Use Types & Fees

TIER	TYPE	OCCUPANCY FEES*		ENTERTAINMENT FEES		
		First Annual		Annual Renewal	First Annual	Annual Renewal
1	Public Parklet	\$1,000	\$250	\$100	\$507	\$200
2	Movable Commercial Parklet	\$3,000	\$1,000	\$1,500	\$507	\$200
3	Commercial Parklet	\$6,000	\$1,500	\$3,000	\$507	\$200
		First Parking Space	Each Additional Parking Space	Per Parking Space	Per Site	



6. Public Access: Proposed Curbside Use Types & Fees



All Application Fees are **collected by a single agency** – the one that Issues the final permit. Funds are then distributed to other agency / agencies as appropriate.

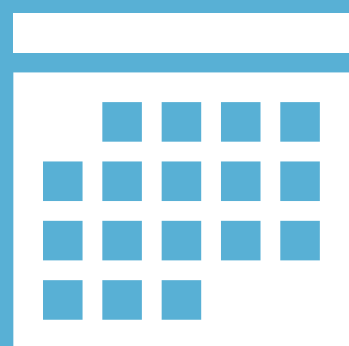
Ongoing annual renewal fee collection integrated into the **Unified License Fee**



7. Efficient Permit Review & Approvals



Create a single, one-stop permit intake portal for the applicant. The intake system will then route necessary information to the pertinent agencies for their reviews and approvals.



A **30-day approvals timetable** would allow for vastly better quality control up front, and also accommodate provisions for public noticing when required.



7.1 Permit Review & Approvals Timetable

DURING COVID

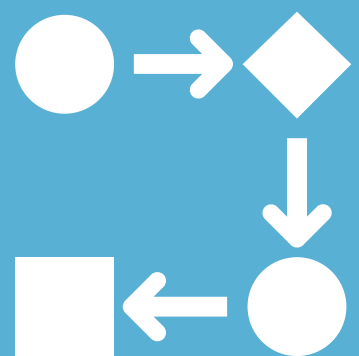



7.1 Permit Review & Approvals Timetable

IN THE FUTURE

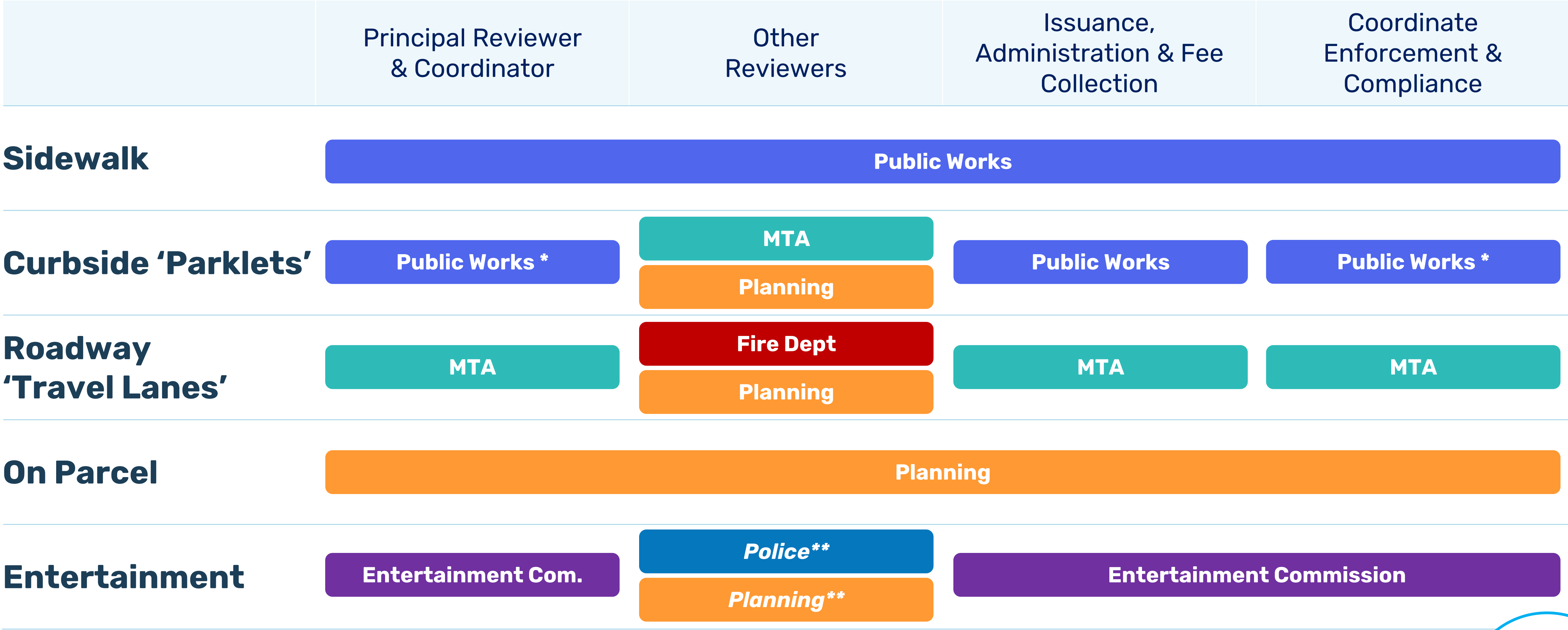


7.2 Permit Issuance and Administration

	Articulate clear sequence of review and/or approvals for other agencies.
	The permit will be issued by the one city department whose jurisdiction is associated with the proposed Shared Spaces location.



7.2 Permit Issuance and Administration: In the Future



* Including ADA, FIR, and PUC design standards
** If triggered by certain thresholds



8.1 Clear Public Input Procedures: Neighbor Consent



Shared Spaces strongly encourages **cooperation between neighbors** to help ensure the public realm in our commercial districts is being leveraged in a **balanced and sustainable** manner.



8.1 Clear Public Input Procedures: Neighbor Consent



When one merchant wishes to occupy a neighbor's frontage with a Shared Space, **written consent from that neighbor** is required. Either:

- the groundfloor tenant, or
- in the absence of a groundfloor tenant, the property manager or owner

This requirement still applies if your neighbor changes their mind, or a new tenant is established in the neighboring groundfloor space.



9. Coordinated Enforcement

LEAD AGENCY

SF Public Works



Sidewalk



SF Fire Department



Curbside
'Parklets'



SF Mayor's Office
on Disability

SFMTA



Roadway
'Travel Lanes'



SF Planning



On Parcel

SF Police Department



Entertainment

SUPPORTING AGENCIES



THANK YOU!

Questions?

Robin Abad Ocubillo
Shared Spaces Program Director



[Twitter.com/SharedSpacesSF](https://twitter.com/SharedSpacesSF)



[Instagram.com/SharedSpacessf](https://www.instagram.com/SharedSpacessf)



[Facebook.com/SharedSpacesSF/](https://www.facebook.com/SharedSpacesSF/)



[SF.gov/Shared-Spaces](https://sf.gov/Shared-Spaces)



SharedSpaces@sfgov.org

[Administrative, Public Works, and Transportation Codes - Shared Spaces]

Ordinance amending the Administrative Code to rename and modify the Places for People program as the Shared Spaces Program, and to clarify the roles and responsibilities of various departments regarding activation and use of City property and the public right-of-way, streamline the application process, specify minimum programmatic requirements such as public access, temporarily waive permit application fees, and provide for the conversion of existing Parklet and Shared Spaces permittees to the new program requirements; amending the Public Works Code to create a Curbside Shared Spaces permit fee, provide for public notice and comment on permit applications, provide for hearings for occupancy of longer-term street closures, and supplement enforcement actions by Public Works; and amending the Transportation Code to authorize the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT) to issue permits for the temporary occupancy of the Traffic Lane for purposes of issuing permits for Roadway Shared Spaces as part of the Shared Spaces Program, subject to delegation of authority by the Municipal Transportation Agency Board of Directors to temporarily close the Traffic Lane, and adding the Planning Department as a member of ISCOTT; and also amending the Transportation Code to prohibit parking in a zone on any street, alley, or portion of a street or alley, that is subject to a posted parking prohibition except for the purpose of loading or unloading passengers or freight; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and affirming the Planning Department's determination under the California Environmental Quality Act.

NOTE: **Unchanged Code text and uncoded text** are in plain Arial font.
Additions to Codes are in *single-underline italics Times New Roman font*.
Deletions to Codes are in *strikethrough italics Times New Roman font*.
Board amendment additions are in double-underlined Arial font.

Board amendment deletions are in ~~strikethrough~~ Arial font.
Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings.

(a) The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. _____ and is incorporated herein by reference. The Board affirms this determination.

(b) On _____, the Planning Department determined that the actions contemplated in this ordinance are consistent, on balance, with the City's General Plan and eight priority policies of Planning Code Section 101.1. The Board adopts this determination as its own. A copy of said determination is on file with the Clerk of the Board of Supervisors in File No. _____, and is incorporated herein by reference.

(c) On February 25, 2020, the Mayor issued a Proclamation (the "Proclamation") declaring a local emergency to exist in connection with the imminent spread within the City of a novel (new) coronavirus ("COVID-19"). On March 3, 2020, the Board of Supervisors concurred in the Proclamation and in the actions taken by the Mayor to meet the emergency.

(d) On March 4, 2020, Governor Gavin Newsom proclaimed a state of emergency to exist within the State due to the threat posed by COVID-19.

(e) On March 6, 2020, the City's Health Officer declared a local health emergency, and the Board of Supervisors concurred in that declaration on March 10, 2020. Since that time, the City's Health Officer had issued various health orders, including a Stay-Safer-At-Home order, requiring most people to remain in their homes subject to certain exceptions

1 including obtaining essential goods such as food and necessary supplies, and requiring the
2 closure of non-essential businesses. The Health Officer has amended the Stay-Safer-At-
3 Home Order to modify the interventions needed to limit the transmission of COVID-19.

4 (f) As amended from time to time, the Stay-Safer-At-Home order allowed
5 restaurants and retail businesses to conduct their operations outside, where the risk of
6 transmission of COVID-19 is generally lower.

7 (g) Due to the density of San Francisco, many restaurants and businesses do not
8 have significant amounts of outdoor space as part of their premises. Thus, for many San
9 Francisco restaurants and businesses to receive the economic boost that often accompanies
10 outdoor operations, it is necessary to operate outdoors beyond their premises.

11 (h) On June 9, 2020, the Mayor issued the 18th Supplement to the Proclamation
12 declaring a local emergency to create a temporary program (known as “Shared Spaces”) for
13 retail businesses and restaurants to occupy the public sidewalk and parking lane fronting their
14 premises for retail businesses to display and sell goods and merchandise and offer services
15 and for restaurants to place tables and chairs to offer outdoor dining, subject to certain
16 conditions. The 18th Supplement found that authorizing the use of more outdoor spaces like
17 sidewalks, parking lanes, and other City property would allow restaurants and retail to spread
18 out their wares and services to safely comply with the physical distancing requirements in the
19 Health Officer’s orders and directives. The 18th Supplement also found that temporarily
20 allowing restaurants and retail businesses to use more outdoor spaces and take greater
21 advantage of the reopening authorizations while waiving City fees associated with such uses
22 would ease the economic burden on these businesses and allow some employees to return to
23 work, thus promoting the housing and health stability of these workers.

24 (i) The Mayor issued several subsequent Supplements to the Proclamation in order
25 to expand opportunities for businesses to conduct operations in additional types of outdoor

1 places. On July 28, 2020 the Mayor issued the 23rd Supplement, which allowed for Shared
2 Spaces in outdoor areas of privately-owned parcels such as open lots, rear yards and
3 courtyards. On August 26, 2020, the Mayor issued the 26th Supplement, which allowed for
4 recurring temporary street closures. On September 25, 2020 the Mayor issued the 27th
5 Supplement, which allowed for entertainment, arts and culture activities to take places as
6 accessory to commercial activities as permitted by public health directives.

7 (j) The Shared Spaces Program adapts many proven, successful techniques for
8 safely activating the public realm in a community-focused manner. Pre-existing precedents
9 include the Parklet and Plaza Programs authorized in the Public Works Code, and
10 Administrative Code Chapter 94, respectively; and Play Streets and Neighborhood Block
11 Parties. Pre-existing commercial permits such as sidewalk merchandising and sidewalk tables
12 & chairs were also streamlined for Shared Spaces. These programs have closed portions of
13 the street to vehicular traffic while increasing the livability and safety of the streets for
14 pedestrian and economic benefit.

15 (k) The Shared Spaces Program has impacted a diverse set of small-business
16 owners. Of respondents to a survey administered to Shared Spaces applicants ("Survey"),
17 over 50% were women-owned enterprises, 33% were immigrant-owned small businesses,
18 and 33% identified as 'minority owned'.

19 (l) Locally-owned business perceive the Shared Spaces Program as imperative to
20 their survival during and beyond the pandemic. 84% of respondents to the Survey said that
21 the Shared Spaces Program has allowed them to reopen under public health directives, and
22 another of 80% of respondents said the Shared Spaces Program has allowed them to avoid
23 permanent closure. 94% of respondents said they would operate an outdoor Shared Space (if
24 permitted to do so) even if they are allowed to operate indoors.

1 (m) On Tuesday, July 13, 2020, the Small Business Commission issued a resolution
2 to Mayor Breed, the Board of Supervisors, and City Departments that expressed its support of
3 the Shared Spaces Program and posed a list of recommendations to aid in the expansion of
4 the Program, with a particular emphasis on the need to ensure equity participation in the
5 program.

6 (n) The Board of Supervisors has twice formally expressed its support of the Shared
7 Spaces Program. On Tuesday, October 6, 2020, the Board of Supervisors passed Resolution
8 No. 495-20, in support of Shared Spaces. On Tuesday, March 9, 2021, the Board of
9 Supervisors passed Resolution No. 105-21, urging that the Shared Spaces Program be made
10 permanent.

11 (o) In addition to its positive economic impact on small businesses, their owners,
12 employees, and owner and employee families, the Shared Spaces Program delivers multiple
13 other benefits to neighborhoods and to the City, including general civic, social, and
14 psychological wellbeing, and increased pedestrian access in areas typically used for vehicular
15 traffic.

16 Section 2. Chapter 94A of the Administrative Code is hereby amended by revising
17 Sections 94A.1, 94A.2, 94A.3, and 94A.4; deleting existing Section 94A.5; renumbering
18 existing Sections 94A.6, 94A.7, 94A.8, 94A.9, 94A.10, and 94A.11 as Sections 94A.5, 94A.6,
19 94A.7, 94A.8, 94A.9, and 94A.10 respectively, and revising those renumbered Sections; and
20 adding new Section 94A.11, to read as follows:

21 **CHAPTER 94A: THE SAN FRANCISCO ~~PLACES FOR PEOPLE~~ SHARED SPACES**
22 **PROGRAM**

23 **SEC. 94A.1. THE ~~PLACES FOR PEOPLE~~ SHARED SPACES PROGRAM; ESTABLISHMENT**
24 **AND PURPOSE; CORE AGENCY JURISDICTION.**

1 (a) **Establishment and Purpose.** There is hereby created a San Francisco *Places for*
2 *People Shared Spaces* Program (~~“Program” or “Places for People Program”~~). A *People Place*
3 *Shared Space, defined in Section 94A.2,* is intended to be a temporary space on City-owned
4 property, and in some cases also on ~~nearby~~ privately-owned open spaces, where the public
5 can gather and participate in various commercial or non-commercial offerings and events.
6 Under the Program, a public or private entity may obtain City approval to create a *People Place*
7 *Shared Space* by occupying the location with reversible physical treatments or improvements
8 and/or activating the location with programming.

9 This Chapter 94A sets forth a streamlined process by which the Planning Department,
10 Department of Public Works, Municipal Transportation Agency, ~~Department~~ Real Estate
11 *Division, Fire Department,* and Entertainment Commission (collectively, defined in Section
12 94A.2 as the “Core City Agencies”), and their successor agencies or departments, if any, will
13 coordinate the review and approval of a request to occupy and activate such spaces and
14 issue a permit to authorize the use.

15 (b) **Core City Agency Jurisdiction Retained.** Each Core City Agency shall retain its
16 full authority under the City Charter and applicable Codes to authorize the use; and impose
17 conditions on the ~~“People Place Shared Space Permit,”~~ as defined in Section 94A.2, and enforce
18 the Agency’s requirements. In particular, this ~~Article 1~~ Chapter 94A is not intended to (1) ~~to~~ be
19 an alternative to the process in the Transportation Code for review and approval of street closures
20 and activities on public streets unrelated to the ~~Places for People Shared Spaces~~ Program by the
21 Interdepartmental Staff Committee on Traffic and Transportation (“ISCOTT”) or Municipal
22 Transportation Agency Board of Directors (“SFMTA Board of Directors”), contained in Article 6 of
23 ~~the Transportation Code~~ or (2) ~~to~~ preclude the Director of Public Works from exercising the
24 authority to regulate activities on the public right-of-way under sections of the Public Works
25 Code that are unrelated to the ~~Places for People Shared Spaces~~ Program. Consistent with the

1 definition of a Shared Spaces Permit in Section 94A.2, permits shall be issued by the designated Core
2 City Agency.

3 ~~The procedures by which the Department of Public Works and Municipal Transportation~~
4 ~~Agency will review and approve a permit issued pursuant to this Chapter 94A are set forth in Section~~
5 ~~793et seq. of the Public Works Code (for Public Works) and Division II of the Transportation Code (for~~
6 ~~MTA). The Department of Real Estate procedures are set forth in Section 94A.8 of this Chapter. The~~
7 ~~Entertainment Commission's jurisdiction over "Limited Live Performance Locales" is set forth in~~
8 ~~Section 1060 of the Police Code.~~

9 **SEC. 94A.2. DEFINITIONS.**

10 For purposes of this Chapter 94A, the following definitions shall apply:

11 "City" is the City and County of San Francisco.

12 "City Lot Shared Space" is a Shared Space occurring on property owned by the City under the
13 administration of the Real Estate Division pursuant to Section 94A.7.

14 **"Core City Agencies"** are the City departments and agencies participating in the ~~Places~~
15 ~~for People Shared Spaces~~ Program: the Planning Department ("Planning"), Department of Public
16 Works ("Public Works"), Municipal Transportation Agency ("MTA"), ~~Department of~~ Real Estate
17 ~~Division~~ ("Real Estate"), ~~Fire Department,~~ and Entertainment Commission.

18 "Curbside Shared Space" is a Shared Space occurring in a portion of the curbside lane of a
19 City street. Curbside Shared Spaces include structures previously permitted by Public Works as a
20 Parklet, or a Shared Space during the COVID-19 pandemic. For purposes of the Shared Spaces
21 Program, a Curbside Shared Space is further defined to include the following types:

22 (a) "Fixed Commercial Parklet" is a fixed encroachment placed in the curbside lane
23 that is used principally for commercial activity during specified business hours. During daylight hours
24 when the Curbside Shared Space is not being activated for commercial use, it is open to the public.
25 Pursuant to Section 94A.6, when the Fixed Commercial Parklet is being activated for commercial use,

1 the Steward must provide public seating, including but not limited to a public bench, which is
2 accessible to persons who are not patrons of the business.

3 (b) “**Movable Commercial Parklet**” is the use of the curbside lane principally for
4 commercial activity during specified business hours, where all structures and furniture are removed
5 from the right-of-way outside of the specified business hours. During daylight hours when the
6 Moveable Commercial Parklet is not being activated for commercial use, it is open to the public.
7 Pursuant to Section 94A.6, when the Moveable Commercial Parklet is being activated for commercial
8 use, the Steward must provide public seating, including but not limited to a public bench, which is
9 accessible to persons who are not patrons of the business.

10 (c) “**Public Parklet**” is the use of the curbside lane that is fully accessible to the public
11 during daylight hours and is at no time used for commercial activities.

12 “**Director**” is the Director of the relevant department or their designee.

13 “**Fixed Commercial Parklet.**” See definition of Curbside Shared Space.

14 “**Integrated Shared Space**” is a Shared Space with activities occurring on a combination of
15 locations that are Shared Space Categories in close proximity to one another and operated by the same
16 Steward.

17 “**Longer-Term Closure**” has the same meaning as the term is defined in Section 101 of
18 Division II of the Transportation Code.

19 “**Movable Commercial Parklet.**” See definition of Curbside Shared Space.

20 “**Public Parklet.**” See definition of Curbside Shared Space.

21 “**Roadway Shared Space**” is a Shared Space with activities occurring in or on the Traffic Lane,
22 and includes street closures previously approved as part of the Shared Spaces program during the
23 COVID-19 pandemic.

24 “~~People-Place~~ **Shared Space**” is a publicly-accessible location approved under the ~~Places~~
25 ~~for People~~ Shared Spaces Program and located (a) on City-owned property under the

1 administration of the Real Estate Division, (b) on the sidewalk, ~~and/or~~ (c) in the curbside lane or
2 on all or any portion of the roadway between curbs, and/or (d) on private property, where the
3 public can gather and participate in commercial or non-commercial offerings and events. Such
4 offerings and events may include, but are not limited to: retail, cultural events, arts activities,
5 and entertainment; food and drink; and general recreation. A ~~People Place~~ Shared Space is
6 managed, fully or partially, by a Steward under a ~~People Place~~ Shared Space Permit issued
7 under the Program and may involve the temporary and reversible installation and
8 maintenance of physical treatments, improvements, or elements.

9 "~~People Place~~ Shared Space **Categories**" ~~are~~ constitute the following types of Shared Spaces,
10 as defined in this Section 94A.2: (a) "~~City Lot People Place~~ Shared Space," ~~which has activities~~
11 ~~occurring on property owned by the City;~~ (b) "~~Curbside People Place~~ Shared Space," Integrated
12 Shared Space, ~~which has activities occurring in a portion of the curbside lane of a roadway~~(c)
13 ~~"Roadway People Place~~ Shared Space," and ~~which has activities occurring in or on any portion of~~
14 ~~the roadway, except for activities occurring only in the curbside lane;~~ (d) "~~Sidewalk People Place~~
15 Shared Space," ~~which has activities occurring on a portion of sidewalk;~~ and (e) "~~Integrated People~~
16 Place," ~~which is a single project with activities occurring on a combination of locations that are~~
17 ~~People Place Categories in close proximity to one another and operated by the same Steward.~~

18 "~~People Place~~ Shared Spaces **Permit**" is a permit issued under the ~~Places for People~~ Shared
19 Spaces Program through its Core City Agencies that allows a Steward to create a ~~People Place~~
20 Shared Space by temporarily occupying and activating the location for a specified period of
21 time. Shared Spaces permits shall be issued by the Core City Agencies, as follows:

22 (a) Real Estate shall review and issue permits for City Lot Shared Spaces pursuant to
23 the procedures set forth in Section 94A.7 of this Chapter.

24 (b) Public Works shall review and issue permits for Curbside Shared Spaces and
25 Sidewalk Shared Spaces pursuant to the procedures set forth in Sections 793 et seq. of the Public

1 Works Code, provided that the Director of Transportation has approved closure of the curbside lane
2 pursuant to procedures set forth in Section 204 of Division II of the Transportation Code.

3 (c) Where the Roadway Shared Space proposal would result in a Temporary Closure,
4 ISCOTT shall review and issue permits pursuant to the procedures set forth in Section 6.16 of Division
5 I of the Transportation Code. For Roadway Shared Space permits where the proposal would result in
6 a Longer-Term Closure, the SFMTA Board of Directors shall evaluate the suitability of closing the
7 street pursuant to procedures set forth in Section 206 of Division II of the Transportation Code, and
8 MTA shall review and issue the Roadway Shared Space permit.

9 (d) The Entertainment Commission shall review and issue permits pursuant to its
10 jurisdiction as set forth in Article 15.1 of the Police Code.

11 ~~“People Place Proposal” is a proposed concept for a People Place project submitted to the~~
12 ~~Places for People Program by a prospective Steward prior to the submittal of an application for a~~
13 ~~People Place Permit, for the purpose of initial evaluation and determination of suitability for further~~
14 ~~development by the Core City Agencies.~~

15 “Shared Spaces Program” or “Program” is the San Francisco Shared Spaces Program
16 established and described in this Chapter 94A.

17 “Sidewalk Shared Space” is a Shared Space with activities occurring on a portion of
18 sidewalk, but does not include permits for tables and chairs in the sidewalk pursuant to Public Works
19 Code Article 5.2.

20 **“Steward”** is, for a City Lot ~~People Place~~ Shared Space, (a) any person or educational,
21 recreational, or social agency, (b) any bona fide fraternal, charitable, religious, benevolent, or
22 other nonprofit organization which is exempt from taxation under the Internal Revenue Code
23 as a bona fide fraternal, charitable, religious, benevolent, or nonprofit organization, or (c) a
24 public agency with programs based in San Francisco. For Curbside Shared Spaces, ~~People~~
25 ~~Places~~, Roadway ~~People Places~~ Shared Spaces, and Sidewalk ~~People Places~~ Shared Spaces, a

1 “Steward” may be any person or entity and is not restricted to the organizations and entities
2 described above.

3 “Temporary Closure” has the same meaning as the term is defined in Section 101 of Division II
4 of the Transportation Code.

5 **SEC. 94A.3. ~~PLACES FOR PEOPLE~~ SHARED SPACES PROGRAM FUNCTIONS.**

6 To achieve the purpose of the ~~Places for People~~ Program, the Core City Agencies shall
7 perform the functions set forth below consistent with each Agency’s authority under the
8 Charter and other applicable City law. The specific roles of each participating Core City
9 Agency for each ~~People Place~~ Shared Space Category are set forth in Section 94A.4.

10 (a) Coordinate principles and practices in ~~People Places~~ Shared Spaces designated under
11 the ~~Places for People~~ Program with other public agencies operating similar public realm
12 initiatives and projects in the City.

13 (b) Be responsible for development and administration of Program implementation,
14 policies, and strategies.

15 (c) Sustain strategic partnerships with stakeholders of ~~People Places~~ Shared Spaces,
16 including community organizations, nonprofit organizations, and businesses, in supporting
17 and enhancing the Program ~~People Places Citywide~~.

18 (d) Endeavor to keep barriers to participation in the Program as low as possible,
19 including but not limited to keeping administrative and permit fees modest.

20 (e) Explore efforts to cross-subsidize approved ~~People Places~~ Shared Spaces by
21 leveraging the revenue generated in ~~People Places~~ Shared Spaces that exceeds the cost of
22 managing and operating the ~~People Place~~ Shared Space and directing a portion of the excess
23 funds to support other ~~People Places~~ Shared Spaces that have a demonstrated funding need.

1 (f) Seek Stewards for ~~People Places~~ Shared Spaces through a Steward identification
2 process that utilizes existing City partnership efforts where possible and builds strong
3 relationships with Stewards.

4 (g) Network communication and coordinate efforts of the various Stewards within the
5 ~~Places for People~~ Program.

6 (h) Identify opportunities to streamline permitting for active uses of ~~People Places~~ Shared
7 Spaces so that barriers to event permitting are eliminated or minimized.

8 (i) Encourage ~~People Place~~ Stewards to maximize events and activities that are free to
9 the public.

10 (j) Collect ~~People Place~~ Shared Space participation data and user feedback, and use
11 established criteria to evaluate Steward performance outcomes in various areas, including
12 racial equity, transportation, the environment, economic impact, type of activities, and community
13 engagement.

14 (k) Support development of long-term maintenance and activity partnerships for ~~People~~
15 ~~Places~~ Shared Spaces.

16 (l) Strive to ensure that ~~People Places~~ Shared Spaces remain available to the public, while
17 recognizing that some small number of restricted access events or time-specific commercial use
18 of Curbside Shared Spaces by businesses in suitable locations may be helpful in supporting ~~People~~
19 ~~Place~~ Shared Space operations, and assisting in the City's economic recovery from the COVID-19
20 pandemic.

21 (m) Support the City's goal of continuing to be a national and international leader in
22 public realm innovation.

23 (n) Support the City's values and commitments to Transit First, Vision Zero, Climate Action,
24 access for disabled persons, and application of Curb Management Strategy to ensure balanced
25 curbside functionality.

1 (o) Support San Francisco's economic recovery following the COVID-19 pandemic by creating
2 ways for the public to activate public spaces and safely engage in economic activities, like dining and
3 retail, outdoors.

4 **SEC. 94A.4. INTERAGENCY COORDINATION.**

5 In coordinating their activities under the ~~Places for People~~ Program, the Core City
6 Agencies shall have the responsibilities set forth below.

7 (a) **Planning Department; General Coordination of Program Activities.** After a
8 prospective Steward submits ~~an application for a People Place Shared Space Proposal to the~~
9 ~~Program pursuant to Section 94A.5~~, Planning will ~~coordinate~~ ensure review and approval of the
10 ~~application proposed People Place project~~. Specifically, Planning will:

11 (1) Ensure that the application is routed ~~the People Place Proposal~~ to all Core City
12 Agencies with jurisdiction over the proposed ~~People Place Shared Space~~ for review ~~an initial~~
13 ~~evaluation of the desirability of the Proposal.~~

14 (2) ~~Accept, along with the other Core City Agencies, a proposed People Place into the~~
15 ~~Program if, after completion of the review and evaluation required by Section 94A.5, each Core City~~
16 ~~Agency with jurisdiction over the proposed People Place has determined that the People Place~~
17 ~~Proposal is suitable for further development.~~

18 (3) ~~Review an application for a People Place Permit for completion and compliance~~
19 ~~with Program requirements prior to its submittal and, if found complete and in compliance, direct the~~
20 ~~prospective Steward to file the People Place Permit application with the appropriate Core City Agency~~
21 ~~or Agencies pursuant to Section 94A.6.~~

22 (4) Collaborate with the appropriate Core City Agency in the review and approval
23 of a ~~People Place Shared Space~~ permit.

1 (36) At the request of a Core City Agency with jurisdiction over a proposed
2 ~~People-Place-Shared Space~~, develop with the prospective Steward a Stewardship Agreement
3 pursuant to Section 94A.56(~~de~~).

4 (47) Support the monitoring of the Steward's compliance with any terms and
5 conditions in the ~~People-Place-Shared Space~~ Permit and associated Stewardship Agreement,
6 report any noncompliance known to the Planning Department to the applicable Core City
7 Agency with jurisdiction for enforcement.

8 (58) Coordinate Core City Agency outreach to prospective Stewards.

9 In performing the coordination role described in subsections (a)(1) - (58), Planning
10 shall, if necessary, obtain the recommendations of staff of the other Core City Agencies,
11 including, among others: Director of Public Works ~~or his or her designee~~, the Director of
12 Transportation ~~or his or her designee~~, the Director of the Real Estate ~~Department~~ Division, and/or
13 the Executive Director of the Entertainment Commission.

14 (b) **Director of Real Estate; City Lot ~~People-Places-Shared Spaces~~**. The Director of Real
15 Estate will administer ~~People-Places-Shared Spaces~~ that are solely on a City-owned lot, pursuant
16 to Section 94A.78.

17 (c) **Entertainment Commission; ~~People-Places-Shared Spaces~~ with Entertainment**
18 **Activities**. The Entertainment Commission will review and consider any application for a
19 ~~People-Place-Shared Space~~ Permit that proposes an activity or activities within the jurisdiction of
20 the Entertainment Commission, consistent with fitting the description of a Limited Live Performance
21 ~~Locale in~~ Police Code, Section 1060(~~r~~) but, as applied to a ~~People-Place-Shared Space~~, the
22 proposed activity or activities may include ~~allows~~ the service of food and beverages for
23 consumption on the premises. The Commission may approve an application that satisfies all
24 the applicable requirements for creation of a Limited Live Performance Locale and authorize
25

1 issuance of a ~~People Place~~ Shared Space Permit subject to the requirements stated in Police
2 Code Section 1060.

3 (d) **Planning, MTA, and Public Works; ~~People Places~~ Shared Spaces in the Public**
4 **Right-of-Way.**

5 (1) **Curbside ~~People Places~~ Shared Spaces.**

6 (A) Planning will review the overall concept of the ~~application~~ People Place
7 Proposal, approve the Steward's proposed program of offerings and events that will activate
8 the ~~People Place~~ Shared Space ~~space~~, and participate in the design review of all proposed
9 physical treatments or improvements.

10 (B) MTA will approve or deny the proposed closure of the curbside lane
11 pursuant to Section 204 of Division II of the Transportation Code, including permit terms and
12 conditions as established by the Director of Transportation, and participate, as applicable, in design
13 review of all physical treatments or improvements proposed by a Steward, and, at the MTA's
14 discretion, implement any approved (i) restriping of travel and parking lanes, (ii) ground
15 surface treatments to delineate right-of-ways temporarily converted for the project, (iii)
16 placement of upright bollards and other traffic control devices, and (iv) other reversible site
17 improvements not included within subsection (d)(1)(C) below that are needed for the project.
18 ~~MTA will carry out its role pursuant to the process set forth in Division II of the Transportation Code,~~
19 ~~including making the determination of any necessary street closure and circulation changes.~~

20 (C) Public Works will, pursuant to the process set forth in Section 793 ~~et~~
21 ~~seq.~~ of the Public Works Code, (i) participate in the design review and approval of physical
22 treatments or improvements proposed by a Steward, (ii) participate in the review and approval
23 of the Steward's proposed program of events intended to activate the ~~People Place~~ Shared
24 Space ~~space~~, (iii) consult with additional City agencies such as the Public Utilities Commission and the
25 Fire Department regarding the design and construction of any proposed structure, (iv) review and

1 approve the Stewardship Agreement, ~~and~~ (iv) provide approval for the ~~People Place Shared~~
2 ~~Space~~ Permit along with the other Core City Agencies with jurisdiction over the proposed
3 ~~People Place Shared Space~~, and (vi) issue the Curbside Shared Space permit. The Director of Public
4 Works, consistent with Sections 793 et seq. of the Public Works Code, may issue regulations setting
5 forth standard design and operating requirements for any Curbside Shared Space. In addition, Public
6 Works, in its sole discretion, may install reversible site improvements (planters, furnishings,
7 etc.) associated with the project.

8 (D) The Core City Agencies shall review the proposed Curbside Shared Space
9 for potential conflicts with future City projects, such as streetscape initiatives (including streetscape
10 redesigns, paving projects, transit improvements), on-going maintenance needs, and planned
11 improvements. A Steward's rights to occupy the Curbside Shared Space shall be conditioned upon the
12 obligation to remove or modify the Curbside Shared Space at any time, as necessary for any City
13 project or maintenance work, which necessity shall be determined solely by the City Agency that issued
14 the Shared Space Permit. The Steward shall be obligated to remove or modify the Curbside Shared
15 Space at the Steward's cost and return the right-of-way to a condition that the Director of Public
16 Works deems appropriate. If the proposed Curbside Shared Space would conflict with a future City
17 project or necessary maintenance work, Public Works may inform the Steward of any potential
18 disruption from the conflict, but the failure to do so shall not give rise to any rights to occupy, or
19 otherwise not remove or modify the Steward's occupancy of, the Curbside Shared Space.

20 **(2) Roadway ~~People Places~~ Shared Spaces.**

21 (A) Planning will review the overall concept of the ~~application~~ ~~People Place~~
22 ~~Proposal~~, approve the Steward's proposed program of offerings and events that will activate
23 the ~~People Place space~~ Shared Space, and participate in the design review of all proposed
24 physical treatments or improvements. ~~Planning will also coordinate the collection of baseline~~
25 ~~pedestrian, bicycle, and vehicular data at the relevant location(s) (i) pre-occupancy, that is, before~~

1 ~~project implementation, (ii) during short-term temporary street closures, and (iii) post-occupancy, that~~
2 ~~is, for at least six months after project implementation, or a longer time period if warranted. Planning~~
3 ~~staff, inclusive of Environmental Planning, will consult with MTA staff as necessary on collection~~
4 ~~methodology.~~

5 (B) MTA will carry out its role in evaluating the application ~~People Place~~
6 ~~Proposal pursuant to the process set forth in Division II of the Transportation Code~~, including making
7 the determination of any necessary street closure and circulation changes. In its discretion, the
8 MTA may consider ~~The MTA is urged to consider the following requirements in developing the Division~~
9 ~~II procedures:~~

10 (i) ~~Conduct the circulation analysis necessary for evaluating a~~
11 ~~temporary street closure and circulation changes (including full or partial width of street; full-time or~~
12 ~~part-time, over hours and days of the week).~~

13 (ii) ~~Review and analyze, or oversee a contract for professional services~~
14 ~~to review and analyze, transit and vehicular circulation data from (i) baseline pre-occupancy and/or~~
15 ~~(ii) occupancy of short-term temporary trial(s), and issue a technical memorandum or “Preliminary~~
16 ~~Circulation Assessment,” including MTA’s conclusion as to approval of the proposed temporary street~~
17 ~~closure.~~

18 (iii) ~~Develop procedures for participation in design review of physical~~
19 ~~treatments or improvements proposed by a Steward.~~

20 (iv) ~~Review, consider, and authorize (when all requirements have been~~
21 ~~satisfied) any changes to pedestrian and vehicular circulation associated with the People Place project.~~

22 (v) ~~I~~implementing any approved restriping of travel and parking
23 lanes, ground surface treatments to delineate right-of-ways temporarily converted for the
24 project, placement of upright bollards and other traffic control devices, and other reversible
25 site improvements that are needed for the project.

1 ~~_____ (vi) Review and analyze, or oversee a contract for professional services~~
2 ~~to review and analyze, the pre-occupancy and post-occupancy transit and vehicular circulation data~~
3 ~~for projects that have been implemented.~~

4 ~~(C) If the MTA approves a temporary street closure~~

5 (i) Where the portion of the public-right-of-way to be used for the
6 Roadway Shared Space is proposed to be closed as a Temporary Closure, ISCOTT will, pursuant to
7 the process set forth in Section 6.16 of Division I H of the Transportation Code, Public Works
8 will, pursuant to the process set forth in Section 793 et seq. of the Public Works Code,;

9 (i)a. participate in the design review and approval of
10 physical treatments or improvements proposed by a Steward,;

11 (ii)b. participate in the review and approval of the Steward's
12 proposed program of events intended to activate the ~~People Place space~~ Shared Space,;

13 (iii)c. review and approve the Stewardship Agreement,; and

14 ~~_____ (iv)d. provide approval for the ~~People Place~~ Shared Space~~
15 ~~Permit along with the other Core City Agencies with jurisdiction over the proposed ~~People~~~~
16 ~~~~Place~~ Shared Space;~~

17
18 ~~_____ (v)e. review and approve any necessary street closure and~~
19 ~~circulation changes; and~~

20 ~~_____ f. issue the Roadway Shared Space permit.~~

21 (ii) Where the portion of the right-of-way proposed to be used for the
22 Roadway Shared Space is proposed to be closed as a Longer-Term Closure, the SFMTA Board of
23 Directors shall review and approve any necessary street closure and circulation changes pursuant to
24 the process set forth in Division II of the Transportation Code. Following any decision to close the
25 street by the SFMTA Board of Directors, MTA staff will:

1 (i)a. participate in the design review and approval of physical
2 treatments or improvements proposed by a Steward;
3 (ii)b. participate in the review and approval of the Steward's
4 proposed program of events intended to activate the Shared Space;
5 (iii)c. review and approve the Stewardship Agreement;-
6 (iv)d. provide approval for the Shared Space Permit along with
7 the other Core City Agencies with jurisdiction over the proposed Shared Space; and
8 (v) e. issue the Roadway Shared Space permit.

9 (C) For all Roadway Shared Space permit applications, Public Works will (i)
10 participate in the design review and approval of physical treatments or improvements proposed by a
11 Steward, (ii) participate in the review and approval of the Steward's proposed program of events
12 intended to activate the Shared Space, (iii) review and approve the Stewardship Agreement, and (iv)
13 provide approval for the Shared Space Permit along with the other Core City Agencies with
14 jurisdiction over the proposed Shared Space. In addition, Public Works, in its sole discretion, may
15 install reversible site improvements (planters, furnishings, etc.) associated with the project.

16 **(3) Sidewalk ~~People Places~~ Shared Spaces.**

17 (A) Planning will review the overall concept of the application ~~People Place~~
18 ~~Proposal~~, approve the Steward's planned program of offerings and events that will activate the
19 ~~People Place~~ Shared Space ~~space~~, and participate in the design review of all proposed physical
20 treatments or improvements.

21 (B) Public Works will, pursuant to the process set forth in Section 793 ~~et~~
22 ~~seq.~~ of the Public Works Code, (i) participate in the design review and approval of physical
23 treatments or improvements proposed by a Steward, (ii) participate in the review and approval
24 of the Steward's proposed program of events intended to activate the ~~People Place~~ Shared
25 Space ~~space~~, (iii) review and approve the Stewardship Agreement, ~~and~~ (iv) provide approval for

1 the ~~People Place Shared Space~~ Permit along with the other Core City Agencies with jurisdiction
2 over the proposed ~~People Place Shared Space~~, and (v) issue the Sidewalk Shared Space permit. In
3 addition, Public Works, in its sole discretion, may install reversible site improvements
4 (planters, furnishings, etc.) associated with the project.

5 (e) **Integrated ~~People Places Shared Spaces~~**. Where a single application proposal involves
6 activities occurring in more than one ~~People Place Shared Space~~ category, each Core City
7 Agency shall:

8 (1) Participate in design review and proposal development for the ~~People Place~~
9 Shared Space project with respect to those proposed elements that are within such Agency's
10 jurisdiction as is specified in this Section 94A.4 for review of the individual ~~People Place Shared~~
11 Space Categories; provided, however, that the Director of one of the participating Core City
12 Agencies may authorize another participating Core City Agency to review the application
13 ~~People Place Proposal~~ and one or more of the design elements on its behalf.

14 (2) Implement the pertinent elements as specified in this Section 94A.4 for
15 review of the individual ~~People Place Shared Space~~ Categories.

16 **~~SEC. 94A.5. PEOPLE PLACE PROPOSAL.~~**

17 ~~(a) Initiation of the Process. A prospective Steward may submit a concept Proposal for a~~
18 ~~People Place project to the Places for People Program. To be considered, the proposal must include~~
19 ~~the following components:~~

20 ~~—— (1) Documentation of community outreach and support.~~

21 ~~—— (2) Documentary proof that all fronting property owners have been notified by the~~
22 ~~prospective Steward of the intent to submit a People Place Proposal. If the prospective Steward is not~~
23 ~~the fronting ground floor tenant, then documentary proof of notification to the fronting ground floor~~
24 ~~tenant(s) is also required.~~

25 ~~—— (3) A list and frequency schedule for routine maintenance tasks.~~

1 ~~——— (4) A prospective activities calendar describing the frequency and types of free public~~
2 ~~programming.~~

3 ~~——— (5) The number of restricted access events, if any, that will be held annually. In no~~
4 ~~event may the number of restricted access events allowed exceed eight single-day events per year.~~
5 ~~Scheduling of any approved restricted access events shall not be concentrated during a particular time~~
6 ~~or times a year but be spread throughout the calendar year. Consistent with Section 94A.7(b)(2) Public~~
7 ~~access to the People Place shall not be restricted except for restricted access events approved by the~~
8 ~~Places for People Program.~~

9 ~~——— (6) Photographs of existing conditions on the site.~~

10 ~~——— (7) A conceptual site plan depicting how the space will be configured, including the~~
11 ~~introduction and placement of any temporary physical elements.~~

12 ~~————— (A) City Lot People Places. If the space will be configured to accommodate~~
13 ~~different types of programs, the Proposal must include a series of site plans depicting proposed~~
14 ~~configurations.~~

15 ~~————— (B) Curbside People Places. If the Steward is proposing multiple Curbside~~
16 ~~People Places that will be operated together under the same exact terms and time(s) of a single~~
17 ~~Curbside People Place Permit, the proposal must include a series of site plans depicting the proposed~~
18 ~~extent of each installation.~~

19 ~~————— (C) Integrated People Places. If the space will be configured to accommodate~~
20 ~~different types of programs, the Proposal must include a series of site plans depicting proposed~~
21 ~~configurations.~~

22 ~~————— (D) Roadway People Places. If the space will be configured to accommodate~~
23 ~~different types of programs, the Proposal must include a series of site plans depicting proposed~~
24 ~~configurations.~~

1 ~~————— (E) Sidewalk People Places. If the Steward is proposing multiple Sidewalk~~
2 ~~People Places that will be operated together under the same exact terms and time(s) of a single~~
3 ~~Sidewalk People Place Permit, the proposal should include a series of site plans depicting the proposed~~
4 ~~extent of each installation.~~

5 ~~(b) Initial Review and Evaluation of the Proposal. After submittal, the People Place Proposal~~
6 ~~will be reviewed by Planning for completeness and compliance with Program requirements. If the~~
7 ~~People Place Proposal is determined to be complete and in compliance with Program requirements,~~
8 ~~Planning will route the Proposal to all Core City Agencies with jurisdiction over the proposed People~~
9 ~~Place for an initial evaluation of the desirability of the Proposal. If approved by all the required Core~~
10 ~~City Agencies, the Proposal will be accepted into the Program and further developed by the Core City~~
11 ~~Agencies as appropriate.~~

12 ~~(a) Public Funds; Solicitation and Evaluation of Proposals.~~

13 ~~(1) If public funds are being offered for a portion of the implementation or operation of a~~
14 ~~People Place or Places, the People for Places Program shall issue an invitation for prospective~~
15 ~~Stewards to submit a competitive People Place Proposal for the project. The Program may solicit~~
16 ~~Proposals (A) on an ongoing basis (year-round), or (B) for set intervals on a recurring cycle (for~~
17 ~~example, for two weeks at the end of each quarter), or (C) for a set interval on a one-time basis~~
18 ~~depending on the People Place Category or other appropriate factors.~~

19 ~~(2) All Proposals that are submitted in compliance with the requirements and within the~~
20 ~~submission deadline shall be evaluated by Planning and the Core City Agency or Agencies with~~
21 ~~jurisdiction over the People Place Category. After completion of the evaluation, Planning and the Core~~
22 ~~City Agency or Agencies may in their discretion determine that none of the Proposals submitted are~~
23 ~~acceptable.~~

24 **SEC. 94A.65. PEOPLE PLACE SHARED SPACE PERMIT – APPLICATION, ISSUANCE,**
25 **MODIFICATION, AND REVOCATION; STEWARDSHIP AGREEMENT.**

1 (a) ~~Submission of Permit~~ **General Application Requirements**. *A prospective Steward may*
2 *submit an application for a Shared Spaces Permit consistent with the requirements of this Section*
3 *94A.5. After Planning has reviewed the application for completeness and compliance with Program*
4 *requirements, Planning will circulate the application to the Core City Agencies with jurisdiction over*
5 *the proposed Shared Space. Each proposed Shared Space application must include the following*
6 *components:*

7 (1) *A narrative description of the proposed Shared Space, including the planned*
8 *activation of the space.*

9 (2) *Documentation of community outreach and support.*

10 (3) *For all Sidewalk Shared Space and Curbside Shared Space permits, documentation*
11 *showing that all fronting property owners have been notified by the prospective Steward of the intent to*
12 *submit an application for a Shared Space. If the prospective Steward is not the fronting ground-floor*
13 *tenant of the proposed area to be used as a Sidewalk Shared Space or Curbside Shared Space, then*
14 *documentary proof of consent from the fronting ground-floor tenant(s) is also required. In cases where*
15 *there is no ground-floor tenant fronting the proposed areas to be used as a Shared Space, documentary*
16 *proof of consent from the fronting property owner is required.*

17 (4) *A list and frequency schedule for routine maintenance tasks.*

18 (5) *For Roadway Shared Spaces, a prospective activities calendar describing the*
19 *frequency and types of free public programming, if applicable.*

20 (6) *A description of any limitations on public use, including:*

21 (A) *The number of restricted access events, if any, that will be held annually. In*
22 *no event may the number of restricted access events allowed exceed eight single-day events per year.*
23 *Scheduling of any approved restricted access events shall not be concentrated during a particular time*
24 *or times a year but be spread throughout the calendar year.*

1 (B) If the Steward intends to use a Curbside Shared Space for the exclusive
2 benefit of a business, a description of the proposed hours of use, and proposed activities. In no event
3 may the exclusive use of the Curbside Shared Space exceed the hours of operation of the associated
4 business or businesses.

5 (7) Photographs of existing conditions on the site.

6 (8) A site plan depicting how the space will be configured, including the introduction
7 and placement of any temporary physical elements, and the placement of nearby ground fixtures. The
8 site plan shall also include at-grade roadway markings such as color curbs, lane striping, parking stall
9 marking, and at-grade utility access panels, storm drains, manhole covers, and other utility access
10 points. Additional site plan considerations may be articulated in regulations issued by the appropriate
11 City Departments.

12 (b) **Permit Application Requirements for Specific Types of Shared Spaces.** In addition
13 to the general permit requirements set forth in subsection (a), The following additional permit
14 application requirements for specific ~~People Places~~ Shared Space Categories shall apply
15 are set forth as follows:

16 (1) for City Lot ~~People Places~~ Shared Spaces, in Section 94A.78 of this Chapter
17 94A;

18 (2) for Sidewalk ~~People Places~~ Shared Spaces, in Public Works Code Section 793
19 et seq.;

20 (3) for Curbside ~~People Places~~ Shared Spaces, in Public Works Code Section 793
21 et seq. for permit issuance, and Section 204 of Division II of the Transportation Code for roadway
22 closure; and

23 (4) for Roadway ~~People Places~~ Shared Spaces, in ~~Public Works Code Section 793 et~~
24 ~~seq. and~~ Section 6.16 of Division I H of the Transportation Code for permit issuance and roadway
25 closure.

1 (c) ~~People-Place~~ Shared Space Permit – Issuance; Conditions of Approval; Limited
2 Duration.

3 (1) **Issuance.** Issuance of a ~~People-Place~~ Shared Space permit authorizes the Steward to
4 create a ~~People-Place~~ Shared Space by occupying the location with reversible physical
5 treatments or improvements and/or activating the location with programming. For the Core
6 City Agencies, a ~~People-Place~~ Shared Space Permit shall incorporate the requirements of and
7 substitute for a permit that would otherwise be required under other sections of the Municipal
8 Code. ~~Copies of approved and issued People-Place Permits for People Places on City-Owned Lots~~
9 ~~shall be maintained by Real Estate. Copies of approved and issued People-Place Permits for People~~
10 ~~Places in the public right-of-way shall be maintained by Public Works.~~

11 (2) **Conditions of Approval; Liability Insurance and Indemnity Provisions.**

12 The ~~People-Place~~ Shared Space Permit sets forth the permit terms, conditions of approval,
13 operational requirements, and duration of the ~~permit, People-Place~~ and is approved by all the
14 Core City Agencies with jurisdiction over the ~~People-Place~~ Shared Space. In addition to any
15 conditions that a Core City Agency is authorized to impose on a ~~People-Place~~ Shared Space
16 Permit pursuant to ~~the provisions of~~ this Chapter 94A, a participating Core City Agency with
17 jurisdiction over the ~~People-Place~~ Shared Space shall impose any condition that it would have
18 been required to impose on a permit separately issued under the Code that regulates its
19 activities; provided, however, that Public Works, with the approval of the City's Risk Manager,
20 is authorized to modify standard liability insurance and indemnification requirements for
21 ~~Sidewalk Shared Space projects and Curbside~~ People-Place Shared Space projects. For ~~People-Place~~
22 Shared Space projects developed in whole or in part, or installed in whole or in part, by a City
23 Agency, ~~the Core City Agency that issues the permit~~ Public Works, with the approval of the City's
24 Risk Manager, may limit the Steward's required liability insurance and indemnification
25 requirements to the non-physical aspects of the ~~People-Place~~ Shared Space.

(3) **Limited Duration.** A ~~People-Place-Shared Space~~ Permit is intended to be temporary and has a limited duration. The standard term for a Curbside ~~People-Place-Shared Space Permit~~ ~~a Roadway People-Place~~, or a Sidewalk ~~People-Place-Shared Space~~ Permit shall be for no longer than ~~one~~ ~~two~~ years, after which it may be renewed or extended upon review and approval by the Core City Agencies with jurisdiction over the ~~People-Place-Shared Space~~. Any closure of a curbside lane for a Curbside Shared Space must follow the requirements of Section 204 of Division II of the Transportation Code. The maximum initial term for a Roadway Shared Space shall be two years, after which it may be renewed or extended upon review and approval by the Core City Agencies with jurisdiction over the Shared Space, subject to any necessary street closure by the SFMTA Board of Directors. The standard term of a City Lot ~~People-Place-Shared Space~~ Permit shall be no longer than five years, which may be extended by the Director of Real Estate pursuant to the provisions of Section 94A.78(d).

~~(d) Permit Cover Sheet. The approval of the People-Place Permit shall be memorialized by a Permit Cover Sheet that is attached to the Permit. The Permit Cover Sheet must be signed by a person designated by the Director of each Core City Agency with jurisdiction over the proposed People-Place. A Core City Agency with jurisdiction over the proposed People-Place may, at its own discretion, request that a person designated by the Director of another Core City Agency involved in the review of the People-Place Permit also sign the Permit Cover Sheet.~~

~~(e)~~ **Stewardship Agreement.** At the request of a Core City Agency with jurisdiction over the ~~People-Place-Shared Space~~ Category, the Program and Steward ~~will~~ shall jointly develop a ~~People-Place~~ Stewardship Agreement for approval by all the Core City Agencies with jurisdiction over the ~~People-Place-Shared Space~~. The Stewardship Agreement will impose conditions and operational requirements on the ~~People-Place-Shared Space~~ that are in addition to those set forth in the ~~People-Place-Shared Space~~ Permit. A copy of the Stewardship Agreement, approved by the applicable Core City Agencies, shall be attached to the ~~People~~

1 ~~Place-Shared Space~~ Permit, and its provisions shall be considered permit requirements
2 equivalent to those set forth in the ~~People-Place-Shared Space~~ Permit and enforceable pursuant
3 to Section 94A.940.

4 (ef) **Coordination of Additional Permits Required from Other City Agencies.**

5 Certain activities may require additional permits or approvals from another City agency, board,
6 commission, or department that is not a Core City Agency. In such cases, the Core City
7 Agencies shall coordinate regarding all other permits or approvals that may be necessary for
8 or related to activities at the ~~People-Place-Shared Space~~. In no event shall a Shared Space Permit be
9 issued prior to the Fire Department, Department of Building Inspection, or any other City agency
10 completing all required approvals or inspections. ~~If additional permits or approvals are required from~~
11 ~~other City agencies, boards, commissions, or departments, they may be granted by the signature of an~~
12 ~~authorized representative of the entity on the Permit Cover Sheet described in subsection (d) above.~~

13 (fg) **Coordination of Additional Permits Required from Other Governmental**

14 **Authorities.** Certain activities in the public right-of-way may require additional review and
15 approvals from Federal or State authorities, or other County agencies, boards, commissions,
16 or departments. In such cases, the Core City Agencies shall coordinate, to the extent feasible,
17 regarding all other review or approvals that may be necessary for or related to the activities at
18 the ~~People-Place-Shared Space~~.

19 (gh) **Modification of a ~~People-Place-Shared Space~~ Permit; Withdrawal of Approval.**

20 (1) **Permit Modification.** ~~People-Place-Shared Space~~ Permits on public space are
21 revocable at will. Therefore, each Core City Agency that has approved issuance of a ~~People~~
22 ~~Place-Shared Space~~ Permit may at any time modify those portions of the Permit that are within
23 its jurisdiction, including any conditions. If a Core City Agency makes a determination to
24 modify the ~~People-Place-Shared Space~~ Permit or any conditions that it has imposed, or to
25 impose additional conditions, the Agency shall notify Planning and -the other Core City

1 Agencies with jurisdiction over the ~~People-Place-Shared Space~~. Upon notification of a
2 modification of the Permit, Planning and any Core City Agency that approved issuance of the
3 ~~People-Place-Shared Space~~ Permit shall determine if other portions of the Permit also need to be
4 modified, or if the entire ~~People-Place-Shared Space~~ Permit needs to be revoked pursuant to
5 subsection (hi) below. A new ~~People-Place-Shared Space~~ Permit is required to be issued if
6 Planning and the other participating Core City Agencies determine that the proposed
7 modifications are major. Minor modifications to a ~~People-Place-Shared Space~~ Permit may be
8 made without the issuance of a new Permit. The Core City Agency ~~ies-that issued with~~
9 ~~jurisdiction over the People-Place-Shared Space Permit~~ will notify the Steward of any permit
10 modifications or if revocation of the entire Permit pursuant to subsection (hi) below is required.

11 (2) **Withdrawal of Approval.** A Core City Agency may at any time withdraw its
12 approval of the ~~People-Place-Shared Space~~ Permit. If a Core City Agency makes a determination
13 to withdraw its approval of the ~~People-Place-Shared Space~~ Permit, any activities requiring its
14 approval shall be severed from the Shared Space Permit. ~~†~~The Agency shall notify Planning and
15 the Core City Agencies that approved issuance of the ~~People-Place-Shared Space~~ Permit of its
16 decision to sever from the permit those portions that are within the Agency's jurisdiction. Upon
17 receipt of a notification of severance, ~~Planning and any the other~~ Core City Agencies that
18 approved issuance of the Permit shall determine if the severance requires revocation of the
19 permit in its entirety pursuant to subsection (hi) below, or whether the permit can be modified
20 rather than revoked. If the remaining Core City Agencies determine that the severance does not
21 require revocation but requires a major modification of the permit, a new ~~People-Place-Shared~~
22 Space Permit must be issued. In the case of a severance, †The Core City Agency that issued or
23 ~~Agencies with jurisdiction over the People-Place-Shared Space Permit~~ will send the Steward written
24 notification of the severance and any resulting modification or revocation of the ~~People-Place~~
25 Shared Space Permit.

1 (hi) **Permit Revocation.** A ~~People-Place~~ Shared Space Permit issued pursuant to this
2 Chapter 94A may be revoked at any time by the Core City Agencies that approved issuance
3 of the Permit or, if revocation is required by a modification or withdrawal of approval by a Core
4 City Agency pursuant to subsection (gh)(1) or (gh)(2) above, by the remaining Core City
5 Agencies that approved issuance of the Permit. The revocation process may be initiated by:

6 (1) a request for revocation from one or more of the Core City Agencies that
7 approved issuance of the ~~People-Place~~ Shared Space Permit;

8 (2) notification of a permit modification by a Core City Agency pursuant to
9 subsection (gh)(1) above; or

10 (3) notification of withdrawal of approval by a Core City Agency pursuant to
11 subsection (gh)(2) above.

12 If the ~~People-Place~~ Shared Space Permit is revoked, the Core City Agencies ~~that~~
13 issued with jurisdiction over the People-Place Shared Space Permit shall send the Steward written
14 notification of the revocation.

15 **SEC. 94A.76. OPERATIONAL REQUIREMENTS.**

16 (a) **Applicability of Requirements.** The Operational Requirements set forth in
17 subsection (b) below shall apply to all ~~People-Places~~ Shared Spaces except as follows:

18 (1) The applicability of the Operational Requirements to a ~~People-Place~~ Shared
19 Space within the jurisdiction of the MTA requires the MTA's approval.

20 (2) One or more of the Operational Requirements may not be warranted or
21 appropriate for a particular ~~People-Place~~ Shared Space or event occurring at a ~~People-Place~~
22 Shared Space, due to special circumstances. In such situations,:

23 (A) ~~the~~ The Director of Real Estate (for a City Lot ~~People-Place~~ Shared Space),
24 ~~or~~ the Director of Public Works (for a Curbside Shared Space or Sidewalk People-Place Shared
25 Space on a portion of the public right-of-way within the jurisdiction of Public Works), or the Director

1 of MTA (for a Roadway Shared Space) may grant a non-material exception or other minor
2 amendment to the Good Neighbor Policies set forth in subsection (b)(8) or ~~to~~ waive or modify
3 one or more of the other Operational Requirements if the Director finds, in ~~his or her~~ the
4 Director's sole discretion, that the Requirement is not warranted or appropriate for a particular
5 ~~People Place Shared Space~~ or event and that the public interest would be served by granting the
6 waiver or modification or exception.

7 (B) Additional regulations regarding waivers, modifications, or exceptions for
8 ~~a City Lot People Place Shared Spaces~~ may be adopted by the Director of Real Estate pursuant
9 to the Director's authority under Section 94A.78~~(f)~~; ~~additional regulations for Curbside Shared~~
10 ~~Spaces or Sidewalk a People Place Shared Spaces on the public right of way may be adopted,~~ by the
11 Director of Public Works pursuant to the Director's authority under Section 793.3(a) of the
12 Public Works Code; and for Roadway Shared Spaces, by the Director of MTA.

13 **(b) Operational Requirements.**

14 **(1) Public Accessibility.** Unless authorized as a restricted access event or by
15 the specific terms of a Curbside Shared Space Permit, all ~~People Places Shared Spaces~~ shall remain
16 accessible to the public during daylight hours. Fixed Commercial Parklets and Moveable
17 Commercial Parklets shall provide alternate public seating, including but not limited to a public bench,
18 which is accessible to persons who are not patrons of the business for any period when the Curbside
19 Shared Space is being activated for commercial use by the business. This alternate public seating shall
20 be included in the Curbside Shared Space permit. The Director of Public Works is authorized to issue
21 regulations that are consistent with this section regarding use of a Curbside Shared Space. In no event
22 shall any exclusive uses provided for in this subsection (b)(1) be construed as being inconsistent with
23 the limitations on the Steward's use pursuant to Section 94A.4(d)(1)(D).

24 **(2) Peddling and Vending Merchandise.** No person shall bring, or cause to be
25 brought, for the purposes of sale or barter, or have for sale, or sell in exchange, or offer for

1 sale or exchange any goods, wares, or merchandise in the ~~People-Place~~ Shared Space unless
2 the City has issued any required permit or other authorization. Notwithstanding the previous
3 sentence, the sale or distribution of newspapers, periodicals, or other printed or otherwise
4 expressive material is allowed subject to the applicable requirements of the Public Works
5 Code.

6 (3) **Performance of Labor.** No person, other than authorized City personnel,
7 shall perform any labor on or upon a City Lot ~~People-Place~~ Shared Space, including, but not
8 limited to, taking up or replacing soil, turf, ground, pavement, structures, trees, shrubs, plants,
9 grass, flowers, or similar activities without prior permission from (A) the Director of Real Estate
10 for City Lot ~~People-Places~~ Shared Spaces, and (B) the Director of Public Works for Sidewalk,
11 Curbside, or Roadway ~~People-Places~~ Shared Spaces. Such permission shall be specified in the
12 ~~People-Place~~ Shared Space Permit.

13 (4) **Camping Prohibited.** The provisions of Park Code Section 3.12 concerning
14 camping shall apply to all ~~People-Places~~ Shared Spaces. The Director of Real Estate shall
15 administer those provisions for City Lot ~~People-Places~~ Shared Spaces, and Public Works shall
16 administer them for Sidewalk, Curbside, or Roadway ~~People-Places~~ Shared Spaces.

17 (5) **No Unpermitted Structures Allowed.** There shall be no stationing or
18 erecting of any structure on a ~~People-Place~~ Shared Space without prior permission from (A) the
19 Director of Real Estate for City Lot ~~People-Place-s~~ Shared Spaces, (B) the Director of Public
20 Works for Sidewalk, Curbside, or Roadway ~~People-Places~~ Shared Spaces, and/or (C) Director of
21 Transportation for any ~~People-Place~~ Shared Space within the MTA's jurisdiction. Such
22 permission shall be specified in the ~~People-Place~~ Shared Space Permit.

23 (6) **Smoking Prohibited.** Pursuant to Article 19I of the Health Code, smoking is
24 prohibited on any unenclosed area of property in the City that is under the jurisdiction of any
25 City department if the property is a park, square, garden, sport or playing field, pier, or other

property used for recreational purposes or as a farmers' market. Given the use of the subject areas as an outdoor public ~~People Place~~ Shared Space, this prohibition on smoking shall apply to all ~~People Places~~ Shared Spaces.

(7) Other Restrictions.

(A) No skateboarding, bicycle riding, or pets off leash is allowed without prior permission from (i) the Director of Real Estate for City Lot ~~People Places~~ Shared Spaces, ~~or~~ (ii) the Director of Public Works for Sidewalk Shared Spaces and Curbside, ~~or Roadway People Places~~ Shared Spaces, or (iii) the Director of Transportation for Roadway Shared Spaces. Such permission shall be specified in the ~~People Place~~ Shared Space Permit.

(B) No littering, feeding of wildlife, or defacing of public property is allowed.

(C) No alcohol may be consumed without prior permission from all required City and State authorities, ~~as well as from (i) the Director of Real Estate for City Lot People Places, or (ii) the Director of Public Works for Sidewalk, Curbside, or Roadway People Places.~~ Such intent must be described in the application so that the Core City Agencies may consider the request as part of the application.

(D) General Advertising, as defined in Article 6 of the Planning Code, is prohibited.

(8) Good Neighbor Policies. Stewards of all ~~People Place~~ Shared Space Categories shall manage the ~~People Place~~ Shared Space in accordance with the following good neighbor policies during the times of use set forth in the ~~People Place~~ Shared Space Permit:

(A) The safety and cleanliness of the ~~People Place~~ Shared Space and its adjacent area within a 100-foot radius shall be maintained;

(B) Proper and adequate storage and disposal of debris and garbage shall be provided;

1 (C) Noise and odors, unless otherwise permitted, shall be contained
2 within the immediate area of the ~~People-Place-Shared Space~~ so as not to be a nuisance or
3 annoyance to neighbors;

4 (D) Notices shall be prominently displayed during events that urge
5 patrons to leave the ~~People-Place-Shared Space~~ premises and neighborhood in a quiet,
6 peaceful, and orderly fashion and to not litter or block driveways in the neighborhood. Such
7 notices shall be removed after each event; and,

8 (E) The Steward or its employees or volunteers shall walk a 100-foot
9 radius from the ~~People-Place-Shared Space~~ within 30 minutes after programmed events have
10 concluded and/or at the conclusion of its hours of operation, and shall pick up and dispose of any
11 discarded trash left by patrons.

12 (9) **Additional Operational Requirements.**

13 (A) Because ~~People-Places-Shared Spaces~~ are intended to be publically
14 accessible open spaces, private dining and table service shall not be permitted in Sidewalk
15 ~~People-Places-Shared Spaces, Curbside People-Places-Shared Spaces, or Roadway People-Places~~
16 Shared Spaces, unless expressly authorized in the Shared Space Permit. Any approved use of a
17 Sidewalk, Curbside, or Roadway Shared Space for private dining and table service is limited to the
18 normal hours of the business's operation.in the course of day-to-day operations. Any business that
19 uses a Shared Space exclusively for private dining and table service must provide public seating
20 consistent with Section 94A.6(b)(1) during the hours of commercial use.

21 (B) ~~Regulations or operational requirements required by the MTA pursuant to~~
22 ~~Article 1200, Division II of the Transportation Code shall be imposed as a condition of approval of a~~
23 ~~People-Place-Permit.~~

1 ~~——(C)~~ Additional operational requirements tailored to a People-Place-Shared Space
2 in specific locations, including but not limited to hours of operation, may be imposed as a
3 condition of approval of a People-Place-Shared Space Permit.

4 **SEC. 94A.87. SPECIAL PROCESS FOR PEOPLE PLACES SHARED SPACES ON CITY**
5 **LOTS.**

6 All People-Places-Shared Spaces that are solely on a City-owned lot shall be administered
7 by the Director of Real Estate, who will coordinate with and may request assistance from
8 Planning.

9 (a) ~~Proposal Submittal and Review.~~

10 ~~——(1) A concept Proposal for a City Lot People Place shall be submitted to the People~~
11 ~~Place Program for an initial review and evaluation by the Program coordinators at Planning and Real~~
12 ~~Estate. After an initial review and evaluation, the Program coordinators at Planning and Real Estate~~
13 ~~may recommend the Proposal to the Director of Real Estate for acceptance and administration.~~

14 ~~——(2) Upon acceptance of the Proposal by the Director of Real Estate and at the Director's~~
15 ~~request, Program coordinators at Planning and Real Estate shall work with the prospective Steward to~~
16 ~~refine the proposed design, activities program, and management plan for the proposed People Place.~~

17 ~~——(3) Upon final development of the proposed design, activities program, and management~~
18 ~~plan, the prospective Steward may submit an application for a City Lot People Place Permit to the~~
19 ~~Director of Real Estate.~~

20 (b) **Permit Application and Issuance; Public Notice.** A prospective Steward may submit
21 an application for a City Lot Shared Space Permit to the Director of Real Estate, and the Program
22 coordinators at Planning and Real Estate shall work with the prospective Steward to refine the
23 proposed design, activities program, and management plan for the proposed City Lot Shared Space.

24 The Director of Real Estate may elect to authorize the People-Place-Shared Space under ~~the~~
25

1 ~~provisions of~~ Chapter 23 of this Code. If the Director elects to authorize the ~~People-Place-Shared~~
2 ~~Space~~ under the ~~provisions of~~ this Chapter 94A-, the Director shall use the following procedure:

3 (1) An application for a City Lot ~~People-Places-Shared Spaces~~ Permit shall include
4 the following:

5 (A) Documentation of community outreach and support.

6 (B) A list of and frequency schedule for routine maintenance tasks.

7 (C) A prospective activities calendar describing the frequency and types
8 of free public programming.

9 (D) The number of restricted access events, if any, that will be held
10 annually. In no event may the number of restricted access events allowed exceed eight
11 single-day events per year. Scheduling of any approved restricted access events shall not be
12 concentrated during a particular time or times a year but be spread throughout the calendar
13 year. Public access to the ~~People-Place-Shared Space~~ shall not be restricted except for approved
14 restricted access events.

15 (E) Photographs of existing conditions on the site.

16 (F) A conceptual site plan depicting how the space will be configured,
17 including the introduction and placement of any temporary physical elements. If the space will
18 be configured to accommodate different types of programs, the ~~application Proposal~~ shall
19 include a series of site plans depicting proposed configurations.

20 (2) Upon submission of an application for a City Lot ~~People-Place-Shared Space~~
21 Permit, the Director of Real Estate shall post the ~~People-Place-Shared Space~~ site with a Notice of
22 Application for a period of ~~seven~~ ten calendar days. In addition, the Director shall post the
23 Application for ~~seven~~ ten calendar days on the websites of Real Estate and the ~~Places for People~~
24 ~~Shared Spaces~~ Program. The Director may take such other actions as the Director deems
25 advisable to notify the public about the ~~application Proposal~~.

1 (3) If there are entertainment-related activities proposed for the City Lot ~~People~~
2 ~~Place-Shared Space~~ that fall within the purview of the Entertainment Commission, the public
3 notice may include a notice of public hearing by the Entertainment Commission.

4 (4) The Director of Real Estate shall accept written public comments on the
5 ~~application Proposal~~ for at least seven ~~10~~-calendar days after the first day of the posting of
6 notice of the ~~application-Proposal~~, and a City Lot ~~People-Place-Shared Space~~ Permit shall not be
7 issued before the end of the written public comment period.

8 (5) The Director of Real Estate may, in the Director's ~~this or her~~ discretion, hold a
9 public hearing concerning the ~~Proposal and~~ application for a ~~People-Place-Shared Space~~ Permit.
10 If a public hearing is held, notice of the hearing shall be given by posting a Notice of Public
11 Hearing at the proposed ~~People-Place-Shared Space~~ site for at least seven ~~10~~-calendar days
12 before the hearing. At the Director's discretion, the public hearing notice may be combined
13 with the Notice of Application.

14 (6) After approval of the Permit application by the Director of Real Estate, ~~and at~~
15 ~~the request of the Director, Planning~~ Real Estate shall issue the City Lot ~~People-Place-Shared Space~~
16 Permit.

17 (be) **Permit Conditions; Grant of Exceptions.**

18 (1) **Conditions.** The conditions for operation, use, and maintenance of a City
19 Lot ~~People-Place-Shared Space~~ shall be specified in either a City Lot ~~People-Place-Shared Space~~
20 Permit or a Lease issued pursuant to Chapter 23 of this Code. These conditions shall include,
21 but are not limited to:

22 (A) design specifications for any temporary physical treatments or
23 improvements being introduced at the site;

24 (B) scope of permissible activities and uses; daily, weekly, and/or
25 monthly time periods authorized for such permissible activities and uses;

- 1 (C) the minimum number of programmed events by day, week, month,
2 quarter, or year;
- 3 (D) the permissible number of annual restricted access events, if any;
- 4 (E) the Steward's liability for and indemnification of the City with respect
5 to the ~~People Place~~ Shared Space and the Steward's required liability insurance, which is
6 required for activities on publicly owned space, all as approved by the City Risk Manager or
7 any successor agency;
- 8 (F) an authorized signage program;
- 9 (G) the delineation of maintenance responsibilities between the City and
10 the Steward;
- 11 (H) the expiration date of the ~~People Place~~ Shared Space Permit;
- 12 (I) remedies for violating the permit, including but not limited to
13 revocation; and
- 14 (J) adherence to the Good Neighbor Policies in Section 94A.67(b)(8).

15 (2) **Exceptions; Public Notice.** Upon written request from a Steward, the
16 Director of Real Estate may grant a non-material exception or other minor amendment to the
17 conditions imposed on a City Lot ~~People Place~~ Shared Space Permit if the Director determines
18 that the exception or minor amendment is reasonably within the purposes of the ~~Places for~~
19 ~~People~~ Shared Spaces Program and, in consultation with the City Attorney's Office, further
20 determines that such exception or amendment does not materially increase the City's costs or
21 obligations or materially decrease the benefit the City receives under the Steward's City Lot
22 ~~People Place~~ Shared Space Permit. Any exceptions or minor amendments of the Permit
23 conditions that the Director ~~has~~ granted pursuant to this subsection (~~be~~)(2) shall be in writing
24 and retained in a file available for public review. In addition, at the Steward's request, the
25 Director's letter granting the exception(s) and/or minor amendments, and any other written

1 communications relevant to the Director's determination, shall be posted on the websites of
2 Real Estate and the ~~Places for People~~ Shared Spaces Program.

3 ~~(cd)~~ **Duration of Permit.** Should the Director of Real Estate elect to issue a City Lot
4 ~~People Place Shared Space~~ Permit pursuant to this Chapter 94A instead of a Lease under
5 Chapter 23 of this Code, the standard term of a City Lot ~~People Place~~ Shared Space Permit shall
6 be no longer than five years. However, in special circumstances or in cases where the
7 Steward has installed significant improvements as part of the Permit, the Director of Real
8 Estate has the discretion to extend the term of the Permit beyond five years.

9 ~~(de)~~ **Calendar of Events.** In addition to the requirements of Section 94A.78~~(be)~~, the
10 City Lot ~~People Place~~ Shared Space Permit shall require the Steward to submit a monthly
11 calendar of activities and events to the local District Police station, the Director of Real Estate,
12 and the ~~Places for People~~ Shared Spaces Program by seven days prior to the start of each
13 month.

14 ~~(ef)~~ **Grant of Exceptions to Standard Operational Requirements.**

15 (1) **Good Neighbor Policies.** Upon written request from a Steward, the
16 Director of Real Estate may grant a non-material exception or other minor amendment to the
17 Good Neighbor Policies in Section 94A.67(d)(8) if the Director finds, in ~~the Director's~~ his or her
18 sole discretion, that one or more aspects of a Good Neighbor Policy are unwarranted or not
19 appropriate for a particular City Lot ~~People Place~~ Shared Space or event due to special
20 circumstances and that the public interest would be served by granting an exception.

21 (2) **Other Operational Requirements.** Upon written request from a Steward,
22 the Director of Real Estate is authorized to waive or modify one or more of the other
23 Operational Requirements in Section 94A.67 if the Director finds, in ~~his or her~~ the Director's
24 sole discretion, that the Requirement is unwarranted or not appropriate for a particular City Lot
25

1 ~~People-Place-Shared Space~~ or event due to special circumstances and that the public interest
2 would be served by granting an exception.

3 (3) **Public Record.** Any exceptions, minor amendments, or waivers granted by
4 the Director pursuant to this subsection (~~ef~~) shall be in writing and retained in a file available
5 for public review.

6 (~~fg~~) **Director's Regulations.** The Director of Real Estate may adopt such regulations
7 governing City Lot ~~People-Places-Shared Spaces~~ as ~~he or she~~ the Director deems necessary or
8 appropriate for the proper management and use of City Lot ~~People-Places-Shared Spaces~~. The
9 Director may, in the Director's ~~his or her~~ discretion, post signage with the Regulations on a City
10 Lot ~~People-Place-Shared Space~~ site.

12 **SEC. 94A.98. APPEAL OF PERMIT DECISIONS.**

13 (a) **Right of Appeal.** Any person may appeal the decision to grant or deny an
14 application for any ~~People-Place~~ Shared Space Permit, or to revoke or suspend an existing
15 Permit, as follows:

16 (1) Permits issued by Public Works: Any appeal of a decision by Public Works or
17 Planning shall be heard by ~~to~~ the Board of Appeals pursuant to the provisions of Charter Section
18 4.106 and Section 8 ~~et seq.~~ of the Business & Tax Regulations Code. ~~; provided, however, that~~
19 ~~any portion of the People-Place Permit that has been approved by the MTA pursuant to its Charter~~
20 ~~authority may be heard and decided by the Board of Appeals only upon authorization by the MTA~~
21 ~~Board of Directors. In the absence of such authorization, those portions of the People-Place Permit~~
22 ~~that fall within the MTA's Charter authority shall be severed from the appeal and heard pursuant to the~~
23 ~~process that applies to appeals of MTA approvals.~~ With respect to an appeal to the Board of
24 Appeals, it shall be filed in writing with the Clerk of the Board of Appeals within 15 days of the
25 date of issuance, denial, revocation, or suspension of the ~~People-Place~~ Shared Space Permit.

1 (2) Permits issued by ISCOTT: Any appeal of a decision by ISCOTT shall be subject to
2 the requirements of Division I of the Transportation Code.

3 (3) Permits issued by SFMTA: Any appeal of a decision by SFMTA shall be subject to
4 the requirements of Division II of the Transportation Code.

5 (b) **Permit Renewal.** For purposes of an appeal to the Board of Appeals, the renewal
6 of an existing ~~People-Place~~ Shared Space Permit is considered to be a new permit and may be
7 appealed in accordance with the provisions of subsection (a) above. Pursuant to Section
8 ~~8(e)(9)(E)(i)(5)~~ of the Business and Tax Regulations Code, any activities on the site would be
9 suspended during the pendency of the appeal; however, the Core City Agency or Agencies
10 with jurisdiction over the site may, in their discretion, authorize any authorized physical
11 treatments or improvements to the site to remain pending a decision by the Board of Appeals.

12 **SEC. 94A.102. ENFORCEMENT OF REQUIREMENTS.**

13 (a) **Complaints from the Public.** The 311 Customer Relationship Management
14 System is designated to receive complaints from the public and to maintain an interagency
15 complaint log. The 311 System shall route individual public complaints to the department(s) or
16 agency(ies) with jurisdiction in order for those departments or agencies to verify complaints
17 regarding the ~~People-Place~~ Shared Space Program or a particular ~~People-Place~~ Shared Space and
18 take any necessary enforcement actions.

19 (b) **Enforcement of ~~People-Place~~ Shared Space Permit Requirements.**

20 (1) Each Core City Agency shall enforce the requirements of the ~~People-Place~~
21 Shared Space Permit that are within its jurisdiction. The Core City Agency that issues the permit
22 shall be the primary point of contact for any enforcement action. Enforcement may be exercised
23 either by (A) using the procedures of Section 94A.56 to modify conditions of the issued permit,
24 or to withdraw approval of the permit by severance or revocation, or (B) using the
25 enforcement provisions of the Code that regulates its activities: the Public Works Code for

1 Public Works; the Transportation Code for the MTA; ~~the Planning Code for private property;~~ and
2 the Police Code for the Entertainment Commission. Enforcement by the Director of Real
3 Estate is set forth in subsection (b)(2) below.

4 (2) The Director of Real Estate shall establish administrative procedures and
5 methods for verifying, addressing, and responding to any complaints concerning a City Lot
6 ~~People-Place~~ Shared Space. If the Director receives a verified complaint concerning violations of
7 the terms and conditions of a Steward's City Lot ~~People-Place~~ Shared Space Permit, the Director
8 may conduct a public hearing on the Steward's conduct. Based on the information presented
9 at the hearing, the Director ~~or his or her designee~~ may revoke, suspend, modify, or condition the
10 ~~People-Place~~ Shared Space Permit or take any other action the Director deems appropriate
11 under the terms of the ~~People-Place~~ Shared Space Permit to address the Steward's conduct.

12 If any person occupies a City Lot ~~People-Place~~ Shared Space in violation of the applicable
13 requirements and regulations, the Director of Real Estate ~~or his or her designee~~ shall order the
14 violator to either correct the violation or vacate the ~~People-Place~~ Shared Space site. If the
15 violation is not corrected as ordered, the violator shall be subject to enforcement pursuant to
16 the Police Code.

17 **SEC. 94A.~~11~~10. FEES.**

18 (a) ~~People-Place~~ Shared Space **Permit Fee.** Pursuant to Section 94A.~~56~~ (c)(1), a ~~People~~
19 ~~Place~~ Shared Space Permit substitutes for a permit that would otherwise be required by the
20 Municipal Code. Notwithstanding any other provision of the Municipal Code including Public Works
21 Code Section 2.1.3, any permit fees assessed as part of this Program may be adjusted each year,
22 without further action by the Board of Supervisors, only to reflect changes in the relevant Consumer
23 Price Index, as determined by the Controller. Shared Space Permit fees shall be due and payable
24 annually by March 31, in accordance with Article 2, Section 76.1 of the Business and Tax Regulations
25 Code.

1 (1) The fees amounts for ~~a~~ Curbside Shared Space Permits and Sidewalk ~~People Place~~
2 Shared Space Permits ~~in the public right-of-way shall be one-half the fees that Public Works is~~ are
3 authorized by Article 2.1 of the Public Works Code ~~to charge for a permit granting permission to~~
4 ~~occupy a portion of the public right-of-way that is equivalent in scope to the People Place Permit.~~
5 ~~These fees shall be paid to Public Works pursuant to Section 793.2(b) of the Public Works Code. Any~~
6 ~~fees collected for Curbside Shared Spaces shall be shared evenly between Public Works and MTA.~~

7 (2) The fees for Roadway Shared Space Permits shall be authorized by the
8 Transportation Code.

9 (b) ~~Other Fees. Nothing in this Section 94A.11 or in Chapter 94A is intended to preclude a~~
10 ~~Core City Agency, or other City department or agency, from charging the fees authorized to be charged~~
11 ~~for any additional permits required or for services performed in implementing the People Place~~
12 ~~Proposal, including but not limited to fees related to time and material costs of ongoing enforcement~~
13 ~~and inspection, provided, however, that due to the public nature of the improvements, no ongoing~~
14 ~~occupancy assessment fee shall be charged. Any other fee charged by a Core City Agency, or other City~~
15 ~~department or agency, in connection with a People Place Permit shall be one-half the fee that the~~
16 ~~agency or department is authorized to charge for such permit.~~

17 (e) **Condition of Approval.** Payment of all fees due shall be a condition of any permit,
18 license, or other approval to establish and/or operate a ~~People Place~~ Shared Space.

19 (c) **Increased Renewal Fees Based On Additional Enforcement Activities.** When there have
20 been three or more verified complaints in the prior year regarding the Steward's compliance with the
21 terms of the permit, the Core City Agency that issued the permit is authorized to develop and charge an
22 additional fee to any Steward seeking renewal of their permit. The fee shall be based on the additional
23 time and materials spent by City staff in enforcing the terms of the permit.

24 **SEC. 94A.11. TRANSITION OF EXISTING SHARED SPACES AND PARKLETS.**

25 (a) **Conversion of Permits Issued During the COVID-19 Pandemic.**

1 (1) Any structure permitted as a Shared Space under the terms of the Mayor’s February
2 25, 2020 Proclamation Declaring the Existence of a Local Emergency and the 18th Supplement to that
3 Proclamation, may continue to occupy the right-of-way pursuant to the terms of the applicable permit
4 (each a “pandemic Shared Spaces Permit”)

5 (2) At any time prior to the expiration of the pandemic Shared Spaces Permit, the
6 Shared Spaces permittee may apply to convert their pandemic Shared Spaces Permit into a new Shared
7 Spaces Permit as provided herein. Conversion of a pandemic Shared Spaces Permit shall follow the
8 process set forth in this Section 94A.11, and any pandemic Shared Spaces Permit that is converted to a
9 new Shared Spaces Permit under this Chapter 94A must comply with all of the terms of this Chapter
10 94A, including any approvals for the closure of the curbside or roadway. The pandemic Shared Spaces
11 permit shall be converted upon the issuance of a new Shared Spaces Permit consistent with the
12 requirements of Chapter 94A. In the event of a conflict between this Chapter 94A and the terms of an
13 pandemic Shared Spaces Permit, the terms of this Chapter 94A shall prevail.

14 (3) Upon the expiration of any pandemic Shared Spaces Permit, the permittee shall
15 remove all structures and restore the public right-of-way to the Public Works Director’s satisfaction.
16 In the event the Mayor’s authorization of the Shared Spaces program expires before the Shared Spaces
17 permittee has converted the pandemic Shared Spaces Permit into a new Shared Spaces Permit
18 authorized by the terms of this Chapter 94A, if the proposed Steward has submitted a complete
19 application for a new Shared Spaces Permit prior to the expiration of the Mayor’s emergency
20 authorization of the Shared Spaces program, the Steward shall be permitted to continue occupying the
21 potential Shared Space pending a final determination by the Core City Agencies on the proposed
22 conversion of the pandemic Shared Spaces Permit into a new Shared Spaces Permit authorized by the
23 terms of this Chapter 94A, provided that the Steward diligently pursues such determination. If the
24 Shared Spaces permit is not so converted, then the permittee shall remove all structures and restore the
25 public right-of-way to the Public Works Director’s satisfaction.

1 **(b) Conversion of Permits Issued Under the Parklets Program.**

2 (1) Any curbside structure currently permitted by Public Works pursuant to Public
3 Works Director's Order No. 183392 and Public Works Code section 810B or Public Works Code
4 section 793 may continue to occupy the right-of-way pursuant to the terms of the applicable permit,
5 provided, however, that upon the expiration of the Parklet Permit, Public Works shall not approve any
6 extensions of the permit.

7 (2) At any time prior to the expiration of the Parklet Permit, the Parklet permittee may
8 apply to convert their Parklet Permit into a Curbside Shared Spaces Permit authorized by the terms of
9 this Chapter 94A. Conversion of a Parklet Permit into a Curbside Shared Space Permit shall follow the
10 process set forth in this Section 94A.11, and any Parklet Permit that is converted to a Curbside Shared
11 Space Permit must comply with all of the terms of this Chapter 94A, including any approvals for the
12 closure of the curbside. The Parklet Permit shall be converted upon the issuance of a Shared Space
13 Permit. In the event of a conflict between this Chapter 94A and the terms of an existing permit issued
14 pursuant to the Mayor's February 25, 2020 Proclamation Declaring the Existence of a Local
15 Emergency, the terms of this Chapter 94A shall prevail over any aspect of the Parklet program.

16 (3) In the event the Parklet permit expires before the permittee has converted the
17 Parklet Permit into a Curbside Shared Space Permit authorized by the terms of this Chapter 94A, if the
18 proposed Steward has submitted a complete application for a Shared Space Permit prior to the
19 expiration of the Parklet Permit, the Steward shall be permitted to continue occupying the potential
20 Shared Space pending a final determination by the Core City Agencies on the proposed conversion of
21 the permit, provided that the permittee diligently pursues such determination. If the Parklet Permit is
22 not converted into a Shared Space Permit authorized by the terms of this Chapter 94A, then the Parklet
23 permittee shall remove all structures and restore the public right-of-way to the Public Works Director's
24 satisfaction.

1 (c) **Temporary Fee Waiver and Deferral.** In order to encourage economic activities to be
2 conducted in a safe manner during and after the COVID-19 pandemic, notwithstanding the fees set
3 forth in Section 94A.10, assessment of Shared Space Permit and license fees are waived through June
4 30, 2021. Fees shall be assessed starting July 1, 2021, but collection of the Shared Spaces fees shall be
5 deferred until June 30, 2022.

6 (d) **Expiration of Section.** Unless reenacted, this Section 94A.11 shall expire by operation of
7 law on January 1, 2023. Upon the expiration of this Section, the City Attorney shall cause this Section
8 to be removed from the Administrative Code.

9
10 Section 3. Articles 2.1 and 15 of the Public Works Code are hereby amended by
11 revising Sections 2.1.1, 2.1.3, 793, 793.1, 793.2, and 793.3; deleting existing section 793.4;
12 renumbering existing Sections 793.5 and 793.6 as Sections 793.4 and 793.5, respectively,
13 and revising new Sections 793.4, and 793.5, to read as follows:

14 **SEC. 2.1.1. FEES.**

15 Notwithstanding the permit fee provisions listed elsewhere in this Code, the permit fee
16 and assessment schedule for the permit categories and uses specifically listed below shall be:

17 * * * *

18 (s) **Curbside Parklet Fee.** Permits for the types of Curbside Shared Spaces issued pursuant to
19 Administrative Code Chapter 94A and Public Works Code Section 793 et seq. are as follows, with one
20 half of this fee allocated to the San Francisco Municipal Transportation Authority.

- 21 (i) **Public Parklet fee**
22 (A) Initial application fee of \$1,000 for the first parking space and \$250 for each
23 additional parking space;
24 (B) Annual renewal fee of \$100 per parking space.
25 (ii) **Movable Commercial Parklet fee**

1 (A) Initial application fee of \$2,000 for the first parking space and \$1,000 for
2 each additional parking space;

3 (B) Annual renewal fee of \$1,500 per parking space.

4 (iii) Fixed Commercial Parklet fee

5 (A) Initial application fee of \$5,000 for the first parking space and \$1,500 for
6 each additional parking space;

7 (B) Annual renewal fee of \$3,000 per parking space.

8 **SEC. 2.1.3. ADDITIONAL FEES.**

9 In instances where ~~where~~ the actual costs of the administration or processing of any
10 application, approval, or permit ~~are is is~~ in excess of or will exceed the fee amount established
11 pursuant to section 2.1.1, the Director, in ~~his or her~~ the Director's discretion, may require an
12 applicant or permittee to pay a sum in excess of the subject fee amounts. This additional sum
13 shall be sufficient to recover actual costs that the Department incurs and shall be charged on
14 a time and materials basis. The Director also may charge for any time and materials costs that
15 other agencies, boards, commissions, or departments of the City incur in connection with the
16 processing or administration of a particular application, approval, or permit. Whenever
17 additional fees are or will be charged, the Director, upon request of the applicant or permittee,
18 shall provide in writing the basis for the additional fees or an estimate of the additional fees to
19 be charged.

20 **SEC. 793. THE ~~PLACES FOR PEOPLE~~ SHARED SPACES PROGRAM – ~~PEOPLE PLACES~~** 21 **SHARED SPACES IN THE PUBLIC RIGHT-OF-WAY.**

22 ~~Places for People~~ The Shared Spaces ~~is a~~ Program is established in Chapter 94A of the
23 Administrative Code. Under the Program, a public or private entity may obtain City approval to
24 create a ~~People Place~~ Shared ~~s~~Space and provide activities, for a limited period of time, on City-
25 owned property and in some cases nearby privately-owned spaces where the public can

gather and participate in commercial or non-commercial offerings and events. The space created is a “~~People Place Shared Space~~” that is managed by the permittee, defined as a “Steward.”

The ~~Places for People Shared Spaces~~ Program is a joint effort by the Planning Department, Public Works, the Municipal Transportation Agency, the ~~Department of Real Estate Division~~, and the Entertainment Commission (defined in Section 94A.2 of the Administrative Code as the “Core City Agencies”) to coordinate their review and approval of a ~~People Place Shared Space~~ and streamline the permit process. The Program responsibilities of the Core City Agencies in the coordination process are set forth in Section 94A.4 of the Administrative Code.

SEC. 793.1. PURPOSE AND SCOPE; DEFINITIONS.

(a) **Purpose and Scope.** The general procedure by which the Core City Agencies participating in the ~~Places for People Shared Spaces~~ Program coordinate their evaluation ~~and of a proposed People Place concept proposal~~, review of an application for a ~~People Place Shared Space~~ Permit, and approve and issue a ~~People Place Shared Space~~ Permit is set forth in Sections 94A.5 ~~and 94A.6~~ of the Administrative Code. Sections 793.2 through 793.6 of this Code establish the procedure for Public Works’ review and approval of a ~~People Place Shared Space~~ in the public right-of-way. This procedure shall apply to any prospective “Curbside ~~People Place Shared Space~~,” “~~Roadway People Place~~,” and “Sidewalk ~~People Place Shared Space~~” in the ~~Places for People Shared Spaces~~ Program.

(b) **Definitions.** ~~The terms defined in As provided in~~ Section 94A.2 of the Administrative Code ~~shall have the same meaning for purposes of Sections 793 et seq. of this Code, including:~~

——“~~Longer-Term Closure; People Place Shared Space;~~” ~~is a publicly-accessible location approved under the Places for People Program and located (a) on City-owned property, (b) on the sidewalk, and/or (c) in the curbside lane or on all or any portion of the roadway between curbs where~~

1 ~~the public can gather and participate in commercial or non-commercial offerings and events. Such~~
2 ~~offerings and events may include, but are not limited to: cultural events, arts activities, and~~
3 ~~entertainment; food and drink; and general recreation. A People Place is managed, fully or partially,~~
4 ~~by a Steward under a People Place Permit issued under the Program and may involve the temporary~~
5 ~~and reversible installation of physical treatments, improvements or elements.~~

6 ~~—“People Place Shared Space Categories, and the definitions of those categories: City Lot~~
7 ~~Shared Space, Curbside Shared Space, Roadway Shared Space, and Sidewalk Shared Space;” are: (a)~~
8 ~~“City Lot People Place,” which has activities occurring on property owned by the City; (b) “Curbside~~
9 ~~People Place,” which has activities occurring in a portion of the curbside lane of a roadway; (c)~~
10 ~~“Roadway People Place,” which has activities occurring in or on any portion of the roadway, except~~
11 ~~for activities occurring only in the curbside lane; (d) “Sidewalk People Place,” which has activities~~
12 ~~occurring on a portion of sidewalk, and (e) “Integrated People Place,” which is a single project with~~
13 ~~activities occurring on a combination of locations that are People Place categories in close proximity~~
14 ~~to one another and operated by the same Steward.~~

15 ~~—“People Place Shared Space Permit;” is a permit issued under the Places for People~~
16 ~~Program through its Core City Agencies that allows a Steward to create a People Place by temporarily~~
17 ~~occupying and activating the location for a specified period of time.~~

18 ~~“Steward; and Temporary Closure” is, for Curbside People Places, Roadway People~~
19 ~~Places, and Sidewalk People Places, any person or entity who has been issued a People Place Permit~~
20 ~~that authorizes the permittee, acting as a Steward, to manage and activate a People Place under the~~
21 ~~Places for People Program.~~

22 ~~For purposes of Sections 793.2 through 793.6, a Sidewalk People Place, a Roadway People~~
23 ~~Place, and a Curbside People Place shall be referred to collectively as People Places in the Public~~
24 ~~Right of Way.~~

1 **SEC. 793.2. PERMIT APPROVAL PROCESS APPLICABLE TO ALL CURBSIDE AND**
2 **SIDEWALK PEOPLE PLACES SHARED SPACES IN THE PUBLIC RIGHT-OF-WAY.**

3 (a) ~~*Initiation of the Process. Any prospective Steward wishing to establish a People Place in*~~
4 ~~*the Public Right of Way may initiate the process by submitting a concept proposal to the Places for*~~
5 ~~*People Program pursuant to Section 94A.5 of the Administrative Code (“People Place Proposal”). If*~~
6 ~~*the People Place Proposal is accepted into the Program, the Core City Agencies shall work with*~~
7 ~~*prospective Steward to develop the concept proposal, after which the prospective Steward may submit*~~
8 ~~*an application for a People Place Permit to the People Place Program pursuant to the process set forth*~~
9 ~~*in Administrative Code Section 94A.6. The application shall include the components specified in*~~
10 ~~*Administrative Code Section 94A.6(a). The Planning Department will review the People Place Permit*~~
11 ~~*application for completeness and compliance with Program requirements, and if found compliant will*~~
12 ~~*direct the prospective Steward to submit the application to Public Works.*~~

13 (b) **Public Works Application Review Procedure; Payment of Permit Fees.** The
14 prospective Steward may submit the application for a Curbside or Sidewalk People Place Shared
15 Space Permit to Public Works for its review and approval. Public Works shall review the
16 application consistent with the interagency coordination process described in Administrative Code
17 Section 94A.4. Payment of the permit fees is required by Administrative Code Section
18 94A.~~1011~~ at the time of submittal.

19 (b) **Public Notice and Opportunity to Comment.**

20 (1) Upon submission of ~~the~~ an application for a Sidewalk People Place Shared
21 Space Permit application, or a Curbside Shared Space where the proposal would result in Temporary
22 Closure, the prospective Steward shall post the site(s) with one or more Notices of Application
23 provided by Public Works for a period of seven ~~10~~-calendar days. The Notice(s) shall be posted
24 in a location acceptable to Public Works. The prospective Steward shall submit to Public
25 Works photographic evidence that the Notice(s) were posted appropriately. The prospective

1 Steward shall remove the Notice of Application the day after expiration of the seven-10-day
2 notice period. Public Works shall accept public comments on the Notice of Application for
3 seven-10-calendar days from the first day the Notice was posted at the site(s).

4 (2) For Roadway Shared Spaces where the proposal would result in a Temporary
5 Closure, the public notice shall proceed in accordance with the applicable process set forth in
6 Transportation Code, Division I, Article 6.

7 (3) For Roadway ~~and Curbside People Places~~ Shared Spaces, and Curbside Shared
8 Spaces where the proposal would result in a Longer-Term Closure, the public notice shall ~~also~~
9 include notice of any public hearing by the Municipal Transportation Agency Board ~~proceed~~ in
10 accordance with the applicable process set forth in Transportation Code, Division II, Article
11 200, Section 202; (Notice of Public Hearing).

12 (4) The Notice may include notice of public hearing by the Entertainment
13 Commission if proposed activities fall within the purview of the Entertainment Commission
14 described in Administrative Code Section 94A.4(c).

15 (c) **Public Hearing.** The Director of Public Works may ~~wish to~~ hold a public hearing
16 concerning the Sidewalk ~~People Place~~ Shared Space Permit application that would extend the
17 occupancy beyond 24 consecutive months. If the Director determines that a public hearing will be
18 held, the prospective Steward shall post on the site(s) a Notice of Public Hearing provided by
19 Public Works for a period of seven-10 calendar days prior to the date of the scheduled hearing.
20 The Notice of Public Hearing posting shall be removed by the applicant the day after the
21 expiration of the seven-10-day period. Unless otherwise outlined in this Section 793.2, the
22 Notice of Public Hearing posting shall comply with Article 5.6 of the Public Works Code.

23 (de) **Permit Issuance and Conditions of Approval; ~~Grant of Exceptions~~.**

24 (1) After ~~approval by~~ Public Works ~~may issue any Curbside or Sidewalk a People~~
25 ~~Place~~ Shared Space Permit ~~consistent with Sections 793 et seq. and Administrative Code Chapter 94A~~

1 ~~is issued.~~ The conditions of approval required or authorized by Administrative Code Section
2 94A.56(c) or other applicable sections of Administrative Code Chapter 94A shall be imposed
3 on the ~~People Place Shared Space~~ Permit and enforced pursuant to Administrative Code Section
4 94A.910, including the obligation to remove or modify a Curbside Shared Space at any time, as
5 necessary for any City project or maintenance work at the Steward's own cost consistent with
6 Administrative Code Section 94A.4(d)(1)(D). The Director of Public Works ~~or designee~~ may choose
7 to apply additional conditions on the ~~People Place Shared Space~~ Permit that are pertinent to
8 Public Works jurisdiction.

9 (2) All Sidewalk and Curbside Shared Space permits shall be conditioned upon the
10 obligation to remove or modify the Shared Space at any time, as necessary for any City project or
11 maintenance work, which necessity shall be determined solely by the City Agency that issued the
12 Shared Space Permit. In the event of an emergency, the City Agency may provide 24-hours notice. It
13 shall be the Steward's obligation to remove or modify the Sidewalk or Curbside Shared Space at their
14 own cost and return the right-of-way to a condition that the Director of Public Works deems
15 appropriate. In no event shall the City be liable for reimbursing the Steward for the costs of or
16 restoring the Shared Space installation.

17 ~~———— Upon written request from a Steward, the Director of Public Works may grant a non-~~
18 ~~material or other minor amendment to the conditions imposed on a People Place in the Public Right-~~
19 ~~of Way if the Director determines that the exception or minor amendment is reasonably within the~~
20 ~~purposes of the Places for People Program and, in consultation with the City Attorney's Office, further~~
21 ~~determines that such exception or amendment does not materially increase the City's costs or~~
22 ~~obligations or decrease the benefit the City receives under the Steward's People Place Permit.~~

23 ~~———— Any exceptions or minor amendments of the Permit conditions that the Director has~~
24 ~~granted pursuant to this subsection (e)(2) shall be in writing and retained in a file available for public~~
25 ~~review. In addition, at the Steward's request, the Director's letter granting the exception(s) and/or~~

1 ~~minor amendments, and any other written communications relevant to the Director's determination~~
2 ~~shall be posted on the websites of Real Estate and the Places for People Program.~~

3 **SEC. 793.3. OPERATIONAL REQUIREMENTS; EXCEPTIONS.**

4 (a) **Requirements.** Except as specified in subsection (b) below, all Curbside and
5 Sidewalk People Places Shared Space Permits in the Public Right of Way shall conform to the
6 Operational Requirements set forth in Administrative Code Section 94A.67. In addition, the
7 Director of Public Works may also adopt such additional regulations as he or she the Director
8 deems appropriate and necessary for the proper management and use of a Curbside or
9 Sidewalk People Place Shared Space in the Public Right of Way. The additional regulations may
10 include but are not limited to: maintenance requirements; minimum required clearances from street
11 corners, sidewalk bulb-outs, or protective bollards; appropriate clearances for paths of travel;
12 applicable standards from the Americans with Disabilities Act; and appropriate clearances for
13 stormwater and other hydrological concerns.

14 (b) **Grant of Exceptions to Standard Operational Requirements.**

15 (1) **Operational Requirements.** Upon written request from a Steward, the Director of
16 Public Works may grant a non-material or other minor amendment to the conditions imposed on a
17 Curbside or Sidewalk Shared Space Permit, if the Director determines that the exception or minor
18 amendment is reasonably within the purposes of the Shared Spaces Program and, in consultation with
19 the City Attorney's Office, further determines that such exception or amendment does not materially
20 increase the City's costs or obligations or decrease the benefit the City receives under the Steward's
21 Shared Space Permit.

22 (2) **Good Neighbor Policies.** Upon written request from a Steward, the
23 Director of Public Works may grant a non-material exception or other minor amendment to the
24 Good Neighbor Policies set forth in Administrative Code Section 94A.67(b)(8) if the Director
25 finds, in his or her the Director's sole discretion, that a Good Neighbor Policy is unwarranted or

1 not appropriate for a particular *People Place Shared Space* or event on the public right-of-way
2 under the jurisdiction of Public Works due to unique circumstances and that the public interest
3 would best be served by granting an exception. ~~The Director of Public Works shall issue such~~
4 ~~exceptions in writing, retain the granted exceptions in a file available for public review, and shall post~~
5 ~~such correspondence on the Department's and Places for People Program's website.~~

6 ~~(2) Other Operational Requirements. Upon written request from a Steward, the~~
7 ~~Director of Public Works is authorized to waive or modify one or more of the other Operational~~
8 ~~Requirements established in Administrative Code Section 94A.7 if the Director finds, in his or her sole~~
9 ~~discretion, that is unwarranted or not appropriate for a particular People Place or event on the public~~
10 ~~right of way under the jurisdiction of Public Works.~~

11 (3) **Public Record.** Any exceptions, minor amendments, or waivers granted by
12 the Director pursuant to this subsection (b) shall be in writing and retained in a file available
13 for public review.

14 **SEC. 793.4. GRANT OF EXCEPTIONS TO PERMIT TERMS.**

15 ~~Upon written request from a Steward, the Director of Public Works may grant a non-material~~
16 ~~exception or other minor amendment to the conditions imposed on a permit for a People Place in the~~
17 ~~Public Right of Way if the Director determines that the exception or minor amendment is reasonably~~
18 ~~within the purposes of the Places for People Program and, in consultation with the City Attorney's~~
19 ~~Office, further determines that such exception or amendment does not materially increase the City's~~
20 ~~costs or obligations or decrease the benefit the City receives under the Steward's People Place Permit.~~

21 ~~Any exceptions or minor amendments of the Permit conditions that the Director has~~
22 ~~granted pursuant to this Section shall be in writing and retained in a file available for public review. In~~
23 ~~addition, the Steward's request, the Director's letter granting the exception(s) and/or minor~~
24 ~~amendments, and any other written communications relevant to the Director's determination shall be~~
25 ~~posted on the websites of Real Estate and the Places for People Program.~~

1 ~~SEC. 793.5.~~ **VIOLATION OF PERMIT CONDITIONS, OPERATIONAL**
2 **REQUIREMENTS, OR ADMINISTRATIVE REGULATIONS; ENFORCEMENT ACTIONS**
3 **AND PENALTIES.**

4 (a) **Enforcement Actions; Penalties.** If any person has occupied a *People-Place*
5 *Shared Space* in ~~the Public Right-of-Way in~~ violation of any Permit conditions, operating
6 requirements, ~~and or~~ regulations applicable to the *People-Place-Shared Space*, the Director of
7 Public Works, ~~or a designee or agent acting on the Director's behalf~~, may take any action
8 authorized by this Code that is considered necessary to abate or correct the violation. The
9 Director is expressly authorized to:

10 (1) Modify the *People-Place-Shared Space* Permit, withdraw the Director's
11 approval of the Permit, or request revocation of the Permit by the Core City Agencies
12 pursuant to Section 94A.56(i) of ~~the Administrative Code~~*this Chapter*;

13 (2) Issue a criminal citation pursuant to the provisions of Section 792(e)(1)(A) of
14 this Code that is applicable to Street Plazas;

15 (3) Issue an administrative citation and assess the administrative penalties
16 authorized by Section 792(e)(1)(B) of this Code for Street Plazas;

17 (4) Call upon other City officials to assist in the enforcement of this Article 15,
18 including but not limited to the Chief of Police and the City Attorney; ~~and~~

19 (5) Seize, remove, or demolish any structures or furniture placed in public sidewalk or
20 roadway areas.

21 (A) If a permit to place the structure or furniture has been rescinded or expired,
22 before any such structure or furniture is seized, the Steward shall be notified and given 10 business
23 days to remove the structure or furniture. If the Steward does not remedy the underlying violation
24 leading to the rescission of the permit and/or apply for a Shared Space Permit within the time
25 prescribed, the City may seize, remove, or demolish the structure or furniture.

1 (B) Seized furniture shall be retained by the City and may be recovered by the
2 responsible party for a period of at least 30 business days following seizure. As a condition of
3 recovering any furniture seized pursuant to this Section or receiving a subsequent Shared Spaces
4 Permit, the Steward shall pay an impound fee covering the actual cost to the City of transporting and
5 storing such furniture, unless the seizure is deemed improper following a hearing under this subsection
6 (a)(5)().

7 (C) If the City Engineer determines that it is practicable to do so, Public Works
8 shall retain any seized structures. As a condition of recovering any structure seized pursuant to this
9 Section or receiving a subsequent Shared Spaces Permit, the Steward shall pay an impound fee
10 covering the actual cost to the City of transporting and storing such structure, unless the seizure is
11 deemed improper following a hearing under this subsection (a)(5)().

12 (D) If the City Engineer determines that it is not practicable to do so, Public
13 Works may demolish any unpermitted structure placed in the right-of-way. Where a Steward is
14 responsible for an unpermitted structure that requires demolition, the Steward shall not be eligible for
15 a subsequent Shared Spaces Permit until the Steward has paid the fee covering the actual costs to the
16 City of demolishing and disposing of the structure(s). Such recoverable costs may include those
17 incurred by Public Works and any other City department, including the City Attorney's Office, for time
18 and materials spent enforcing the requirements of the permit.

19 (D) Notwithstanding any other provision of this Section 793.4, if the Director
20 determines that any structure or furniture is placed in public sidewalk or roadway areas in such a
21 place or manner as to pose an immediate and serious danger to persons or property, the City may seize
22 such structure and furniture without prior notice to the Steward if it is impractical to remedy the
23 danger by moving the structure or furniture to another point on the sidewalk or public right-of-way.

24 (F) Following any seizure, the Steward shall be notified promptly of such
25 seizure and shall have the right to request an informal hearing before a designated City official to

1 determine whether the seizure was proper. The Steward must request the hearing within 10 days of
2 receiving notice of the seizure. Any furniture seized pursuant to this Section shall be retained by the
3 City and may be recovered as provided herein.

4 Failure to provide any notice to a Steward pursuant to this section shall not give rise to any
5 claims or cause of action against the City; and

6 (6) Take any other enforcement action authorized by this Code that is
7 applicable to occupancy of the public right-of-way.

8 (b) **Rules and Regulations; Director's Orders.** The Director may adopt such orders,
9 rules, policies, procedures, regulations, rules, or standards as the Director considers
10 appropriate in order to:

11 (1) process, verify, and respond to complaints from the public concerning a
12 Curbside or Sidewalk ~~People Place Shared Space~~ in the Public Right of Way that is routed from the
13 311 Customer Relationship Management~~s~~ System, as described in Administrative Code
14 Section 94A.210(a);

15 (2) abate a violation of the terms and conditions of a Sidewalk, or Curbside, ~~or~~
16 Roadway Shared Space ~~Place~~ Permit or other requirements of Administrative Code Chapter 94A
17 that are within the jurisdiction of the Director; and

18 (3) identify specific violations that would be subject to the criminal citation
19 penalty authorized in subsection (a)(2) above.

20 (c) **Public Hearing.** In taking any of the above actions, the Director of Public Works
21 may hold a public hearing on the Steward's conduct. If a public hearing is held, the Director
22 shall follow either the notice and hearing procedures for Street Encroachment Permits set
23 forth in Section 786 *et seq.* of this Code or a codified notice and hearing procedure that is
24 more applicable to a ~~People for Places~~ Shared Spaces Permit.

25 **SEC. 793.56. FINANCIAL RECORDS.**

1 The Steward shall make its financial records related to the use of the *People Place*
2 Shared Space available to the Director of Public Works for inspection upon written request of
3 the Director.

4
5 Section 3. The Transportation Code is hereby amended by revising Sections 6.1, 6.2,
6 6.7, and 6.11, and adding new Section 6.16, to read as follows:

7 **SEC. 6.1. INTERDEPARTMENTAL STAFF COMMITTEE ON TRAFFIC AND**
8 **TRANSPORTATION (ISCOTT).**

9 There is hereby established a committee to be known as the Interdepartmental Staff
10 Committee on Traffic and Transportation (ISCOTT), consisting of the department or their
11 designated representatives from the following departments and agencies: Municipal
12 Transportation Agency, Planning, Public Works, Police, Fire, Public Health, and Entertainment
13 Commission. The Director of Transportation shall serve as Chair of ISCOTT. The Director of
14 Administrative Services of the City and County of San Francisco or ~~his or her~~ the Director's
15 designee shall review recycling plans submitted pursuant to Section 6.5 and recommend any
16 conditions to ISCOTT that should be imposed on any applicant. In exercising its powers
17 ISCOTT shall consult with any other City department or agency that could be affected by any
18 temporary use or occupancy of a public street. ISCOTT shall have the authority to take all
19 acts reasonably necessary for it to carry out any duties imposed upon it by law. Before acting
20 on any application for temporary use or occupancy of public streets, street fair or an athletic
21 event, ISCOTT shall conduct a public hearing at a publicly noticed time and place to be
22 determined by ISCOTT.

23 **SEC. 6.2. REQUEST FOR PERMISSION FOR TEMPORARY USE OR OCCUPANCY OF**
24 **PUBLIC STREETS; PROCEDURE.**

1 (a) Any person seeking permission for the temporary use or occupancy of a public
2 street within the City shall file an application with, and on a form provided by, the SFMTA, and
3 shall pay the filing fee established by the SFMTA Board of Directors.

4 (b) An application shall not be accepted or approved for a proposed temporary use
5 or occupancy scheduled to occur fewer than 30 calendar days after the application is
6 submitted to the Municipal Transportation Agency, except as follows in this subsection
7 (b) paragraph:

8 (1) An application for a proposed temporary use or occupancy scheduled to
9 occur fewer than 30 calendar days after the application date may be filed for emergency
10 consideration. The Director of Transportation shall consider the request if the applicant has
11 demonstrated that an extraordinary emergency exists that requires the closing of a street, and
12 provided that there is adequate time available for the Municipal Transportation Agency to
13 conduct the required public hearing and post notice of the scheduled hearing at least 72 hours
14 in advance of the hearing.

15 (2) The ~~Mayor's Film and Video Arts~~ Commission (~~the "Film Commission"~~), or
16 other successor commission or ~~division of the Mayor's~~ office, may file with the Director of
17 Transportation an application on behalf of a film or other video production company (which
18 company shall be responsible for the payment of all applicable fees) for a proposed temporary
19 use or occupancy scheduled to occur fewer than 30 calendar days after the application date,
20 provided that there is adequate time available for the Director of Transportation to conduct the
21 required public hearing and post notice of the scheduled hearing at least 72 hours in advance
22 of the hearing. The Film Commission (or the film company on whose behalf the application
23 was made) shall (A) notify residents, merchants and other occupants of the public street(s) to
24 be closed of the dates proposed for street closure, and (B) notify any and all affected City
25 departments, including the Police Department and the Department of Public Works.

1 (c) The completed application shall include, when applicable, maps and/or drawings
2 which identify the streets that would be affected, shall describe the scope and design of the
3 event, including illustrations of the location of staging, food booths, and seating, and shall
4 include a diagram of an emergency access plan. In addition, the Director of Transportation
5 may request such additional information as is necessary to allow ISCOTT to make an
6 informed evaluation of the proposed temporary use or street occupancy. In the case of "major
7 events," as defined in Section 6.3, applicants shall submit an emergency medical services
8 plan.

9 (d) Applicants shall be responsible for posting notice of the public hearing at least
10 seven calendar days prior to the hearing at which the application will be reviewed by ISCOTT.
11 Such notice shall include a description of the streets that would be affected and shall be
12 posted in the area of the proposed temporary use or street occupancy according to rules and
13 regulations prescribed by the Director of Transportation. The applicant shall submit a
14 declaration under penalty of perjury to the Director of Transportation attesting that the
15 required public notices have been posted.

16 (e) ISCOTT Review and Approval Process. In reviewing an application, ISCOTT
17 shall consider the impact of the temporary use or occupancy of public streets on the traffic,
18 security, health, and safety of the public; determine the traffic, security, health, and safety
19 requirements of the proposed temporary use or occupancy; and evaluate the measures
20 proposed by the applicant to satisfy those requirements. For major events, ISCOTT shall
21 forward the applicant's proposed emergency medical services plan to the Director of
22 Emergency Medical Services and Emergency Operations Section (EMSEO). ISCOTT shall
23 consider the recommendations of EMSEO regarding the proposed emergency medical
24 services plan. It shall be the duty of ISCOTT to also consider the following:
25

1 (1) Demonstrated ability of the applicant to comply with requirements
2 necessary to protect the safety, health, and welfare of the public, including compliance with
3 the requirements of San Francisco Health Code Article 19L, "Prohibiting Smoking at Certain
4 Outdoor Events," unless those requirements are waived pursuant to Section 1621.5(e) of the
5 Police Code.

6 (2) Duration of the temporary use or street occupancy and the City's ability to
7 accommodate such use or occupancy with the necessary resources.

8 (3) Overextension of the City's resources because of previously approved
9 temporary use or occupancy of public streets or other activities that could cause scheduling
10 conflicts during the same period.

11 (4) The availability of an appropriate emergency access plan.

12 (5) The number of major events (as defined in Section 6.3 below) scheduled
13 during the period for which the applicant seeks a permit, the nature and location of the major
14 events, and the demand these major events will have on the City's resources, including its
15 police, emergency and sanitation personnel. In considering the major events for which
16 applications have been filed and/or approved. ISCOTT should give priority based on the
17 chronological order in which the applications are received, and applicants denied permission
18 on the basis that there are too many major events already approved or pending for approval
19 shall be offered alternative dates by ISCOTT. Notwithstanding this provision, ISCOTT may, in
20 its discretion, grant preference to recurring events traditionally or historically associated with a
21 particular day or dates, provided that other applications, once approved, cannot be revoked
22 because of the subsequent filing of an application for a permit for an event traditionally or
23 historically associated with a particular day or dates.

24 (6) If the application is related to a filming project to be conducted by the
25 applicant, ISCOTT shall notify the Film Commission (or other successor commission or

1 division of the Mayor's office) and shall consider such conditions and criteria as the Film
2 Commission shall attach to the application.

3 (f) ISCOTT may impose additional requirements or conditions it deems necessary
4 to protect the public interest by ensuring traffic management, security of property and health
5 and safety of citizens. At the time ISCOTT reviews the application, it shall also determine the
6 necessity of and the total estimated actual costs incurred by the Municipal Transportation
7 Agency for any adjustments to transit operations required to implement the street closure ~~to run motor~~
8 ~~coaches to accommodate the rerouting of electrically powered transit vehicles because of restrictions~~
9 ~~that are imposed by the temporary street closing. The applicant shall pay a fee to the SFMTA based on~~
10 ~~the number of electrically powered vehicle hours per line affected. For purposes of this provision,~~
11 ~~"vehicle hour" shall mean the number of hours each coach on a line is in operation during the day of~~
12 ~~the street closing. If the application is approved, ISCOTT shall transmit to the applicant an invoice for~~
13 ~~the fee. If the application is approved, ISCOTT shall transmit to the applicant an invoice reflecting the~~
14 cost for making any adjustments to transit operations. The applicant shall make full payment of the
15 fee no later than five days prior to the date of the street closing, or in accordance with a
16 schedule agreed to by the Director of Transportation. ISCOTT shall not disapprove any
17 application for a temporary use or occupancy of public streets because of the applicant's
18 political, religious, or cultural orientation.

19 (g) ISCOTT shall take action to approve or disapprove an application within 30 days
20 of receipt of a complete application. Notice of ISCOTT's action of approval or disapproval
21 shall be submitted to the Chief of Police; the Fire Chief; the Director of Public Health; the
22 Director of Public Works; and the Executive Director of the Entertainment Commission, and
23 be maintained as a matter of record. For major events, notice of ISCOTT's action of approval
24 or disapproval shall also be submitted to the Director of EMSEO.

1 (h) Appeals Process. Should the application be disapproved by ISCOTT, the
2 applicant may first appeal the decision to the Director of Transportation if the application was
3 filed at least 30 days prior to the date of the proposed temporary use or occupancy. Such
4 appeal shall be made by filing the appeal with the Director of Transportation on a form
5 provided by the Municipal Transportation Agency within five working days of disapproval.
6 Upon receipt, the Director of Transportation shall set a time and place for hearing such
7 appeal. In considering the appeal the Director of Transportation shall conduct a public hearing
8 for which notice shall be posted at least 72 hours in advance of the hearing at the Municipal
9 Transportation Agency, at the main library, and at the Office of the Clerk of the Board of
10 Supervisors.

11 (i) At the appeal hearing, the appellant and members of ISCOTT shall have an
12 opportunity to present oral testimony and written materials in support of their positions. The
13 Director of Transportation shall consider the same criteria as set forth in Section 6.2(e). Upon
14 hearing the appeal, and after any further investigation by the Director of Transportation, the
15 Director of Transportation may affirm, reverse, or modify the ISCOTT decision. Notice of the
16 Director of Transportation's action of approval or disapproval shall be submitted to the Chief of
17 Police, the Fire Chief, the Director of Public Health, the Director of Public Works, and the
18 Executive Director of the Entertainment Commission and shall be maintained as a matter of
19 record.

20 (j) If the Director of Transportation denies the application after the appeal described
21 in the preceding subsection (j)~~paragraph~~, the applicant may then appeal the decision to the
22 Board of Supervisors. Such appeal shall be made by filing the appeal with the Clerk of the
23 Board, on a form provided by the Clerk, within five working days of the Director of
24 Transportation's disapproval. The Board may establish a fee to be imposed upon the filing of
25 any such appeal. Upon receipt, the Clerk shall set a time and place for hearing such appeal

1 by the Board of Supervisors, which hearing shall be at the Board's next regular meeting,
2 provided that all applicable public notice requirements are satisfied. The Board shall conduct
3 the hearing according to the same standards of review as set forth in Section 6.2(e). Upon
4 hearing the appeal, and after any further investigation that the Board may request, the Board
5 may affirm, reverse or modify the Director of Transportation's decision. The decision of the
6 Board regarding the appeal shall be final. The Clerk of the Board shall transmit copies of any
7 legislation approving a temporary street closing to the Director of Public Works, Chief of
8 Police, the Fire Chief, the Superintendent of Emergency Hospital Service of the Department of
9 Public Health, the Executive Director of the Entertainment Commission, and ~~to~~ the Director of
10 Transportation. For major events, the Clerk shall transmit copies of any legislation approving a
11 temporary street closing to the Director of EMSEO.

12 (k) Any permission for the temporary use ~~of~~or occupancy of a public street
13 authorized pursuant to these provisions shall be subject to the conditions set forth in Sections
14 6.7 and 6.8.

15 (l) Late Application. Should the applicant file an application for a proposed
16 temporary use or occupancy fewer than 30 days prior to the date of the proposed use or
17 occupancy, and not far enough in advance of the proposed use or occupancy to allow
18 ISCOTT to consider the application at a regularly scheduled meeting of ISCOTT, then the
19 Director of Transportation shall have the responsibility and duty to consider and approve or
20 disapprove the application after consulting with the members of ISCOTT. The Director of
21 Transportation shall conduct a public hearing for which notice shall be posted at least 24
22 hours in advance of the hearing at the Municipal Transportation Agency, the main library, and
23 at the Office of the Clerk of ~~T~~the Board of Supervisors. At the hearing, the applicant and
24 interested persons shall have an opportunity to present oral testimony and written materials in
25 support of their position. The Director of Transportation shall conduct the hearing according to

1 the same standards of review as set forth in Section 6.2(e) hereof. Notice of the Director of
2 Transportation's action of approval or disapproval shall be submitted to the Chief of Police,
3 the Chief of the Fire Department, the Director of Public Health, the Director of Public Works,
4 and the Executive Director of the Entertainment Commission, and shall be maintained as a
5 matter of record. In the event the Director of Transportation disapproves the application, the
6 applicant shall have the right to appeal the Director of Transportation's decision to the Board
7 of Supervisors in accordance with the same terms and conditions as set forth in Section
8 6.2(e).

9 **SEC. 6.7. CONDITIONS.**

10 Any permission for the temporary use or occupancy of a public street authorized by the
11 City shall be subject to the following conditions:

12 (a) The temporary use or occupancy of a public street shall not unnecessarily
13 obstruct or bar public access onto said street. Sidewalks shall remain open at all times for
14 pedestrian use unless closure of the sidewalk is provided for by resolution of the Board of
15 Supervisors explaining the reason for such closure.

16 (b) No object of any nature shall be placed or maintained within 15 feet of any fire
17 hydrant or within five feet of any fire alarm box or police call box.

18 (c) No object of any nature shall be placed or maintained within any intersection or
19 pedestrian crosswalk, nor shall any vehicle be permitted to be Parked in such areas.

20 (d) A continuous passageway in the roadway for the use of emergency vehicles shall be
21 maintained as determined by the Fire Department at least 14 feet in width shall be maintained at all
22 times during the period of such use or occupancy for the use of emergency vehicles.

23 (e) No object of any nature shall be fastened to or erected over the surface of the
24 street or sidewalk, and no object shall be affixed to any pole or standard upon any street or
25 sidewalk, without prior written consent of the Director of Public Works.

1 (f) Painting upon any street or sidewalk surface shall be permitted only if a
2 washable paint is used.

3 (g) Adequate illumination of the area shall be maintained at all times such
4 illumination is appropriate.

5 (h) Official traffic-control devices and traffic signal controllers shall not be covered or
6 blocked at any time during the period of such use or occupancy.

7 (i) Street barricades determined by the ~~Police Department as being necessary to~~
8 ~~protect the public's safety shall be delivered by the Police Department or the department's~~
9 ~~designee; Municipal Transportation Agency~~ shall be maintained in said locations at all times
10 during the period of such use or occupancy by the permittee; and shall be ~~collected by the~~
11 ~~Police Department or the department's designee~~ removed promptly by the permittee upon termination
12 of the period of said use or occupancy.

13 (j) All manhole covers and valve box covers shall be kept clear of any fixed object.

14 (k) All streets and sidewalks within the area for which such permission is granted
15 shall be kept clean and free from dirt and debris at all times during the period of such
16 temporary use or occupancy, and all materials and equipment used in connection with said
17 temporary use and occupancy shall be removed from the area within 24 hours of the
18 termination of the period of such use or occupancy. The Director of Public Works shall report
19 any violations of this subsection to the Board of Supervisors.

20 (l) Applicants for permission to hold a street fair on a predominantly commercial
21 street shall comply with the following requirements for insurance coverage. For purposes of
22 this ~~subsection (l)~~, a "predominantly commercial street" shall mean a street block on which at
23 least 50% percent of front footage of private property on the ground floor of the street is used
24 for commercial purposes. A street block shall be measured from street intersection to street
25 intersection, but shall not include any alley intersection.

1 (1) Applicants shall maintain in force, during the full term of the permit,
2 insurance as follows:

3 (A) General Liability Insurance with limits not less than \$500,000 each
4 occurrence Combined Single Limit Bodily Injury and Property Damage, including Contractual
5 Liability, Personal Injury, Broadform Property Damage, Products and Completed Operations
6 Coverages;

7 (B) If any vehicles will be operated by the applicant in connection with
8 street fair activities under the permit, Automobile Liability Insurance with limits not less than
9 \$500,000 each occurrence Combined Single Limit Bodily Injury and Property Damage,
10 including owned, non-owned and hired auto coverages, as applicable; and

11 (C) If the applicant has employees, Workers' Compensation with
12 Employers' Liability limits not less than \$500,000 each accident.

13 (2) General Liability and Automobile Liability Insurance policies shall be
14 endorsed to provide the following:

15 (A) Name as additional insureds the City and County of San
16 Francisco, its officers, agents and employees;

17 (B) That such policies are primary insurance to any other insurance
18 available to the Additional Insureds with respect to any claims arising out of activities under
19 the permit, and that insurance applies separately to each insured against whom claim is made
20 or suit is brought.

21 (3) Certificates of insurance, in format and with insurers satisfactory to the
22 City evidencing all applicable coverages shall be furnished to the City not less than 10
23 working days prior to the date of the event and before commencing any operations under the
24 permit, with complete copies of policies to be furnished to the City upon request.
25

1 (4) The insurance requirement of this ~~§~~subsection (l) shall be waived by the
2 Board of Supervisors if the applicant certifies in writing that (A) the purpose of the street fair is
3 First Amendment expression and ~~that~~ (B) the cost of obtaining insurance is so financially
4 burdensome that it would constitute an unreasonable prior restraint on the right of First
5 Amendment expression, or that it has been impossible for the applicant to obtain insurance
6 coverage.

7 (m) Signs shall be posted pursuant to ~~San Francisco~~ Health Code Sections 265
8 through 265.3 wherever alcohol is offered for sale.

9 (n) All applicants shall comply with the requirements of ~~San Francisco~~ Health Code
10 Article 19L, "Prohibiting Smoking at Certain Outdoor Events."

11 (o) Such further conditions as may be imposed by the Department of Public Works
12 after inspection of the area involved.

13 **SEC. 6.11. ATHLETIC EVENTS; DESIGNATION OF ROUTES.**

14 (a) The increasing number of athletic events being held on City streets places a
15 significant burden on the City and its inhabitants. Athletic events provide entertainment and
16 recreation for San Franciscans and people throughout the Bay Area, as well as promoting and
17 supporting tourism in the City. But closing off several major streets at the same time to
18 accommodate a race often causes hardship in the daily lives of local residents, widespread
19 disruption of public transit service, increased litter on public streets and sidewalks, and
20 potential interference with emergency services. By adopting sections 6.10-6.14~~this ordinance~~,
21 the Board of Supervisors intends to reconcile the City's interest in promoting athletic events
22 with the right of its citizens to the quiet enjoyment of their own neighborhoods.

23 (b) Athletic events requiring temporary street closings shall be limited in location to
24 routes previously designated as appropriate by the Board of Supervisors. These routes shall
25 be drawn up by ISCOTT and approved by resolution of the Board of Supervisors. In

1 designating these routes, ISCOTT and the Board shall consider the effect of the designation
2 upon: Local traffic patterns; Municipal Railway routes; the ability of the Police Department and
3 the Department of Public Works to provide special services to the event; the safe and efficient
4 delivery of police, fire and emergency medical services to the affected neighborhoods; the
5 safety of participants in the event; and, the rights of participants, residents and local
6 businesses to the reasonable use and enjoyment of City streets.

7 (c) Any person seeking permission to conduct an athletic event as defined in
8 Section 96.10 shall file an application. The filing of an application and its processing shall be
9 governed by the same processes, application fees, appellate procedures, Municipal Railway
10 fees, and other requirements contained in Section 96.2, which sets forth the procedures for
11 requesting permission for temporary use or occupancy of public streets. A street closing for an
12 athletic event shall be restricted to those routes designated pursuant to this Section. The
13 applicant may, as part of the application, request a waiver of this restriction. In considering a
14 request for a waiver, the City may take into account the extent to which the event has been
15 held along a particular route prior to the application date if that same route has been in use
16 continuously for a period of three or more years. An applicant's request for a waiver shall be
17 granted to the extent that a change of route is required by the Police Department for reasons
18 of public safety.

19 **SEC. 6.16. TEMPORARY STREET CLOSURES FOR ROADWAY SHARED SPACE**
20 **ACTIVITIES.**

21 (a) **Definitions.** *For the purposes of this Section 6.16, the following definitions shall apply:*
22 (1) **“Roadway Shared Space Activities” means permitted activities that are**
23 **authorized under the Shared Spaces Program set forth in Administrative Code Chapter 94A which**
24 **occur in the Traffic Lane, do not significantly interfere or delay a public transit service, and generally**
25

1 do not exceed ten consecutive hours per day over four consecutive days per week over a total period of
2 time of not more than two years.

3 (2) “Traffic Lane” means the portion of the Street that has been dedicated for the
4 movement of motor vehicles exclusive of transit platforms and traffic islands.

5 (b) ISCOTT is authorized to issue permits for the Temporary Closure, as defined in Division
6 II, and occupancy of the Traffic Lane of a Street, including Roadway Shared Space permits pursuant to
7 the Shared Spaces Program as set forth in Administrative Code Chapter 94A, under the jurisdiction of
8 the Municipal Transportation Agency, provided that the Municipal Transportation Board of Directors
9 authorizes ISCOTT to issue such permits. Any permit issued by ISCOTT shall be limited to a period of
10 one-year or less. ISCOTT may renew any such permit for up to one additional year for a maximum
11 period of two consecutive years for the Temporary Closure.

12 (c) Any person seeking permission for the temporary use or occupancy of the Traffic Lane
13 shall file an application and follow all of the procedures set forth in Section 6.2, except for subsection
14 (b)(2) and (e)(6), and Section 6.5.

15 (d) Notwithstanding any other provision of Section 6.2, ISCOTT shall review an application
16 for a Roadway Shared Space permit and shall issue any approval within 30 days of receipt of the
17 application, for projects that are not located on Municipal Railway or other public transit lines. For
18 permitted locations that are located on Municipal Railway or other public transit lines, approval may
19 take longer than 30 days after receipt of an application.

20 (e) In determining whether to issue a permit, ISCOTT shall follow the procedures set forth
21 in Sections 6.2 and 6.7 and all of the requirements and conditions set forth in those sections shall apply
22 notwithstanding Section 6.8. In addition to the street barricade requirement set forth in Section 6.7(i),
23 any barricades required by the Municipal Transportation Agency shall be provided by that agency. If
24 ISCOTT decides not to temporarily close the Traffic Lane, neither Public Works nor any other City
25 agency shall have the authority to issue a permit for occupancy of the Traffic Lane.

1 (f) Upon the expiration of any Roadway Shared Space permits under the Shared Spaces
2 Program, ISCOTT's approval to temporarily close the Traffic Lane shall immediately expire and the
3 closed portion of the Street shall be reopened immediately. Upon revocation of any Roadway Shared
4 Space permit, the closed portion of the Street shall be reopened after fourteen days notice has been
5 given by the City, or sooner if the Director determines that the closure is resulting in an immediate
6 threat to the public health, safety, or welfare. If the closed portion of the Street is not reopened within
7 the time set by the Director, the Roadway Shared Space permittee shall be subject to fines and
8 administrative penalties as provided under Administrative Code Chapter 94A.

9 (g) The SFMTA may charge a fee to reimburse the agency for costs associated with the closure
10 of a Traffic Lane. The amount of this fee shall be the same amount as set forth in Table 902(b) for
11 "Community Events" in Division II of the Transportation Code depending on the date an application is
12 submitted.

13
14 Section 4. Article 7 of Division 1 of the Transportation Code is hereby amended by
15 adding Section 7.2.55, to read as follows:

16 **SEC. 7.2. INFRACTIONS.**

17 In addition to public offenses created by the Vehicle Code, the actions listed in this
18 Section 7.2 are prohibited, and each and every violation of a prohibition listed below shall be
19 an infraction, except as otherwise provided in: (a) this Code; or (b) the Vehicle Code; or (c) as
20 necessary to comply with the direction of a Police Officer or Parking Control Officer; or (d) with
21 respect to a Municipal Parking Facility, upon the direction of an authorized parking attendant;
22 or (e) with respect to any other Public Property, except with the permission of, and subject to
23 such conditions and regulations as are imposed by the agency that owns the property that are
24 available for public inspection at the agency's offices.

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2 To Park in a zone on any street, alley or portion of a street or alley that is subject to a posted
3 Parking prohibition except for the purpose of loading or unloading passengers or freight.

5 Section 5. Effective Date. This ordinance shall become effective 30 days after
6 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
7 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
8 of Supervisors overrides the Mayor's veto of the ordinance.

Section 6. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the “Note” that appears under the official title of the ordinance.

7 APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

9 By: /s/
AUSTIN M. YANG
10 Deputy City Attorney

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SAN FRANCISCO PLANNING COMMISSION



Notice of Hearing & Agenda

Remote Hearing
via video and teleconferencing

**Thursday, April 22, 2021
1:00 p.m.
Regular Meeting**

Commissioners:

Joel Koppel, President
Kathrin Moore, Vice President
Deland Chan, Sue Diamond, Frank Fung,
Theresa Imperial, Rachael Tanner

Commission Secretary:

Jonas P. Ionin

Hearing Materials are available at:

Website: <http://www.sfplanning.org>
Planning Department
49 South Van Ness, Ste 1400
San Francisco, CA 94103

Commission Hearing Broadcasts:

Live stream: <https://sfgovtv.org/planning>
Live, Thursdays at 1:00 p.m., Cable Channel 78
Re-broadcast, Fridays at 8:00 p.m., Cable Channel 26

Disability and language accommodations available upon request to:
commissions.secretary@sfgov.org or (628) 652-7589 at least 48 hours in advance.

Ramaytush Ohlone Acknowledgement

The Planning Commission acknowledges that we are on the unceded ancestral homeland of the Ramaytush Ohlone, who are the original inhabitants of the San Francisco Peninsula. As the indigenous stewards of this land and in accordance with their traditions, the Ramaytush Ohlone have never ceded, lost, nor forgotten their responsibilities as the caretakers of this place, as well as for all peoples who reside in their traditional territory. As guests, we recognize that we benefit from living and working on their traditional homeland. We wish to pay our respects by acknowledging the Ancestors, Elders, and Relatives of the Ramaytush Ohlone community and by affirming their sovereign rights as First Peoples.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 409; phone (415) 554-7724; fax (415) 554-7854; or e-mail at sotf@sfgov.org. Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Library and on the City's website at www.sfbos.org/sunshine.

Privacy Policy

Personal information that is provided in communications to the Planning Department is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted.

Members of the public are not required to provide personal identifying information when they communicate with the Planning Department and its commissions. All written or oral communications that members of the public submit to the Department regarding projects or hearings will be made available to all members of the public for inspection and copying. The Department does not redact any information from these submissions. This means that personal information including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Department and its commissions may appear on the Department's website or in other public documents that members of the public may inspect or copy.

Accessible Meeting Information

Commission hearings are held in Room 400 at City Hall, 1 Dr. Carlton B. Goodlett Place in San Francisco. City Hall is open to the public Monday through Friday from 8:00 a.m. to 8:00 p.m. and is accessible to persons using wheelchairs and other assistive mobility devices. Ramps are available at the Grove, Van Ness and McAllister entrances. A wheelchair lift is available at the Polk Street entrance.

Transit: The nearest accessible BART station is Civic Center. Accessible MUNI Metro lines are the F, J, K, L, M, N, T (exit at Civic Center or Van Ness stations). MUNI bus routes also serving the area are the 5, 6, 9, 19, 21, 47, 49, 71, and 71L. For more information regarding MUNI accessible services, call (415) 701-4485 or call 311.

Parking: Accessible parking is available at the Civic Center Underground Parking Garage (McAllister and Polk), and at the Performing Arts Parking Garage (Grove and Franklin). Accessible curbside parking spaces are located all around City Hall.

Disability Accommodations: To request assistive listening devices, real time captioning, sign language interpreters, readers, large print agendas or other accommodations, please contact the Commission Secretary at (628) 652-7589, or commissions.secretary@sfgov.org at least 72 hours in advance of the hearing to help ensure availability.

Language Assistance: To request an interpreter for a specific item during the hearing, please contact the Commission Secretary at (628) 652-7589, or commissions.secretary@sfgov.org at least 48 hours in advance of the hearing.

Allergies: In order to assist the City in accommodating persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, please refrain from wearing scented products (e.g. perfume and scented lotions) to Commission hearings.

SPANISH: Agenda para la Comisión de Planificación. Si desea asistir a la audiencia, y quisiera obtener información en Español o solicitar un aparato para asistencia auditiva, llame al (628) 652-7589. Por favor llame por lo menos 48 horas de anticipación a la audiencia.

CHINESE: 規劃委員會議程。聽證會上如需要語言協助或要求輔助設備，請致電(628) 652-7589。請在聽證會舉行之前的至少48個小時提出要求。

FILIPINO: Adyenda ng Komisyon ng Pagpapalano. Para sa tulong sa lengguwahe o para humiling ng Pantulong na Kagamitan para sa Pagdinig (headset), mangyari lamang na tumawag sa (628) 652-7589. Mangyaring tumawag nang maaga (kung maaari ay 48 oras) bago sa araw ng Pagdinig.

RUSSIAN: Повестка дня Комиссии по планированию. За помощью переводчика или за вспомогательным слуховым устройством на время слушаний обращайтесь по номеру (628) 652-7589. Запросы должны делаться минимум за 48 часов до начала слушания.

Remote Access to Information and Participation

In accordance with Governor Newsom's statewide order for all residents to Shelter-in-place - and the numerous preceding local and state proclamations, orders and supplemental directions - aggressive directives have been issued to slow down and reduce the spread of the COVID-19 virus.

On April 3, 2020, the Planning Commission was authorized to resume their hearing schedule through the duration of the shelter-in-place remotely. Therefore, the Planning Commission meetings will be held via videoconferencing and allow for remote public comment. The Commission strongly encourages interested parties to submit their comments in writing, in advance of the hearing to commissions.secretary@sfgov.org. Visit the SFGovTV website (<https://sfgovtv.org/planning>) to stream the live meetings or watch on a local television station.

Public Comment call-in: (415) 655-0001 / Access code: 187744 4056

The public comment call-in line number will also be provided on the Department's webpage www.sfplanning.org and during the live SFGovTV broadcast.

As the COVID-19 emergency progresses, please visit the Planning website regularly to be updated on the current situation as it affects the hearing process and the Planning Commission.

ROLL CALL:

President: Joel Koppel
Vice-President: Kathrin Moore
Commissioners: Deland Chan, Sue Diamond, Frank Fung,
Theresa Imperial, Rachael Tanner

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

1. 2019-022661CUA (C. FEENEY: (628) 652- 7313)
628 SHOTWELL STREET – west side of Shotwell Street between 20th and 21st Street, Lot 026 of Assessor's Block 3611 (District 9) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 209.1 and 303 and Board of Supervisors File No. 210157 to allow the change in use of a Residential Care Facility to two dwelling units within a RH-3 (Residential-House Three-Family) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04](#)(h).
Preliminary Recommendation: Approve with Conditions
(Continued from Regular hearing on March 18, 2021)
(Proposed for Continuance to May 20, 2021)

B. CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Planning Commission, and may be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission, the public, or staff so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item at this or a future hearing

2. [2018-007267OFA-02](#) (J. VIMR: (628) 652-7319)
865 MARKET STREET – southeast corner of Market Street and Fifth Street, Lot 042 on Assessor's Block 3705 (District 6) – Request for the extension of an **Office Development Authorization**, pursuant to Planning Code Sections 321 and 322, to authorize up to 49,999 square feet from Office Development Annual Limit. The proposed extension is for an additional two years to the previously approved Office Development Authorization, and contemporaneous extension of the building/site permit performance period. The subject property is located within a C-3-R (Downtown Retail) Zoning District and the 120-X/160-S Height and Bulk District.
Preliminary Recommendation: Approve with Conditions

C. COMMISSION MATTERS

3. Commission Comments/Questions
 - Inquiries/Announcements. Without discussion, at this time Commissioners may make announcements or inquiries of staff regarding various matters of interest to the Commissioner(s).

- Future Meetings/Agendas. At this time, the Commission may discuss and take action to set the date of a Special Meeting and/or determine those items that could be placed on the agenda of the next meeting and other future meetings of the Planning Commission.

D. DEPARTMENT MATTERS

4. Director's Announcements
5. Review of Past Events at the Board of Supervisors, Board of Appeals and Historic Preservation Commission

E. GENERAL PUBLIC COMMENT

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes. When the number of speakers exceed the 15-minute limit, General Public Comment may be moved to the end of the Agenda.

F. REGULAR CALENDAR

The Commission Hearing Procedures provide for presentations by staff; followed by the project sponsor team; followed by public comment for and against the proposal. Please be advised that the project sponsor team includes: the sponsor(s) or their designee, lawyers, architects, engineers, expeditors, and/or other advisors.

6. [2018-004047CWP-02](#) (M. LITTLEFIELD: (628) 652-7435)
HOUSING INVENTORY REPORT, HOUSING BALANCE REPORT, AND UPDATE ON MONITORING REPORTS – Informational Presentation – Staff will present the 2020 Housing Inventory, which describes San Francisco's housing production trends on new housing construction, demolitions and alterations as well as progress on meeting the City's regional housing needs allocation (RHNA) for different income levels. Findings of the State-mandated annual Housing Element Progress Report on how housing production trends advance the Housing Element's policies and goals will also be presented. Housing Balance Report Nos. 11 and 12, which cover the ten-year period from July 1, 2010 through June 30, 2020, and January 1, 2011 through December 31, 2020, respectively, will also be presented. The Housing Balance Report monitors the housing balance between market rate and new affordable housing production. An update will also be provided on the estimated completion of various monitoring reports.
Preliminary Recommendation: None – Informational
7. [2019-016230CWP](#) (K. HADDADAN: (628) 652-7436)
HOUSING ELEMENT 2022 UPDATE – Informational Presentation – The Planning Department is launching the Phase II of outreach and engagement for the Housing Element of the General Plan. This update is San Francisco's first housing plan, centered in racial and social equity. The update is due late 2022 and will include policies and programs that express the city's collective vision and values for the future of housing in San

Francisco. This plan will identify priorities for decision makers, guide resource allocation for housing programs and services, and define how and where the city should create new homes for San Franciscans, or those who want to call this city home. This plan will need to accommodate the creation of 82,000 units by 2031, a target set by State and Regional Agencies that has been tripled compared to the city's current targets.

Preliminary Recommendation: None – Informational

8. [2021-003010PRJ](#) (R. ABAD: (628) 652-7456)
TRANSITIONING THE SHARED SPACES TO A PERMANENT CITY PROGRAM – Informational Presentation – The Shared Spaces Program has been a critical part of the City's crisis response strategy to sustain the locally owned small business sector in San Francisco. In addition to stabilizing neighborhood commercial corridors, merchants, and jobs, the Program has contributed positively to walkability, social and psychological wellbeing during the COVID-19 pandemic. Due to widespread success throughout the City's neighborhoods, on Friday, March 12, Mayor Breed announced legislation to transition Shared Spaces from an emergency response into a permanent program through and after the pandemic. The legislation was officially introduced on Tuesday, March 16. The permanent version of the program will carry forward the streamlined permit process; encourage arts and culture; and better balance commercial activities with public space and transportation demands of the recovering economy.
Preliminary Recommendation: None – Informational
9. [2021-002933PCA](#) (S. NICKOLOPOULOS: (628) 652-7442)
SIMPLIFY RESTRICTIONS ON SMALL BUSINESSES [BOARD FILE NO. 210285] – Adoption of Planning Code Amendments to 1) delete separate definitions of "Cat Boarding," "Gym," "Trade Shop," and "Services, Instructional"; 2) allow permitted conditional uses to continue after three years of abandonment; 3) allow the continuation of longstanding places of entertainment without requiring a permit; 4) allow outdoor activity areas on rooftops; 5) temporarily require a conditional use authorization for uses replacing Nighttime Entertainment uses; 6) allow accessory Catering uses in Restaurants; 7) allow accessory dwelling units on the ground floor in Neighborhood Commercial, Chinatown Business, and Chinatown Visitor districts; 8) allow temporary outdoor entertainment, arts and recreation activities; 9) delete certain conditional use finding requirements for nighttime entertainment use; 10) delete conditional use findings related to formula retail concentrations in certain districts; 11) require expedited permit processing for commercial uses on the ground floor; 12) shorten the time for the Historic Preservation Commission to request review of Minor Alteration Permits and Certificates Of Appropriateness, affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.
Preliminary Recommendation: Approve with Modifications
10. [2019-006114PRJ](#) (M. CHRISTENSEN: (628) 652-7567)
300 5TH STREET – southwest corner of Folsom and 5th Streets; Lot 001 in Assessor's Block 3753 (District 6) – An **Informational Hearing** on the new construction of a 160' tall, 16-story residential building (measuring 112,219 gross square feet) with 130 dwelling units, 108 Class One bicycle parking spaces, and zero off-street auto parking spaces. The Project is requesting approval through the ministerial review process provided under the Central

SOMA Housing Sustainability District (Planning Code Section 343). The site is located within a MUR (Mixed Use Residential) Zoning District, Central SoMa Special Use District (SUD), SOMA Youth and Family SUD, and 85-X Height and Bulk District.

Preliminary Recommendation: None – Informational

11. [2013.0614ENX-02](#) (M. CHRISTENSEN: (628) 652-7567)
[600 SOUTH VAN NESS](#) – southeast corner of South Van Ness Avenue at 17th Street; Lots 139-168 of Assessor's Block 3575 (District 9) – Request for **Large Project Authorization**, pursuant to Planning Code Sections 329 and 843, for a Project which requests to amend Condition of Approval Numbers 22-27 of Planning Commission Motion No. 19378 to authorize the recently-constructed five-story, 27-unit residential project to comply with the inclusionary housing requirements of Planning Code Section 415 through the payment of an in-lieu fee rather than by providing four on-site Below Market Rate units. The Project Site is located within a UMU (Urban Mixed Use) Zoning District and 58-X Height and Bulk District. On April 9, 2015 the originally approved project received a Community Plan Evaluation and was deemed exempt from CEQA (case number 2013.0614ENV). The proposed project change does not result in a physical change to the environment and the original exemption applies.
Preliminary Recommendation: Approve with Conditions
(Continued from Regular hearing on April 1, 2021)
12. [2020-003042AHB](#) (C. FEENEY: (628) 652-7313)
[4712-4720 3RD STREET](#) – west side of Third Street between Newcomb and Oakdale Avenues, Lot 035 of Assessor's Block 5311 (District 10) – Request for a HOME-SF Project Authorization pursuant to Planning Code Section 206.3, 328, and 737 to allow modifications from the rear yard requirement of Planning Code Section 134 and construct a four-story, 40-foot tall residential building (measuring 18,348 gross square feet (GSF)) with 21 dwelling units and a ground floor commercial space (measuring approximately 760 square feet (SF)), within the Bayview Neighborhood Commercial District Zoning District, Third Street Special Use District, and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04](#)(h).
Preliminary Recommendation: Approve with Conditions
(Continued from Regular hearing on March 18, 2021)
13. [2020-010729CUA](#) (V. PAGE: (628) 652-7396)
[1215 29TH AVENUE](#) – west side of 29th Avenue between Lincoln Way and Irving Street, Lot 002 of Assessor's Block 1721 (District 4) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 303 and 317, to remove two Unauthorized Dwelling Units from the ground floor of an existing three-story, single-family residence. The two Unauthorized Dwelling Units have a path to legalization under the Planning Code and are currently subject to the Rent Stabilization and Arbitration Ordinance. Both Unauthorized Dwelling Units are currently occupied by tenants. The Project was filed in response to the Board of Appeals' Notice of Decision and Order for Appeal No. 20-027 (Planning Enforcement Case No. 2018-008429ENF). The Project Site is located within a RH-1(D) (Residential, House, One Family, Detached) Zoning District and 40-X height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04](#)(h).
Preliminary Recommendation: Disapprove

14. [2020-009148CUA](#) (M. CHRISTENSEN: (628) 652-7567)
353 DIVISADERO STREET – southwest corner of Divisadero and Oak Streets; Lot 001 in Assessor's Block 1218 (District 5) – Request for **Conditional Use Authorization**, pursuant to Planning Code Sections 202.2, 303, and 759, for a change of use from Restaurant to Cannabis Retail within the existing 1,300 square foot commercial space on the ground floor of the existing three-story mixed-use building. The Project does not propose an on-site smoking or vaporizing room. The site is located within the Divisadero Street NCT (Neighborhood Commercial Transit) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).
Preliminary Recommendation: Approve with Conditions

G. DISCRETIONARY REVIEW CALENDAR

The Commission Discretionary Review Hearing Procedures provide for presentations by staff; followed by the DR requestor team; followed by public comment opposed to the project; followed by the project sponsor team; followed by public comment in support of the project. Please be advised that the DR requestor and project sponsor teams include: the DR requestor and sponsor or their designee, lawyers, architects, engineers, expeditors, and/or other advisors.

15. [2020-006525DRP](#) (D. WINSLOW: (628) 652-7335)
1990 LOMBARD STREET – at Webster and Magnolia Streets; Lot 015 in Assessor's Block 0493 (District 2) – Request for **Discretionary Review** of Building Permit Application no. 2018.0327.4744 to convert the two upper floors of an existing office and commercial building to residential use (to a total of six units), including a new roof deck and stair penthouse to an existing three-story building within a NC-3 (Neighborhood Commercial, Moderate Scale) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).
Preliminary Recommendation: Do Not Take Discretionary Review and Approve
(Continued from Regular hearing on March 4, 2021)
16. [2020-002333DRP](#) (D. WINSLOW: (628) 652-7335)
2814 CLAY STREET – between Scott and Divisadero Streets; Lot 013 in Assessor's Block 1002 (District 2) – Request for **Discretionary Review** of Building Permit Application no. 2020.0203.3400 to construct a two-story horizontal rear addition to the existing two-unit, three-story over-basement building within a RH-2 (Residential House, Two-Family) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).
Preliminary Recommendation: Take Discretionary Review and Approve with Modifications
(Continued from Regular hearing on March 25, 2021)

ADJOURNMENT

Hearing Procedures

The Planning Commission holds public hearings regularly, on most Thursdays. The full hearing schedule for the calendar year and the Commission Rules & Regulations may be found online at: www.sfplanning.org.

Public Comments: Persons attending a hearing may comment on any scheduled item.

- ❖ When speaking before the Commission in City Hall, Room 400, please note the timer indicating how much time remains. Speakers will hear two alarms. The first soft sound indicates the speaker has 30 seconds remaining. The second louder sound indicates that the speaker's opportunity to address the Commission has ended.

Sound-Producing Devices Prohibited: The ringing of and use of mobile phones and other sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal of any person(s) responsible for the ringing or use of a mobile phone, pager, or other similar sound-producing electronic devices (*67A.1 Sunshine Ordinance: Prohibiting the use of cell phones, pagers and similar sound-producing electronic devices at and during public meetings*).

For most cases (CU's, PUD's, 309's, etc...) that are considered by the Planning Commission, after being introduced by the Commission Secretary, shall be considered by the Commission in the following order:

1. A thorough description of the issue(s) by the Director or a member of the staff.
2. A presentation of the proposal by the Project Sponsor(s) team (includes sponsor or their designee, lawyers, architects, engineers, expeditors, and/or other advisors) would be for a period not to exceed 10 minutes, unless a written request for extension not to exceed a total presentation time of 15 minutes is received at least 72 hours in advance of the hearing, through the Commission Secretary, and granted by the President or Chair.
3. A presentation of opposition to the proposal by organized opposition for a period not to exceed 10 minutes (or a period equal to that provided to the project sponsor team) with a minimum of three (3) speakers. The intent of the 10 min block of time provided to organized opposition is to reduce the number of overall speakers who are part of the organized opposition. The requestor should advise the group that the Commission would expect the organized presentation to represent their testimony, if granted. Organized opposition will be recognized only upon written application at least 72 hours in advance of the hearing, through the Commission Secretary, the President or Chair. Such application should identify the organization(s) and speakers.
4. **Public testimony from proponents of the proposal:** An individual may speak for a period not to exceed three (3) minutes.
5. **Public testimony from opponents of the proposal:** An individual may speak for a period not to exceed three (3) minutes.
6. Director's preliminary recommendation must be prepared in writing.
7. Action by the Commission on the matter before it.
8. In public hearings on Draft Environmental Impact Reports, all speakers will be limited to a period not to exceed three (3) minutes.
9. The President (or Acting Chair) may impose time limits on appearances by members of the public and may otherwise exercise his or her discretion on procedures for the conduct of public hearings.
10. Public comment portion of the hearing shall be closed and deliberation amongst the Commissioners shall be opened by the Chair;
11. A motion to approve; approve with conditions; approve with amendments and/or modifications; disapprove; or continue to another hearing date, if seconded, shall be voted on by the Commission.

Every Official Act taken by the Commission must be adopted by a majority vote of all members of the Commission, a minimum of four (4) votes. A failed motion results in the disapproval of the requested action, unless a subsequent motion is adopted. Any Procedural Matter, such as a continuance, may be adopted by a majority vote of members present, as long as the members present constitute a quorum (four (4) members of the Commission).

For Discretionary Review cases that are considered by the Planning Commission, after being introduced by the Commission Secretary, shall be considered by the Commission in the following order:

1. A thorough description of the issue by the Director or a member of the staff.
2. A presentation by the DR Requestor(s) team (includes Requestor(s) or their designee, lawyers, architects, engineers, expeditors, and/or other advisors) would be for a period not to exceed five (5) minutes for each requestor.
3. Testimony by members of the public in support of the DR would be up to three (3) minutes each.
4. A presentation by the Project Sponsor(s) team (includes Sponsor(s) or their designee, lawyers, architects, engineers, expeditors, and/or other advisors) would be for a period up to five (5) minutes, but could be extended for a period not to exceed 10 minutes if there are multiple DR requestors.

5. Testimony by members of the public in support of the project would be up to three (3) minutes each.
6. DR requestor(s) or their designees are given two (2) minutes for rebuttal.
7. Project sponsor(s) or their designees are given two (2) minutes for rebuttal.
8. The President (or Acting Chair) may impose time limits on appearances by members of the public and may otherwise exercise his or her discretion on procedures for the conduct of public hearings.

The Commission must Take DR in order to disapprove or modify a building permit application that is before them under Discretionary Review. A failed motion to Take DR results in a Project that is approved as proposed.

Hearing Materials

Advance Submissions: To allow Commissioners the opportunity to review material in advance of a hearing, materials must be received by the Planning Department eight (8) days prior to the scheduled public hearing. All submission packages must be delivered to 49 South Van Ness Ave, 14th Floor, by 5:00 p.m. and should include fifteen (15) hardcopies and a .pdf copy must be provided to the staff planner. Correspondence submitted to the Planning Commission after eight days in advance of a hearing must be received by the Commission Secretary no later than the close of business the day before a hearing for it to become a part of the public record for any public hearing.

Correspondence submitted to the Planning Commission on the same day, must be submitted at the hearing directly to the Planning Commission Secretary. Please provide ten (10) copies for distribution. Correspondence submitted in any other fashion on the same day may not become a part of the public record until the following hearing.

Correspondence sent directly to all members of the Commission, must include a copy to the Commission Secretary (commissions.secretary@sfgov.org) for it to become a part of the public record.

These submittal rules and deadlines shall be strictly enforced and no exceptions shall be made without a vote of the Commission.

Persons unable to attend a hearing may submit written comments regarding a scheduled item to: Planning Commission, 49 South Van Ness Ave, 14th Floor, San Francisco, CA 94103-2414. Written comments received by the close of the business day prior to the hearing will be brought to the attention of the Planning Commission and made part of the official record.

Appeals

The following is a summary of appeal rights associated with the various actions that may be taken at a Planning Commission hearing.

Case Type	Case Suffix	Appeal Period*	Appeal Body
Office Allocation	OFA (B)	15 calendar days	Board of Appeals**
Conditional Use Authorization and Planned Unit Development	CUA (C)	30 calendar days	Board of Supervisors
Building Permit Application (Discretionary Review)	DRP/DRM (D)	15 calendar days	Board of Appeals
EIR Certification	ENV (E)	30 calendar days	Board of Supervisors
Coastal Zone Permit	CTZ (P)	15 calendar days	Board of Appeals
Planning Code Amendments by Application	PCA (T)	30 calendar days	Board of Supervisors
Variance (Zoning Administrator action)	VAR (V)	10 calendar days	Board of Appeals
Large Project Authorization in Eastern Neighborhoods	LPA (X)	15 calendar days	Board of Appeals
Permit Review in C-3 Districts, Downtown Residential Districts	DNX (X)	15-calendar days	Board of Appeals
Zoning Map Change by Application	MAP (Z)	30 calendar days	Board of Supervisors

** Appeals of Planning Commission decisions on Building Permit Applications (Discretionary Review) must be made within 15 days of the date the building permit is issued/denied by the Department of Building Inspection (not from the date of the Planning Commission hearing). Appeals of Zoning Administrator decisions on Variances must be made within 10 days from the issuance of the decision letter.*

***An appeal of a Certificate of Appropriateness or Permit to Alter/Demolish may be made to the Board of Supervisors if the project requires Board of Supervisors approval or if the project is associated with a Conditional Use Authorization appeal. An appeal of an Office Allocation may be made to the Board of Supervisors if the project requires a Conditional Use Authorization.*

For more information regarding the Board of Appeals process, please contact the Board of Appeals at (415) 575-6880. For more information regarding the Board of Supervisors process, please contact the Clerk of the Board of Supervisors at (415) 554-5184 or board.of.supervisors@sfgov.org.

An appeal of the approval (or denial) of a **100% Affordable Housing Bonus Program application** may be made to the **Board of Supervisors within 30 calendar days** after the date of action by the Planning Commission pursuant to the provisions of Sections 328(g)(5) and 308.1(b). Appeals must be submitted in person at the Board's office at 1 Dr. Carlton B. Goodlett Place, Room 244. For further information about appeals to the Board of Supervisors, including current fees, contact the Clerk of the Board of Supervisors at (415) 554-5184.

An appeal of the approval (or denial) of a **building permit application** issued (or denied) pursuant to a 100% Affordable Housing Bonus Program application by the Planning Commission or the Board of Supervisors may be made to the **Board of Appeals within 15 calendar days** after the building permit is issued (or denied) by the Director of the Department of Building Inspection. Appeals must be submitted in person at the Board's office at 1650 Mission Street, 3rd Floor, Room 304. For further information about appeals to the Board of Appeals, including current fees, contact the Board of Appeals at (415) 575-6880.

Challenges

Pursuant to Government Code Section 65009, if you challenge, in court, (1) the adoption or amendment of a general plan, (2) the adoption or amendment of a zoning ordinance, (3) the adoption or amendment of any regulation attached to a specific plan, (4) the adoption, amendment or modification of a development agreement, or (5) the approval of a variance, conditional-use authorization, or any permit, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission, at, or prior to, the public hearing.

CEQA Appeal Rights under Chapter 31 of the San Francisco Administrative Code

If the Commission's action on a project constitutes the Approval Action for that project (as defined in S.F. Administrative Code Chapter 31, as amended, Board of Supervisors Ordinance Number 161-13), then the CEQA determination prepared in support of that Approval Action is thereafter subject to appeal within the time frame specified in S.F. Administrative Code Section 31.16. This appeal is separate from and in addition to an appeal of an action on a project. Typically, an appeal must be filed within 30 calendar days of the Approval Action for a project that has received an exemption or negative declaration pursuant to CEQA. For information on filing an appeal under Chapter 31, contact the Clerk of the Board of Supervisors at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102, or call (415) 554-5184. If the Department's Environmental Review Officer has deemed a project to be exempt from further environmental review, an exemption determination has been prepared and can be obtained on-line at <http://www.sf-planning.org/index.aspx?page=3447>. Under CEQA, in a later court challenge, a litigant may be limited to raising only those issues previously raised at a hearing on the project or in written correspondence delivered to the Board of Supervisors, Planning Commission, Planning Department or other City board, commission or department at, or prior to, such hearing, or as part of the appeal hearing process on the CEQA decision.

Protest of Fee or Exaction

You may protest any fee or exaction subject to Government Code Section 66000 imposed as a condition of approval in accordance with Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

The Planning Commission's approval or conditional approval of the development subject to the challenged fee or exaction as expressed in its Motion, Resolution, or Discretionary Review Action or the Zoning Administrator's Variance Decision Letter will serve as Notice that the 90-day protest period under Government Code Section 66020 has begun.

Proposition F

Under Campaign and Governmental Conduct Code Section 1.127, no person or entity with a financial interest in a land use matter pending before the Board of Appeals, Board of Supervisors, Building Inspection Commission, Commission on Community Investment and Infrastructure, Historic Preservation Commission, Planning Commission, Port Commission, or the Treasure Island Development Authority Board of Directors, may make a campaign contribution to a member of the Board of Supervisors, the Mayor, the City Attorney, or a candidate for any of those offices, from the date the land use matter commenced until 12 months after the board or commission has made a final decision or any appeal to another City agency from that decision has been resolved. For more information about this restriction, visit sfethics.org.

San Francisco Lobbyist Ordinance

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign and Governmental Conduct Code Section 21.00-2.160] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; phone (415) 252-3100; fax (415) 252-3112; and online <http://www.sfgov.org/ethics>.



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

Staff Contact: Robin Abad Ocubillo – (628) 652-7456
Robin.Abad@sfgov.org

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



Entertainment Commission

City and County of San Francisco



April 21, 2021

Honorable Mayor London N. Breed

Members of the Board of Supervisors

RE: Letter of Support to Continue Strengthening the Economic Recovery of the Entertainment and Nightlife Industry in San Francisco

Dear Honorable Mayor Breed and Members of the Board of Supervisors:

On April 20, 2021, the San Francisco Entertainment Commission (the Commission) held a meeting to discuss the proposed Small Business Recovery Act (BOS File No. 210285) and the Shared Spaces Ordinance (BOS File No. 210284). The Commission discussed how these two pieces of legislation impact the economic recovery of the entertainment and nightlife industry, and made recommendations in support of their passage.

The pandemic has had a devastating economic impact on San Francisco's nightlife sector. According to the California Employment Development Department, employment in the San Francisco metro area's arts, entertainment and recreation businesses has declined 52.3% since February 2020. Along with restaurants and hotels, the entertainment sector is experiencing one of the highest job loss rates in the City.

Based on the reopening frameworks announced to-date, we anticipate that entertainment venues, nightclubs and indoor bars without bona fide meals will be among the last businesses to fully reopen when there is widespread immunity. Given the key role that entertainment and nightlife serve as local economic drivers – generating an estimated \$7 billion dollars in economic impact annually – this industry will be a critical part of our economic recovery, but only if it avoids complete collapse. Strategic policy interventions are still needed to stabilize and strengthen these vulnerable businesses in order to save them from permanent closure. To continue strengthening the economic recovery of the industry, the City has an opportunity to lower regulatory and financial barriers while remaining consistent with health and safety rules through this legislation. The successes of the JAM Permit Program and the Shared Spaces Program – free, accessible pathways for holding safer, outdoor arts and culture activity – can continue to support the momentum of recovery efforts.



ENTERTAINMENT COMMISSION

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(628) 652-6030 Main

During the April 20th meeting, the Commission agreed to review and prioritize the interventions from both pieces of legislation that directly address the economic recovery of the entertainment and nightlife industry.

Please find attached recommendations that the Commission voted (4-0), to send to you for your consideration relative to the urgent and long-term needs of the industry. The Commission came to consensus that these recommendations will stabilize and strengthen San Francisco's entertainment and nightlife businesses and workers. Finally, when industries are once again able to reopen for safer outdoor activities, the Commission will continue to support the safe and equitable reopening of entertainment and nightlife businesses for outdoor activities to benefit the economic and cultural well-being of all residents across all neighborhoods.

The Commission directed myself and Commission President Ben Bleiman to share these recommendations with the Mayor and Board of Supervisors. We are happy to help support further conversations and implementation efforts moving forward to promote long-term prosperity of the industry.

Thank you for your consideration and for your steadfast leadership during these challenging and unprecedented times.

Sincerely,

Maggie Weiland
Executive Director
San Francisco Entertainment Commission

cc: Andres Power, Policy Director, Office of Mayor London N. Breed

Edward McCaffrey, Manager, State and Federal Affairs, Office of Mayor London N. Breed

Sophia Kittler, Liaison to the Board of Supervisors, Office of Mayor London N. Breed

Martha Cohen, Director, Special Events, Office of Mayor London N. Breed

Angela Calvillo, Clerk of the Board of Supervisors

Anne Taupier, Acting Director, Office of Economic and Workforce Development

Robin Abad, Director, Shared Spaces Program



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Entertainment Commission

City and County of San Francisco



TO: San Francisco Entertainment Commission

FROM: Maggie Weiland, Executive Director, San Francisco Entertainment Commission

DATE: April 16, 2021

RE: Recommendations to Continue Strengthening the Economic Recovery of the Entertainment and Nightlife Industry in San Francisco

Dear Commissioners:

While the State and City continue to reopen businesses and activities based on improving public health indicators, our entertainment venues, nightclubs, and indoor bars without meal service must remain closed or must operate at a greatly reduced capacity; these businesses will be among the last to fully return to normal operations based on reopening frameworks announced to date. Strategic policy interventions are still needed to stabilize and strengthen these vulnerable businesses in order to prevent them from closing permanently. With the recent introduction of two pieces of legislation – the Small Business Recovery Act and the Shared Spaces Ordinance - the City has an opportunity to lower regulatory and financial barriers for the industry while remaining consistent with health and safety rules. The successes of the JAM Permit Program and the Shared Spaces Program – free, accessible pathways for holding safer, outdoor arts and culture activity – can continue to support the momentum of recovery efforts.

BACKGROUND:

In May 2020, the Commission conducted an Entertainment and Nightlife Industry COVID-19 Impact Survey to better understand the financial and social impacts of the virus and help guide recovery strategies. Among the findings:

- Half of respondents were highly concerned that their business will need to close permanently, including many bars, live music venues, and nightclubs.
- About half of respondents reported losing 75-100% of their expected business and individual incomes in 2020.
- 4,306 total events have been cancelled in 2020 due to COVID-19 with a total expected attendance of 3.4 million



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In response to the devastating economic impacts of the pandemic, the Mayor and Board of Supervisors convened the Economic Recovery Task Force (ERTF) from April to October to guide the City's efforts to sustain and revive businesses and employment. The Task Force was comprised of community and industry leaders and City officials across a wide range of sectors and fields. President Bleiman and I both served on the Task Force as representatives of the entertainment and nightlife sector. We worked with other task force members to identify needs and solutions for the Arts, Culture, Hospitality and Entertainment (ACHE) sectors and make recommendations to the Task Force on how to support the recovery of these sectors and the City as a whole. Released in October, the ERTF Final Report made policy recommendations that lay the groundwork for an equitable and sustainable recovery, and that address those sectors most significantly impacted by the pandemic, such as entertainment, hospitality, and food services.

At our December 15, 2020 meeting, the Commission voted unanimously to support the recommendations of the ERTF Final Report as well as a joint policy proposal from the SF Venue Coalition (SFVC) and the Independent Venue Alliance (IVA) that address recovering the local entertainment and nightlife industry, and sent a [Letter of Support](#) outlining its prioritized recommendations to the Mayor Breed and the Board of Supervisors immediately thereafter.

PROPOSED LEGISLATION:

Two recent pieces of legislation present an opportunity for the City to continue strengthening the industry's economic recovery. Below are summaries of the legislation for your review and consideration.

Small Business Recovery Act (BOS File No. 210285)

Introduced by Mayor Breed on April 14, 2021, the Small Business Recovery Act proposes amendments to the Planning, Business and Tax Regulations, and Police Codes to simplify procedures and allow flexibility for neighborhood, cultural, and entertainment establishments through various interventions. Most of the interventions from this ordinance listed below impact entertainment and nightlife businesses:

- 1) expanding streamlined review and inspection procedures to principally permitted storefront uses citywide;
- 2) deleting separate definitions of "Cat Boarding," "Gym," "Trade Shop," and "Services, Instructional" from the Planning Code;
- 3) allowing permitted conditional uses to continue after three years of abandonment;
- 4) allowing the continuation of longstanding places of entertainment;
- 5) allowing Outdoor Activity Areas on rooftops;
- 6) temporarily requiring a conditional use authorization for uses replacing Nighttime Entertainment uses;
- 7) allowing accessory catering uses in Restaurants;



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- 8) allowing accessory dwelling units on the ground floor in Neighborhood Commercial, Chinatown Business, and Chinatown Visitor Districts;
- 9) allowing temporary outdoor entertainment, arts and recreation activities;
- 10) deleting certain conditional use finding requirements for Nighttime Entertainment use;
- 11) deleting conditional use findings related to formula retail concentrations in certain districts;
- 12) requiring expedited permit processing for certain conditional uses on the ground floor, including Nighttime Entertainment uses;
- 13) shortening the time for the Historic Preservation Commission to request review of minor alteration permits and certificates of appropriateness;
- 14) extending default ending time for limited live performances from 10 p.m. to 11 p.m.;
- 15) allowing additional One-Time Entertainment Permits and One-Time Outdoor Amplified Sound Permits;
- 16) exempting single individual performances without amplification from permit requirements;
- 17) affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

Shared Spaces Ordinance (BOS File No. 210284)

Introduced by Mayor Breed on April 6, 2021, the Shared Spaces Ordinance proposes amendments the Administrative Code as follows:

- 1) rename and modify the Places for People Program as the Shared Spaces Program, and to clarify the roles and responsibilities of various departments regarding activation and use of City property and the public right-of-way, streamline the application process, specify minimum programmatic requirements such as public access, temporarily waive permit application fees, and provide for the conversion of existing Parklet and Shared Spaces permittees to the new program requirements;
- 2) amending the Public Works Code to create a Curbside Shared Spaces permit fee, provide for public notice and comment on permit applications, provide for hearings for occupancy of longer-term street closures, and supplement enforcement actions by Public Works;
- 3) amending the Transportation Code to authorize the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT) to issue permits for the temporary occupancy of the Traffic Lane for purposes of issuing permits for Roadway Shared Spaces as part of the Shared Spaces Program, subject to delegation of authority by the Municipal Transportation Agency Board of Directors to temporarily close the Traffic Lane, and adding the Planning Department as a member of ISCOTT;



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- 4) amending the Transportation Code to prohibit parking in a zone on any street, alley, or portion of a street or alley, that is subject to a posted parking prohibition except for the purpose of loading or unloading passengers or freight;
- 5) making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1;
- 6) and affirming the Planning Department's determination under the California Environmental Quality Act.

The pieces of legislation mentioned above align with the Entertainment Commission's and the Economic Recovery Task Force's recommendations to stabilize and strengthen the industry and the City at large by lowering regulatory and financial barriers for A.C.H.E. businesses and workers:

- Extend, improve and support the Shared Spaces program. [ERTF Recommendation 4.1]
- Continue to seek ways to help businesses defray costs, and support artists and musicians to allow for more adaptive arts and entertainment uses. [ERTF Recommendation 4.1]
- Rethink rules that restrict flexible/temporary arts, culture, hospitality and entertainment uses. [ERTF Recommendation 4.4]

In addition, both pieces of legislation align with the Entertainment Commission's goals to:

- Create, sustain, and support affordable arts infrastructure.
- Promote equity and equality in the industry, and ensure access to entertainment and nightlife participation across all neighborhoods.
- Improve regulatory coordination and customer experience.

Therefore, the Entertainment Commission recommends the passage of the Small Business Recovery Act and the Shared Spaces Ordinance as key strategies to support the short-term and long-term recovery of San Francisco's entertainment and nightlife sector. Furthermore, the Entertainment Commission recommends that relevant City agencies:

- 1) Consult with the Entertainment Commission on the implementation of the policies and initiatives borne out of this legislation as they relate to entertainment and nightlife.
- 2) Ensure equity and accessibility in implementation so BIPOC and historically underserved communities receive opportunities to participate and benefit from these policies and initiatives.
- 3) Collaborate with the Entertainment Commission on promotion, education and outreach of these new policies and initiatives to encourage broad participation across all neighborhoods.



ENTERTAINMENT COMMISSION

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Shared Spaces Legislation

Summary of Goals and Provisions

Sfgov.org/SharedSpaces | v. 003.17.2021c P1 of 2

Shared Spaces has been a critical part of the City's crisis response strategy to sustain the locally-owned small business sector in San Francisco. Due to widespread success throughout the City's neighborhoods, on Friday, March 12, Mayor Breed announced legislation to transition Shared Spaces from an emergency response into a permanent program through and after the pandemic. The legislation will be officially introduced on Tuesday, March 16.

The permanent version of the program will carry forward the streamlined permit process; encourage arts & culture; and better balance commercial activities with public space and transportation demands of the recovering economy. Revised design and operating regulations won't 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 essential changes. Once the legislation goes into effect, any 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.

This legislation was developed in coordination with multiple City agencies and stakeholders, including Planning, SFMTA, Public Works, the Fire Department, the Police Department, the Entertainment Commission, the Mayor's Office on Disability, the Economic Recovery Task Force, the Board of Supervisors, Commercial Business Districts, Merchant Associations, Small Business Commission, the Planning Commission, and public space and mobility advocates.

Goals of Legislation

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 neighborhoods most impacted by historical disparities with funding, materials and grants. Ensure 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. **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.

Types of Shared Spaces

All the activities and locations of Shared Spaces will be carried forward. Permittees may apply through a single easy-to-use application portal.

Sidewalk Shared Spaces

1. Sidewalk Merchandising, displaying goods outside
2. Sidewalk Café Tables and Chairs, similar to the pre-existing sidewalk dining permit, but with more streamlined public notice requirements

Curbside Lane Shared Spaces (Parklets)

3. A Public Parklet, similar to the City's pre-COVID parklets, a fixed structure providing full-time, publicly accessible space and no commercial activity.
4. **A Movable Commercial Parklet**, a space occupied by the operator using movable fixtures during limited business hours, with a bench or other public seating facility during daylight hours. This option allows operators to use curb space that is needed for other curbside functions during the day, such as a Brunch restaurant that only operates until 1pm, after which the curb space is used for loading or short-term parking.
5. **A Commercial Parklet**, similar to existing Shared Spaces, a fixed structure where an operator uses the parklet for commercial activity during business hours with a bench or other public seating facility, and is otherwise open to the public during non-commercial daytime hours.

Roadway Shared Spaces

6. Community Event, neighborhood-led, free and open to the neighborhood event. These events are not approved by staff. Instead, they will be approved through the existing ISCOTT process, which includes membership of key departments, including SFPD, SFFD, SFMTA, Public Works, and others.

Private Property Shared Spaces

7. In open lots, courtyards and rear yards between the hours of 9am and 10pm.

Entertainment, Arts & Culture

8. Live music and other performing arts will be easier to do on a recurring basis in all of the outdoor venues listed above.

1 [Urging Departments to Create a Permanent Shared Spaces Program]

2
3 **Resolution urging the Office of Economic and Workforce Development, Planning**
4 **Department, Municipal Transportation Agency, Department of Public Works, Fire**
5 **Department, and Recreation and Parks Department to develop a proposal for a**
6 **permanent Shared Spaces Program; and affirming the Board of Supervisors' support**
7 **for creating a permanent version of the program.**

8
9 WHEREAS, The global pandemic, caused by COVID-19, has led to an economic crisis
10 of an unprecedented magnitude; and

11 WHEREAS, The City and County of San Francisco and the State of California are
12 under a State of Emergency that has required businesses to cease certain operations for
13 various, often predictable, periods of time; and

14 WHEREAS, As of December 6, 2020, given the recent increase in COVID-19 cases in
15 San Francisco, most small business activities have been paused indefinitely, including
16 outdoor dining; and

17 WHEREAS, According to the California Employment Development Department, the
18 City's restaurant sector, which pre-COVID employed roughly 60,000, has lost more than
19 30.5% of it's workforce and observed dramatic losses in sales; and

20 WHEREAS, The City's arts and entertainment and recreation sectors, which pre-
21 COVID, employed 14,000 has lost more than 30% of its workforce and observed dramatic
22 losses in sales; and

1 WHEREAS, Although San Francisco and California do not currently report which
2 activities contribute to the spread of COVID, New York City recently released data indicating
3 that private household and social gatherings were the largest contributor to COVID spread at
4 74%; and

5 WHEREAS, The local San Francisco Health Officer has presented to the Small
6 Business Commission that while indoor dining increases the risk of COVID spread, there is no
7 clear linkage between outdoor dining and the spread of the virus; and

8 WHEREAS, The distribution of local, State, and Federal relief to small businesses has
9 been limited and uneven; and

10 WHEREAS, Aside from direct cash stimulus, the use of public outdoor space is one of
11 the few options left to save small businesses from permanent closure during the pandemic
12 and its aftermath; and

13 WHEREAS, The Shared Spaces program launched in June 2020 and allows local
14 businesses to apply to temporarily use public spaces to operate outside in a safe, socially
15 distanced way in order to promote public health, help struggling businesses survive, and
16 contribute to a vibrant street life on our commercial corridors; and

17 WHEREAS, The program is a multi-agency collaboration born out of the city's
18 Economic Recovery Task Force; and

19 WHEREAS, The Shared Spaces program has been in effect for approximately six
20 months and has generated 2,281 applications with nearly 2,000 approved or partially
21 approved to create Shared Spaces; and

22 WHEREAS, There are currently seven different types of permits that businesses can
23 apply for under the Shared Spaces Program: Sidewalk Permits, Curbside Lane Permits,
24 Street Closure Permits, Private Property Permits, Port Property Permits, Recreation and
25 Parks Department Property Permits, and Just Add Music (JAM) Permits; and

1 WHEREAS, The Shared Spaces program has provided a lifeline to small businesses,
2 activated neighborhoods, beautified commercial corridors, and created community; and

3 WHEREAS, From the Shared Spaces Impact survey of 1,600 small business owners in
4 San Francisco, 80% wanted to continue operating outdoors and 90% said these shared
5 outdoor spaces have kept them from closing permanently; and

6 WHEREAS, Shared Spaces permits were initially scheduled to expire at the end of
7 2020, but in October, permits were extended through June 30, 2021; and

8 WHEREAS, On October 8, 2020, Mayor London Breed established her support for
9 moving forward on creating a plan to make elements of the Shared Spaces program
10 permanent, and an analysis of how to make parts of the program permanent is currently
11 underway; and

12 WHEREAS, As Shared Spaces transitions from an emergency lifeline for small
13 businesses to a potentially long-term use of public space, stakeholders, City staff and
14 members of the public have grappled with a range of related policy issues, including:
15 addressing accessibility for people with disabilities, navigating who is responsible for
16 maintaining Shared Spaces in a safe and sanitary manner; expanding design standards to
17 enhance public safety, prohibit hostile design, and to ensure effective architectural integration
18 into permanent elements of the City's streetscape and commercial corridors; ensuring that
19 commercial use of public space does not unfairly exclude any member of the public, and
20 establishing fees and other financial incentives to ensure that free, public access is prioritized;
21 implementing the Shared Spaces program in a way that is equitable and reflects the ethnic
22 and cultural diversity of eligible small businesses across San Francisco; implementing tools
23 for tracking the City's response to public feedback and for mediating disputes between
24 competing uses of public space; and ensuring that interdepartmental coordination is
25

1 conducive to an easily navigable permit system and the fair and even enforcement of
2 conditions of the Shared Spaces program; and
3

4 WHEREAS, The Small Business Commission has unanimously established their
5 support for a more permanent Shared Spaces program to last at least three years via SBC
6 Resolution No. 2020-002 in July of 2020; and

7 WHEREAS, The Economic Recovery Task Force established their support for a more
8 permanent Shared Spaces program for long-term economic recovery in their October 2020
9 Report, recommending that the Program be extended three years until December 31, 2023,
10 “so as to give businesses an incentive to make their spaces attractive, and give them certainty
11 that the program will be a worthwhile investment;” and

12 WHEREAS, The Board of Supervisors unanimously established their support for the
13 Shared Spaces program via Resolution No. 495-20; and

14 WHEREAS, The Board also unanimously passed an Ordinance (File No. 200786)
15 waiving permit and renewal fees in the Public Works Code for café tables and chairs in public
16 sidewalks and roadway areas, and waiving fees for use of parklets until April 2022; and

17 WHEREAS, Other metro areas with programs similar to Shared Spaces, like New York
18 City, have already established permanent programs to support small businesses; now,
19 therefore, be it

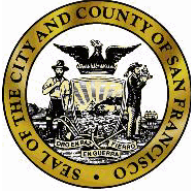
20 RESOLVED, That the Board of Supervisors supports a permanent Shared Spaces
21 program; and, be it

22 FURTHER RESOLVED, That the Board urges the Office of Economic and Workforce
23 Development, Municipal Transportation Agency, Planning Department, Fire Department,
24 Department of Public Works, and Recreation and Parks Department to develop a proposal to
25 make permanent a Shared Spaces program in prior to the current expiration date of the

1 Shared Spaces program on June 30, 2021, or any extension of that term pursuant to the
2 COVID-19 emergency; and, be it

3 FURTHER RESOLVED, That the Board supports streamlined and timely permitting in a
4 permanent program that are currently core tenets of the Shared Spaces program; and, be it

5 FURTHER RESOLVED, That Board urges Departments to work together to prioritize
6 equitable City-wide participation in a permanent Shared Spaces program.



City and County of San Francisco

Tails Resolution

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

File Number: 201422

Date Passed: March 09, 2021

Resolution urging the Office of Economic and Workforce Development, Planning Department, Municipal Transportation Agency, Public Works, Fire Department, and Recreation and Park Department to develop a proposal for a permanent Shared Spaces Program; and affirming the Board of Supervisors' support for creating a permanent version of the program.

March 01, 2021 Land Use and Transportation Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

March 01, 2021 Land Use and Transportation Committee - RECOMMENDED AS AMENDED

March 09, 2021 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

March 09, 2021 Board of Supervisors - ADOPTED AS AMENDED

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 201422

**I hereby certify that the foregoing
Resolution was ADOPTED AS AMENDED
on 3/9/2021 by the Board of Supervisors of
the City and County of San Francisco.**

Angela Calvillo
Clerk of the Board

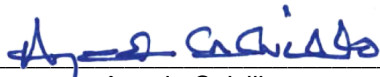
Unsigned

Mayor

3/19/2021

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

3/19/2021

Date

File No.
201422

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.**
8

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
25

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

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
25

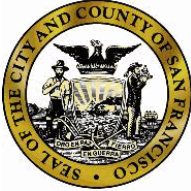
1 developed by interagency staff and recommended by the Small Business Commission and
2 small business community leaders; and, be it

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.



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

From: [Nick Cobb](#)
To: [Walton, Shamann \(BOS\)](#)
Cc: [Waltonstaff \(BOS\)](#); [Major, Erica \(BOS\)](#); savesharedspaces@growsf.org
Subject: Please make Shared Spaces permanent!
Date: Friday, May 21, 2021 12:49:20 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Walton,

I'm a resident of District 10. I am emailing you in support of the Mayor's legislation to make the Shared Spaces program permanent.

I love outdoor dining. During this awful pandemic, it created a safe way for us to eat out and support our local businesses.

Even though indoor dining is slowly re-opening, we shouldn't shut down the Shared Spaces program. Outdoor dining has given our neighborhoods a new energy, and has transformed our streets into communities.

Please make outdoor dining permanent so we can continue to enjoy great food outdoors. Please also make sure that businesses do not incur the costs of keeping outdoor dining spaces clean where the city's homeless policies are falling short. Businesses should not be required to maintain these outdoor areas to house the homeless.

Thank you,

From: [Caitlin](#)
To: [Chan, Connie \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Haney, Matt \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [Ronen, Hillary](#); [Walton, Shamann \(BOS\)](#); [Safai, Ahsha \(BOS\)](#)
Cc: [ChanStaff \(BOS\)](#); [StefaniStaff, \(BOS\)](#); [PeskinStaff \(BOS\)](#); [Marstaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Haneystaff \(BOS\)](#); [MelgarStaff \(BOS\)](#); [MandelmanStaff, \[BOS\]](#); [RonenStaff \(BOS\)](#); [Waltonstaff \(BOS\)](#); [SafaiStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); savesharedspaces@growsf.org
Subject: Please make Shared Spaces permanent!
Date: Thursday, May 20, 2021 8:12:27 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi,

I am emailing you in support of the Mayor's legislation to make the Shared Spaces program permanent.

I love outdoor dining. It is nice being outside it makes me feel like I live in Europe (which is a good thing). More importantly it makes me feel like I am connected with the community.

Even though indoor dining is slowly re-opening, we shouldn't shut down the Shared Spaces program. Outdoor dining has given our neighborhoods a new energy, and has transformed our streets into communities.

Please make outdoor dining permanent so we can continue to enjoy great food outdoors.

Thank you,

From: [Dennielle Kronenberg](#)
To: [Chan, Connie \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Haney, Matt \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [Ronen, Hillary](#); [Walton, Shamann \(BOS\)](#); [Safai, Ahsha \(BOS\)](#)
Cc: [ChanStaff \(BOS\)](#); [StefaniStaff, \(BOS\)](#); [PeskinStaff \(BOS\)](#); [Marstaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Haneystaff \(BOS\)](#); [MelgarStaff \(BOS\)](#); [MandelmanStaff, \[BOS\]](#); [RonenStaff \(BOS\)](#); [Waltonstaff \(BOS\)](#); [SafaiStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); savesharedspaces@growsf.org
Subject: Please make Shared Spaces permanent!
Date: Thursday, May 20, 2021 8:09:24 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi,

I am emailing you in support of the Mayor's legislation to make the Shared Spaces program permanent.

I love outdoor dining. During this awful pandemic, it created a safe way for us to eat out and support our local businesses.

Even though indoor dining is slowly re-opening, we shouldn't shut down the Shared Spaces program. Outdoor dining has given our neighborhoods a new energy, and has transformed our streets into communities.

Please make outdoor dining permanent so we can continue to enjoy great food outdoors.

Thank you!
Dennielle Kronenberg

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#); [BOS-Legislative Aides](#); [BOS-Administrative Aides](#)
Cc: [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Major, Erica \(BOS\)](#)
Subject: FW: Chinatown TRIP Letter on Shared Space Program
Date: Tuesday, May 18, 2021 3:31:29 PM
Attachments: [Chinatown TRIP Shared Space Letter.pdf](#)

From: Rosa Chen <rosa.chen@chinatowncdc.org>
Sent: Tuesday, May 18, 2021 12:34 PM
To: Chan, Connie (BOS) <connie.chan@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Melgar, Myrna (BOS) <myrna.melgar@sfgov.org>; Mandelman, Rafael (BOS) <rafael.mandelman@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>
Cc: BOS-Legislative Aides <bos-legislative_aides@sfgov.org>; BOS-Supervisors <bos-supervisors@sfgov.org>
Subject: Chinatown TRIP Letter on Shared Space Program

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello Board of Supervisors,

On behalf of Chinatown TRIP, we are submitting a letter on our concerns regarding the shared space program.

Best,

Rosa Chen

Senior Community Organizer

Chinatown Community Development Center

Phone: 415.984.1461 | Email: rosa.chen@chinatowncdc.org

San Francisco City Hall

1 Dr. Carlton B Goodlett Pl

San Francisco, CA 94102



*Transportation
Research and
Improvement
Project*

May 18, 2021

Dear Board of Supervisors,

Chinatown TRIP is writing this letter to raise the concerns of Chinatown community members and small businesses regarding the proposed Shared Space Program. The biggest concern about the proposed program is the cost of acquiring and renewing permits for parklets and sidewalk space. Small businesses in Chinatown were already struggling to stay open prior to the official shelter-in-place orders that took effect in March 2020. The parklets were an opportunity for businesses to continue operating safely, however the labor and time spent into construction still has not been offset. We recommend extending the current program to July 2022, creating a payment plan option for businesses to pay the fees over time, writing clear guidelines for maintaining the shared space, and implementing design changes to ensure that pedestrians can travel safely.

In this letter, we have included two business owners in Chinatown who currently have parklets and have shared their concerns.

- **Chelsea, Washington Bakery and Restaurant:** "Yes, I agree with you that the fees are way too high. It's already hard and complicated enough to go through the permit process and many small businesses already put out so much money they barely even have to build out these parklets/outdoor dining areas to try to survive during the pandemic. To add on these high fees for permits would just put many of these small businesses in more of a loss and will have to make the tough decision of whether to tear down their expensive parklets or pay a ridiculous amount to be able to keep it there. We took up 3 parking spaces so that will be \$8000 for us the first year and then \$9000/year for the years after, which is almost an extra \$1,000 to our rent that we and many small businesses could barely afford. Though there is deferral for these permit fees, many small businesses will still be struggling to pay off the rent, taxes, bills, payroll, etc they have deferred and still owe throughout these difficult years."
- **Paul Lew, Oriental Pearl Restaurant:** He shared that they only made the parklet because it was free and hoped it would bring people to the restaurant. The parklet has only been fully used on the weekends when there were more visitors in Chinatown. They cannot afford the permit and would rather take down the parklet that has cost them over \$10,000 to build. They have not even recuperated the cost of the parklet yet.

Based on the most recent version of the ordinance, we have additional concerns regarding the guidelines for accessibility of the space during non-business hours, the Good Neighbor Policies, and emergency procedures. With accessibility of the space during non-business hours, we are concerned about how businesses can ensure their parklets are safe and maintained when they are not on site and

how it causes an extra burden for them to open/lock up their parklets on their days off. The Good Neighbor Policy is great in theory but is also an extra burden as it makes businesses clean the street beyond their own parklet. The ordinance also did not explicitly address what will happen to the permit if businesses change owners or if neighbors withdraw their consent for an existing parklet in front of their building. Until these concerns are addressed, we do not feel confident that the program will truly benefit small businesses in Chinatown. We recommend the following:

1. Extending the current program to July 2022 to ensure that businesses can recuperate the cost of their current parklet as well as the loss in business from the pandemic.
2. Creating a payment plan option for businesses to pay the fees over time as many businesses as deferred rent they are still trying to pay back.
3. Writing clear guidelines for maintaining the shared space.
4. Implementing design changes to ensure that pedestrians can travel safely to reach our Vision Zero goals.

We are hoping that there will be clearer guidelines and greater leniency in fee payments in the final ordinance. We are willing to have further discussions about how the Shared Space Program will look like in the future. Thank you for your time and understanding.

Sincerely,

A handwritten signature in black ink, consisting of a large, stylized loop followed by a long, horizontal, slightly wavy line extending to the right.

Jon Hee

Co-Chair

From: [Apoorv Narang](#)
To: [Preston, Dean \(BOS\)](#)
Cc: [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); savesharedspaces@growsf.org
Subject: Please make Shared Spaces permanent!
Date: Thursday, May 20, 2021 4:17:20 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Preston,

I'm a resident of District 5. I am emailing you in support of the Mayor's legislation to make the Shared Spaces program permanent.

I love outdoor dining. During this awful pandemic, it created a safe way for us to eat out and support our local businesses. Outdoor dining has the potential to transform our local businesses and bring back tourism.

Even though indoor dining is slowly re-opening, we shouldn't shut down the Shared Spaces program. Outdoor dining has given our neighborhoods a new energy, and has transformed our streets into communities.

Please make outdoor dining permanent so we can continue to enjoy great food outdoors.

Thank you,
Apoorv Narang

From: [Guillaume Carré](#)
To: [Ronen, Hillary](#)
Cc: [RonenStaff \(BOS\); Major, Erica \(BOS\); savesharedspaces@growsf.org](#)
Subject: Please make Shared Spaces permanent!
Date: Wednesday, May 19, 2021 6:53:00 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Ronen,

I'm a resident of District 9. I am emailing you in support of the Mayor's legislation to make the Shared Spaces program permanent.

I love outdoor dining. During this awful pandemic, it created a safe way for us to eat out and support our local businesses.

Even though indoor dining is slowly re-opening, we shouldn't shut down the Shared Spaces program. Outdoor dining has given our neighborhoods a new energy, and has transformed our streets into communities.

Please make outdoor dining permanent so we can continue to enjoy great food outdoors.

Thank you,
Guillaume.

From: [San Francisco Travel - President & CEO](#)
To: [Melgar, Myrna \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#)
Cc: [Major, Erica \(BOS\)](#); [Board of Supervisors, \(BOS\)](#)
Subject: San Francisco Travel Support for Shared Spaces and Small Business Recovery Act
Date: Thursday, May 20, 2021 12:09:21 PM
Attachments: [SF Travel Support for Shared Spaces.pdf](#)
[SF Travel Support for Small Business Recovery Act.pdf](#)

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello Land Use and Transportation Committee,

On behalf of over 1,000 San Francisco Travel Association businesses in the tourism industry, I am writing to support the Shared Spaces Legislation and the Small Business Recovery Act. The pandemic has negatively impacted San Francisco and our industry and both pieces of legislation will help give businesses new opportunities to thrive, offer new experiences to visitors, and support our entire city in economic recovery.

Attached, please find letters of support for each legislation.

Thank you.



San Francisco Travel - President & CEO |
E president@sfrtravel.com | T 415.227.2606

San Francisco Travel | One Front Street, Suite 2900 | San Francisco, CA 94111
sfrtravel.com | Follow us on [Facebook](#) + [Twitter](#)

Our Gate is Open.
San Francisco Named "Sports City of the Decade"

[Take Our Safe Travel Pledge](#)



Board of Supervisors
Attn: Land Use and Transportation Committee
1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, CA 94102-4689

Re: Support for Shared Spaces Legislation

May 20, 2021

Dear Supervisors Melgar, Peskin, and Preston,

On behalf of over 1,000 San Francisco Travel Association businesses in the tourism industry, I am writing to support the Shared Spaces Legislation. The pandemic has negatively impacted our industry, especially restaurants. Shared Spaces have given new life to our neighborhood corridors, created new experiences for residents and visitors, and gave San Francisco restaurants an opportunity to survive and thrive during the pandemic.

This legislation creates a consistent framework and guidelines for permitting, access, entertainment, and enforcement for all types of shared spaces. We understand that there are complexities to be worked out and we hope that you will support the program and the intent so that it can offer a long term activation on our streets.

Prior to the pandemic, San Francisco welcomed over 25 million visitors who spent over \$10 Billion in hotels, restaurants, retail, and the arts. Visitor spend helped generate over \$770 Million in taxes and fees and the industry employed over 80,000 people from the Bay Area. The Shared Spaces program has helped businesses weather the pandemic and this legislation offers a way for shared spaces to continue to benefit the communities they serve, as well as offer a new and safe experience for visitors of San Francisco.

Best regards,

Joe D'Alessandro
President and CEO
San Francisco Travel Association

From: [Richard Skaff](#)
To: [Bohn, Nicole \(ADM\)](#); [Deborah \(Debby\)Kaplan](#)
Cc: [Board of Supervisors, \(BOS\)](#); [Administrator, City \(ADM\)](#); [California Department of Justice](#)
Subject: Effects of Closing JFK Drive In Golden Gate Park on Vulnerable Seniors and People with Disabilities
Date: Sunday, May 16, 2021 12:38:38 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Nicole Bohn, Executive Director Deborah Kaplan, Deputy Director
San Francisco Mayor's Office on Disability

Nicole and Deborah,

I'm writing to both of you at the Mayor's Office on Disability to file a formal complaint and File a Public Records Act Request

I believe the proposed "program/policy" to close JFK Drive in Golden Gate Park to vehicle traffic, will, if implemented as proposed, have the effect of denying access to the Park to many vulnerable seniors and people with disabilities.

I'm writing to you, as the Director and Deputy Director of the City of San Francisco Department that is charged with assuring all City programs, policies, and procedures and facilities are accessible and usable by people with disabilities, to ask what, if anything you will do to assure the issues I'm raising in this email are satisfactorily resolved.

Based on the documents relating to the proposed permanent closing of JFK Drive in Golden Gate Park to all vehicular traffic that I've reviewed, it appears clear that if implemented, that program/policy would directly and negatively impact the ability of many vulnerable seniors and people with disabilities to access Golden Gate Park and the experiences served by JFK Drive. If I'm correct and vulnerable seniors and people with disabilities are then unable to access the Park and the experiences along JFK Drive, that, in my opinion, would be discriminatory and can't be allowed to happen.

Please immediately provide me any/all copies of correspondence between MOD, Recreation and Parks, Board of Supervisors, and the City Administrator's Office as they relate to the proposed closing of JFK Drive in Golden Gate Park. Additionally, please provide any/all correspondence your Office has received from the disability community and Mayor's Disability Commission relating to this proposed program.

As the City's ADA Coordinator, and based on the mandates within the ADA, you are charged with assuring that the City's programs, policies, and procedures are both created and managed in a way that assures participation by people with disabilities. Clearly, the proposed "program/policy" will create a condition that will not allow vulnerable seniors and people with disabilities, who are unable to walk (or walk any distance) to get to the many important and sought after sites and experiences within Golden Gate Park.

As you can see, a copy of this email is being sent to the California Department of Justice. I am sending this email to the Attorney General's staff to ask that they investigate my concerns

about this proposed program/policy

I will also be forwarding a copy of this email to the U.S. Department of Justice as a possible violation of the Americans with Disabilities Act.

And last, I had sent you a Public Records Act (PRA) request almost two weeks ago. That request relates to the City's programs of Parklets and more recently, the proposed Shared Spaces (in my previous email I believe I called them Shared Streets) program. I have yet to receive a response from you or anyone from your Office, Nicole. Please provide me with a date certain that I can expect to receive the requested documents.

Thank you.

Richard Skaff, Executive Director
Designing Accessible Communities
Email:

richardskaff1@gmail.com

Cell: (707)-755-1681

"Get in good trouble, necessary trouble, and redeem the soul of America."

A statement made by civil rights leader, John Lewis.

"Fighting Hate

Teaching Tolerance

Seeking Justice" | The

Southern Poverty Law Center

Nicole Bohn, Director
San Francisco Mayor's Office on Disability (MOD)

Hello, Nicole.

I hope all is well with you and MOD staff.

I'm writing to you about both the City's Parklet/**Shared Street** programs and the City's program that proposes to close JFK Drive in Golden Gate Park.]

First, a week or two ago, I sent you an email. In that email, I specifically requested copies of all MOD emails and other MOD documents relating to MOD's interaction with other City departments relating to the present City Parklet Program and the proposed permanent **Shared Streets** program. To date, I haven't received a response from you. Please inform me as to when I can expect to receive the requested response.

I'm also very concerned with the City Mayor and Board of Supervisor proposed program to permanently close JFK Drive to all vehicle access. This has been proposed for many years, so it's had a substantial amount of time to resolve any negative issues that program would create. Well, there continue to be substantial problems if that program is implemented. More specifically, for individuals with disabilities and older, less mobile individuals who may want to go to

Golden Gate Park, may very well be unable to do that.

As I'm sure you are aware, California Building Code requires that off-street accessible parking spaces be located as close to a business entrance as possible, recognizing that many people with disabilities (and many seniors) can't walk long distances. Or they may be grandparents with limited mobility that want to take their grandchildren to the Academy of Science or De Young Museum. If the City closes JFK to vehicles, they probably won't be able to do that. And, creating a Golden Gate wheelchair accessible transit system won't mitigate the effects of closing JFK to vehicles. What it will do, though, is create a vehicle parking nightmare in the residential areas that surround Golden Gate Park, probably making residential parking for local residents impossible.

Again, please respond to my request for MOD emails/documents relating to City Parklets and the Shared Spaces program and also MOD emails and documents relating to the proposed permanent closing to all vehicles on JFK Drive in Golden Gate Park. Please provide me all requested documents electronically as PDF email attachments.

Thank you.

Richard Skaff, Executive Director
Designing Accessible Communities
Email: richardskaff1@gmail.com
Cell: 707-755-1681

"Get in good trouble, necessary trouble, and redeem the soul of America." A statement made by civil rights leader, John Lewis.
And, "Fighting Hate
Teaching Tolerance
Seeking Justice" | The
Southern Poverty Law Center

The hidden gems of Golden Gate Park, according to park rangers

Dianne de Guzman
Updated: May 13, 2021 2:53 p.m.

It's easy to take your local city park for granted, especially one as well known - and amazing - as Golden Gate Park.

One can quickly rattle off the well-worn park highlights after visiting often enough: Cal Academy, the De Young Museum, Stow Lake, the bison paddock and the windmills (just to name a few).

But while these are all great places, there's much, much more to discover in the more than 1,000 acres of public land that encompass Golden Gate Park.

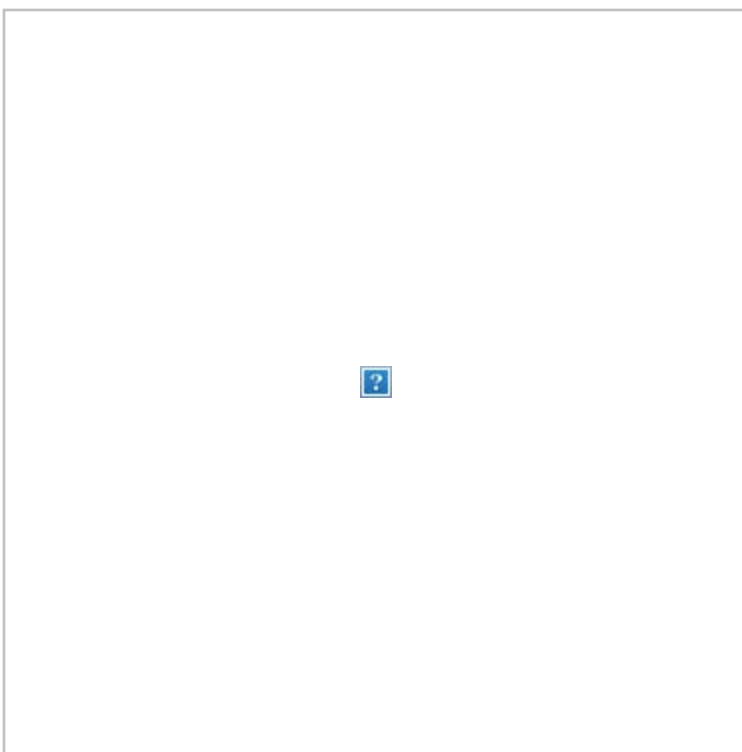
And who better to ask about the best hidden gems in the park than a park ranger?

Sgt. Maja Follin is a second-generation native San Franciscan and park ranger stationed in Golden Gate Park, and she came up with this list of favorite spots, compiling the list from her own observations and surveying some of the park's longtime rangers for their favorites.

"There are so many amazing parts of Golden Gate Park that are underwalked," Follin told SFGATE. "Truly, depending on what you need and what's important to you, you can find it - and that's what I love about Golden Gate Park."

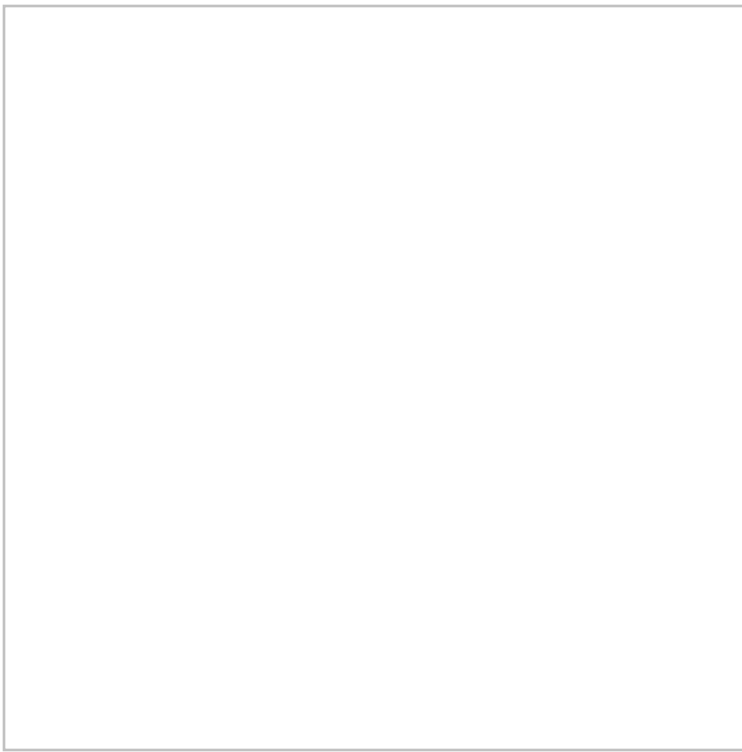
The rangers are in the park at all sorts of hours, walking and patrolling the various areas, and they see Golden Gate Park from sunrise with a blanket of fog still clinging to the ground, and also know the best times to sit along one of the park's many lakes, without the crowds.

"It just feels magical, a lot of the locations," Follin said of the selected Golden Gate Park spots. "I know that sounds super cheesy, but you have to see it to believe that to be true."



Douglas Zimmerman/SFGate.com

San Francisco park rangers know Golden Gate Park inside and out. So, where do they go that's off the beaten path? Sgt. Maja Follin shares which parts of the park are the favorites among park rangers.

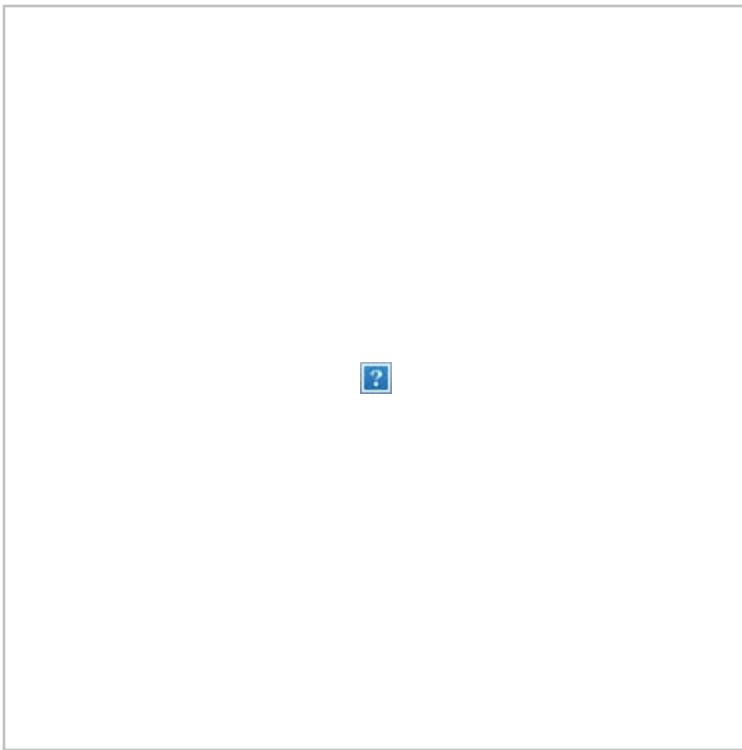


Douglas Zimmerman/SFGate.com

Lily Pond

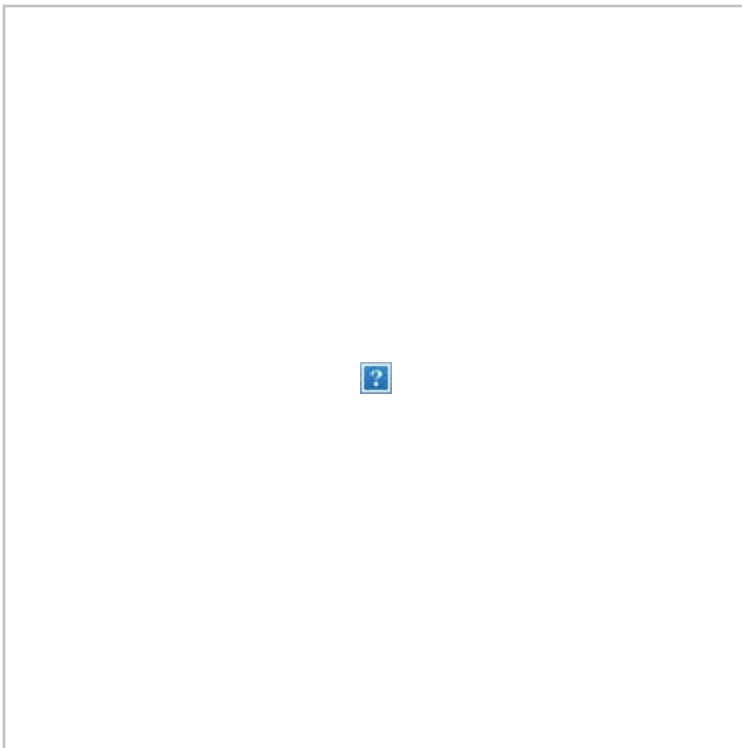
Near Nancy Pelosi and John F. Kennedy drives

This "little ethereal pond" across from the National AIDS Memorial Grove is a great spot for naturalists and birders to observe wildlife, Follin said. This part of the park boasts 115 species of birds, and there are "several walking or easy hiking trails in this area," she said.



Douglas Zimmerman/SFGate.com

Another view of Lily Pond in Golden Gate Park in San Francisco

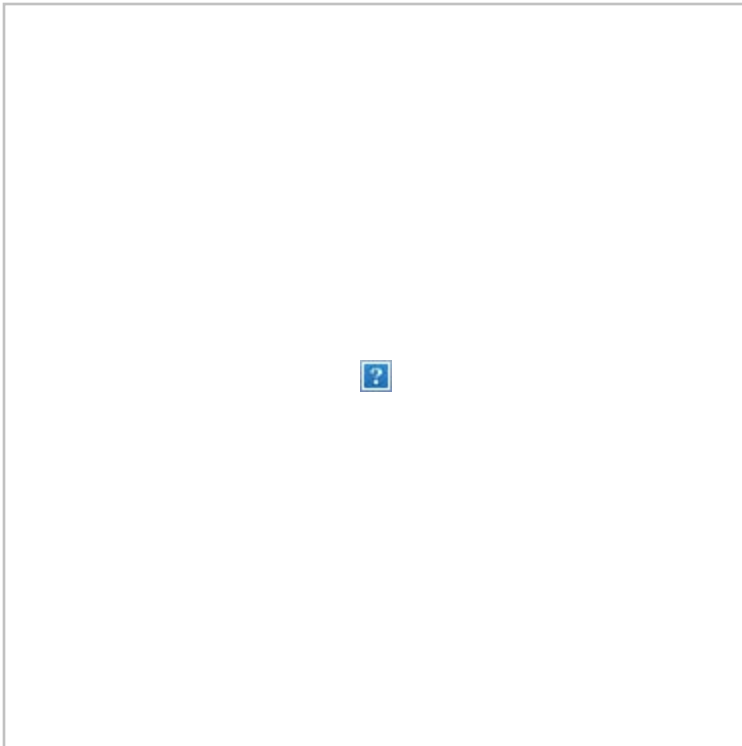


Douglas Zimmerman/SFGate.com

Angler's Lodge

West of the Polo Fields, between John F. Kennedy and Martin Luther King Jr. drives

The Golden Gate Angling & Casting Club often offers free lessons here to those interested in learning the art of fly casting — and heartily welcomes beginners! But even if you'd rather watch than participate, the area offers a peaceful place for visitors nonetheless. The lodge dates back to 1933 and is nestled among a small grove of trees.



Douglas Zimmerman/SFGate.com

"Even if there is no fly casting going on there, it's just a really neat place to go and walk around, especially if you don't feel like bumping into a ton of people," Follin said.

Angler's Lodge in Golden Gate Park in San Francisco.



Douglas Zimmerman/SFGate.com

Angler's Lodge in Golden Gate Park in San Francisco.

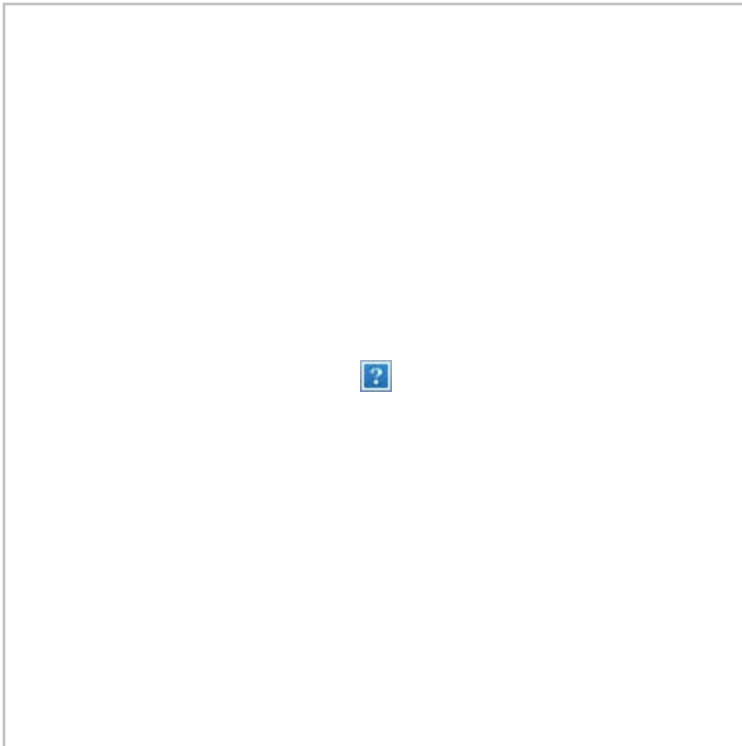


Douglas Zimmerman/SFGate.com

La Playa Service Road

West of the Beach Chalet Fields

A service road, you ask? Yes, La Playa Service Road is a favorite, according to Follin — "a short but beautiful walk," she said — and runs parallel to the Great Highway. The archway of trees can lead visitors to Ocean Beach, or back into the park between the soccer fields and to the main Drive



Douglas Zimmerman/SFGate.com

Pioneer Log Cabin

Near John F. Kennedy and Stow Lake drives

The Pioneer Log Cabin was first built as a meeting house for the Association of Pioneer Women of California in 1911, according to Follin, and constructed from unpeeled

redwood logs from Humboldt County. The cabin underwent restoration that was finished in 1995 and serves as the Rec and Park Permits and Reservations office. The interior is not open to the public or viewable on tours, but Follin said the meadow nearby has tables and grills for visitors to use, and is close enough to Stow Lake and the Boat House if you're looking for an activity.



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From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#); [BOS-Legislative Aides](#); [BOS-Administrative Aides](#)
Cc: [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Major, Erica \(BOS\)](#)
Subject: FW: Chinatown TRIP Letter on Shared Space Program
Date: Tuesday, May 18, 2021 3:31:00 PM
Attachments: [Chinatown TRIP Shared Space Letter.pdf](#)

From: Rosa Chen <rosa.chen@chinatowncdc.org>
Sent: Tuesday, May 18, 2021 12:34 PM
To: Chan, Connie (BOS) <connie.chan@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Melgar, Myrna (BOS) <myrna.melgar@sfgov.org>; Mandelman, Rafael (BOS) <rafael.mandelman@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>
Cc: BOS-Legislative Aides <bos-legislative_aides@sfgov.org>; BOS-Supervisors <bos-supervisors@sfgov.org>
Subject: Chinatown TRIP Letter on Shared Space Program

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello Board of Supervisors,

On behalf of Chinatown TRIP, we are submitting a letter on our concerns regarding the shared space program.

Best,

Rosa Chen

Senior Community Organizer

Chinatown Community Development Center

Phone: 415.984.1461 | Email: rosa.chen@chinatowncdc.org

San Francisco City Hall

1 Dr. Carlton B Goodlett Pl

San Francisco, CA 94102



*Transportation
Research and
Improvement
Project*

May 18, 2021

Dear Board of Supervisors,

Chinatown TRIP is writing this letter to raise the concerns of Chinatown community members and small businesses regarding the proposed Shared Space Program. The biggest concern about the proposed program is the cost of acquiring and renewing permits for parklets and sidewalk space. Small businesses in Chinatown were already struggling to stay open prior to the official shelter-in-place orders that took effect in March 2020. The parklets were an opportunity for businesses to continue operating safely, however the labor and time spent into construction still has not been offset. We recommend extending the current program to July 2022, creating a payment plan option for businesses to pay the fees over time, writing clear guidelines for maintaining the shared space, and implementing design changes to ensure that pedestrians can travel safely.

In this letter, we have included two business owners in Chinatown who currently have parklets and have shared their concerns.

- **Chelsea, Washington Bakery and Restaurant:** "Yes, I agree with you that the fees are way too high. It's already hard and complicated enough to go through the permit process and many small businesses already put out so much money they barely even have to build out these parklets/outdoor dining areas to try to survive during the pandemic. To add on these high fees for permits would just put many of these small businesses in more of a loss and will have to make the tough decision of whether to tear down their expensive parklets or pay a ridiculous amount to be able to keep it there. We took up 3 parking spaces so that will be \$8000 for us the first year and then \$9000/year for the years after, which is almost an extra \$1,000 to our rent that we and many small businesses could barely afford. Though there is deferral for these permit fees, many small businesses will still be struggling to pay off the rent, taxes, bills, payroll, etc they have deferred and still owe throughout these difficult years."
- **Paul Lew, Oriental Pearl Restaurant:** He shared that they only made the parklet because it was free and hoped it would bring people to the restaurant. The parklet has only been fully used on the weekends when there were more visitors in Chinatown. They cannot afford the permit and would rather take down the parklet that has cost them over \$10,000 to build. They have not even recuperated the cost of the parklet yet.

Based on the most recent version of the ordinance, we have additional concerns regarding the guidelines for accessibility of the space during non-business hours, the Good Neighbor Policies, and emergency procedures. With accessibility of the space during non-business hours, we are concerned about how businesses can ensure their parklets are safe and maintained when they are not on site and

how it causes an extra burden for them to open/lock up their parklets on their days off. The Good Neighbor Policy is great in theory but is also an extra burden as it makes businesses clean the street beyond their own parklet. The ordinance also did not explicitly address what will happen to the permit if businesses change owners or if neighbors withdraw their consent for an existing parklet in front of their building. Until these concerns are addressed, we do not feel confident that the program will truly benefit small businesses in Chinatown. We recommend the following:

1. Extending the current program to July 2022 to ensure that businesses can recuperate the cost of their current parklet as well as the loss in business from the pandemic.
2. Creating a payment plan option for businesses to pay the fees over time as many businesses as deferred rent they are still trying to pay back.
3. Writing clear guidelines for maintaining the shared space.
4. Implementing design changes to ensure that pedestrians can travel safely to reach our Vision Zero goals.

We are hoping that there will be clearer guidelines and greater leniency in fee payments in the final ordinance. We are willing to have further discussions about how the Shared Space Program will look like in the future. Thank you for your time and understanding.

Sincerely,

A handwritten signature in black ink, consisting of a large, stylized loop followed by a long, horizontal stroke that tapers off to the right.

Jon Hee

Co-Chair



mid market community benefit district

Mid Market Community Benefit District is a **privately-funded** 501c3 not-for-profit organization that works in tandem with City agencies to enhance the Mid Market public realm.

May 5, 2021

**Board of Supervisors
San Francisco City Hall
1 Dr Carlton B Goodlett Place
San Francisco, CA 94102**

Dear Supervisors,

On behalf of the Mid Market Community Benefit District, I am writing in support of the Shared Space legislation.

Our CBD worked in partnership with many street-level businesses and community stakeholders within our District to support the Shared Spaces program, especially those on the 500 block of Stevenson alley and in Mint Plaza. In order to ensure the Shared Spaces were successful for the businesses, their patrons and the community at large, we provided planning assistance, street maintenance and ambassador support, as well as promotional assistance through signs and social media.

The Shared Spaces program was a breath of fresh air for the community. Restaurant owners stated it was a lifeline that kept them in business and enabled them to bring staff back to work. Residents expressed joy and hopefulness when given the opportunity to safely connect with fellow community members, and both are eager to see this program continue. The program was also a boon for our District's largely vacant and boarded-up commercial corridors. The outdoor activity brought color, life and positive activity which deterred anti-social behavior and made areas safer.

We are also cognizant of challenges around parking demands, the seasonality of parklets and the eventual return to more indoor dining; as well as the potential for more liberal sidewalk permitting of tables and chairs. We look forward to engaging with our District's members and collaborating with the City to continue to refine this critical program as we emerge from the pandemic.

Making this program permanent presents businesses with the ongoing opportunity to use the public realm to safely serve their customers, while regenerating local employment and strengthening communities. At a time when the City prepares to reopen and welcome residents and visitors back to public life, a move towards making this program permanent will be a huge boost to public morale and the local economy.

Sincerely,

**Tracy Everwine
Executive Director**

From: [Alexis Woods](#)
To: [Chan, Connie \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Haney, Matt \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [Ronen, Hillary](#); [Walton, Shamann \(BOS\)](#); [Safai, Ahsha \(BOS\)](#)
Cc: [ChanStaff \(BOS\)](#); [StefaniStaff \(BOS\)](#); [PeskinStaff \(BOS\)](#); [Marstaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Haneystaff \(BOS\)](#); [MelgarStaff \(BOS\)](#); [MandelmanStaff \(BOS\)](#); [RonenStaff \(BOS\)](#); [Waltonstaff \(BOS\)](#); [SafaiStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); savesharedspaces@growsf.org
Subject: Please make Shared Spaces permanent!
Date: Thursday, May 20, 2021 11:28:50 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi,

I am emailing you in support of the Mayor's legislation to make the Shared Spaces program permanent.

I love outdoor dining. During this awful pandemic, it created a safe way for us to eat out and support our local businesses.

Even though indoor dining is slowly re-opening, we shouldn't shut down the Shared Spaces program. Outdoor dining has given our neighborhoods a new energy, and has transformed our streets into communities.

Please make outdoor dining permanent so we can continue to enjoy great food outdoors.

Thank you,

Alexis Woods
415-613-1521

From: [Kyle Brazil](#)
To: [Walton, Shamann \(BOS\)](#)
Cc: [Waltonstaff \(BOS\)](#); [Major, Erica \(BOS\)](#); savesharedspaces@growsf.org
Subject: Please make Shared Spaces permanent!
Date: Thursday, May 20, 2021 8:48:12 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Walton,

I'm a resident of District 10. I am emailing you in support of the Mayor's legislation to make the Shared Spaces program permanent.

I love outdoor dining. During this awful pandemic, it created a safe way for us to eat out and support our local businesses.

Even though indoor dining is slowly re-opening, we shouldn't shut down the Shared Spaces program. Outdoor dining has given our neighborhoods a new energy, and has transformed our streets into communities.

Please make outdoor dining permanent so we can continue to enjoy great food outdoors.

Thank you,

Kyle Brazil

From: [Karthik Rao](#)
To: [Preston, Dean \(BOS\)](#)
Cc: [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); savesharedspaces@growsf.org
Subject: Please make Shared Spaces permanent!
Date: Thursday, May 20, 2021 7:49:59 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Preston,

I'm a resident of District 5. I am emailing you in support of the Mayor's legislation to make the Shared Spaces program permanent.

I love outdoor dining. During this awful pandemic, it created a safe way for us to eat out and support our local businesses.

Even though indoor dining is slowly re-opening, we shouldn't shut down the Shared Spaces program. Outdoor dining has given our neighborhoods a new energy, and has transformed our streets into communities.

Please make outdoor dining permanent so we can continue to enjoy great food outdoors.

Thank you,

From: [Barry McCardel](#)
To: [Chan, Connie \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Haney, Matt \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [Ronen, Hillary](#); [Walton, Shamann \(BOS\)](#); [Safai, Ahsha \(BOS\)](#)
Cc: [ChanStaff \(BOS\)](#); [StefaniStaff, \(BOS\)](#); [PeskinStaff \(BOS\)](#); [Marstaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Haneystaff \(BOS\)](#); [MelgarStaff \(BOS\)](#); [MandelmanStaff, \(BOS\)](#); [RonenStaff \(BOS\)](#); [Waltonstaff \(BOS\)](#); [SafaiStaff \(BOS\)](#); [Major, Erica \(BOS\)](#)
Subject: Concern about Shared Spaces from a SF resident
Date: Thursday, May 20, 2021 7:46:59 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors,

The last year has been hard for everyone. One bright spot, however, has been a new outdoor, street-level vibrancy from the Shared Spaces program. It has put San Francisco's human beauty on display, and given a lifeline to struggling restaurants. The COVID crisis opened the door to a new model for our communities - and it's wonderful.

So I really can't understand why anyone would consider getting rid of it. It should absolutely be permanent. It could be a fixture and point of pride for this city going forward, and help more businesses open and thrive. I would be confused and embarrassed and disappointed if we didn't embrace this.

Personally, even post-vaccination, post-COVID, etc. I would still love the ability to sit outside, watching the people, enjoying the beautiful SF weather.

Please don't let this pass us by. Please support making outdoor dining permanent.

Barry

From: [Somera, Alisa \(BOS\)](#)
To: [Major, Erica \(BOS\)](#)
Subject: FW: Shared Spaces: Reality vs Myth
Date: Tuesday, May 11, 2021 2:09:15 PM

Alisa Somera

Legislative Deputy Director
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
415.554.7711 direct | 415.554.5163 fax
alisa.somera@sfgov.org

(VIRTUAL APPOINTMENTS) To schedule a “virtual” meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

Due to the current COVID-19 health emergency and the Shelter in Place Order, the Office of the Clerk of the Board is working remotely while providing complete access to the legislative process and our services.

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**From:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>  
**Sent:** Tuesday, May 11, 2021 10:56 AM  
**To:** BOS-Supervisors <bos-supervisors@sfgov.org>  
**Cc:** Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>; Mchugh, Eileen (BOS) <eileen.e.mchugh@sfgov.org>; Somera, Alisa (BOS) <alisa.somera@sfgov.org>; Ng, Wilson (BOS) <wilson.l.ng@sfgov.org>; Laxamana, Junko (BOS) <junko.laxamana@sfgov.org>; Nagasundaram, Sekhar (BOS) <sekhar.nagasundaram@sfgov.org>  
**Subject:** FW: Shared Spaces: Reality vs Myth

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**From:** Chaz - <[chazfilez@hotmail.com](mailto:chazfilez@hotmail.com)>



**Sent:** Tuesday, May 11, 2021 8:21 AM

**To:** Board of Supervisors, (BOS) <[board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org)>; Breed, Mayor London (MYR) <[mayorlondonbreed@sfgov.org](mailto:mayorlondonbreed@sfgov.org)>; CCSF-Shared Spaces <[sharedspaces@sfgov.org](mailto:sharedspaces@sfgov.org)>

**Subject:** Shared Spaces: Reality vs Myth

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board Members,

It feels like the city is forsaking much needed budget revenue in addition to the well-being and peace of mind of residents in favor of business interests yet again. I am at a point where appealing to the city to balance divergent interests seems futile so I figured I'd appeal to your sense of humor using the tools of the day: memes. This is what tourists must see when they visit, and what residents have to look at everyday. Does this look like the "Paris of the West?"

I know you guys see the same thing in your districts every day, contrary to the model instances the SFMTA uses in it's literature. This is not who we are or who we strive to be. Residents have been understanding of this once in a lifetime health crisis and HAVE shared the public space to help businesses survive. We are not opposed to some increase in outdoor dining but it should be limited in scope and based on use case and include extensive outreach to solicit input from the community it impacts, not a rush job meant to circumvent our voices. "Move fast, break things" is the mantra of corporate criminality, not city planning.

Taking advantage of our goodwill and making the program permanent feels colonial in it's arrogance. Handing out public land to businesses for pennies on the dollar, while starving public transit and other much needed services is gentrification at it's worst. Please reconsider.

Sincerely,

Chaz Hurwitz, 2nd Gen D1 resident

SPECIAL FEATURE

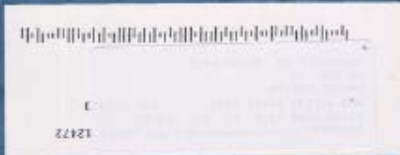
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# TRAVEL + LEISURE

## Sights & Smells

How the City by the Bay  
made dining in public  
urinals the hottest  
reservation in town

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Ways  
to wake sleeping neighbors



**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors](#)  
**Cc:** [Calvillo, Angela \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [Nagasundaram, Sekhar \(BOS\)](#); [Major, Erica \(BOS\)](#)  
**Subject:** FW: Letter of Support: Shared Spaces Legislation  
**Date:** Thursday, May 13, 2021 9:41:00 AM  
**Attachments:** [LOS Shared Spaces SFMTA 5-3-21.pdf](#)

---

**From:** Claude Imbault <cimbault@downtownsf.org>  
**Sent:** Monday, May 3, 2021 4:12 PM  
**To:** mtaboard@sfmta.com  
**Cc:** Degrafinried, Alaric (DPW) <alaric.degrafinried@sfdpw.org>; Maguire, Tom (MTA) <Tom.Maguire@sfmta.com>; Hillis, Rich (CPC) <rich.hillis@sfgov.org>; Chu, Carmen (ADM) <carmen.chu@sfgov.org>; Bohn, Nicole (ADM) <nicole.bohn@sfgov.org>; Weiland, Maggie (ADM) <maggie.weiland@sfgov.org>; BOS-Legislative Aides <bos-legislative\_aides@sfgov.org>; Tumlin, Jeffrey (MTA) <Jeffrey.Tumlin@sfmta.com>  
**Subject:** Letter of Support: Shared Spaces Legislation

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello:

Please see the attached signed letter of support from the Downtown Community Benefit District for the Shared Spaces legislation.

Thank you.

Claude Imbault

Attachment: Letter of Support

--

**Claude Imbault**  
**Director of Public Realm & Strategic Development**



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[cimbault@DowntownSF.org](mailto:cimbault@DowntownSF.org)

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May 3, 2021

SFMTA Board of Directors  
1 South Van Ness, 7<sup>th</sup> Floor  
San Francisco, CA 94102

Dear MTA Board of Directors:

On behalf of the Downtown Community Benefit District, I am writing to urge your support the legislation to transition the Shared Spaces legislation from a temporary emergency response program to a permanent program.

We represent property owners and businesses within a 43-block area comprised of the Financial District and Jackson Square Historic District. We have approximately 40 Shared Spaces in our district that include curbside dining and retail pick-up, outdoor dining, and personal services. We've heard from our local businesses that the program is helping them survive and recover after a period of extreme financial hardship.

A permanent Shared Spaces program would also help create a clear and predictable path for future program applicants by consolidating the permit process and creating a single, "one-stop" permit portal. It would also encourage arts, culture, and entertainment activities with a new Just Add Music (JAM) permit. This is a once in a lifetime opportunity to enliven our streets while supporting local restaurants, cafes, and retail businesses to recover from the global COVID pandemic and beyond.

Sincerely,

*Robert Silver*

Robbie Silver – Interim Executive Director

Cc: Alaric Degrafinried - Public Works  
Jeffrey Tumlin - SFMTA  
Tom Maguire - SFMTA  
Rich Hillis - SF Planning  
Carmen Chu - Office of the City Administrator  
Nicole Bohn - Office of the City Administrator  
Maggie Weiland - Office of the City Administrator  
SF BOS Legislative Aides

**From:** [Dan Foldes](#)  
**To:** [Preston, Dean \(BOS\)](#)  
**Cc:** [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [savesharedspaces@growsf.org](mailto:savesharedspaces@growsf.org)  
**Subject:** Please make Shared Spaces permanent!  
**Date:** Monday, May 17, 2021 10:49:38 AM

---

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Preston,

I'm a resident of District 5. I am emailing you in support of the Mayor's legislation to make the Shared Spaces program permanent.

I love outdoor dining. During this awful pandemic, it created a safe way for us to eat out and support our local businesses.

Even though indoor dining is slowly re-opening, we shouldn't shut down the Shared Spaces program. Outdoor dining has given our neighborhoods a new energy, and has transformed our streets into communities.

Please make outdoor dining permanent so we can continue to enjoy great food outdoors.

Thank you,

Dan Foldes  
Cole Valley



**From:** [Rebeca Choy](#)  
**To:** [Walton, Shamann \(BOS\)](#)  
**Cc:** [Waltonstaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [savesharedspaces@growsf.org](mailto:savesharedspaces@growsf.org)  
**Subject:** Please make Shared Spaces permanent!  
**Date:** Sunday, May 16, 2021 8:55:41 PM

---

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Walton, I'm a resident of District 10. I am emailing you in support of the Mayor's legislation to make the Shared Spaces program permanent. I love outdoor dining. During this awful pandemic, it created a safe way for us to eat out and support our local businesses. Even though indoor dining is slowly re-opening, we shouldn't shut down the Shared Spaces program. Outdoor dining has given our neighborhoods a new energy, and has transformed our streets into communities. Please make outdoor dining permanent so we can continue to enjoy great food outdoors. Thank you,  
Rebeca Choy

[Sent from Yahoo Mail on Android](#)

**From:** [Lala Wu](#)  
**To:** [Peskin, Aaron \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [Ronen, Hillary](#); [Haney, Matt \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [Walton, Shamann \(BOS\)](#)  
**Cc:** [ChanStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [Haneystaff \(BOS\)](#); [MandelmanStaff, \[BOS\]](#); [Marstaff \(BOS\)](#); [MelgarStaff \(BOS\)](#); [PeskinStaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [RonenStaff \(BOS\)](#); [SafaiStaff \(BOS\)](#); [savesharedspaces@growsf.org](#); [StefaniStaff, \(BOS\)](#); [Waltonstaff \(BOS\)](#)  
**Subject:** Please make Shared Spaces permanent!  
**Date:** Sunday, May 16, 2021 3:26:43 PM

---

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors,

I am emailing you in support of the Mayor's legislation to make the Shared Spaces program permanent.

Outdoor dining has been a rare silver lining of the pandemic and it enriches the social tapestry of the city while allowing us to support our beloved local businesses.

We are all glad that we see the light is end of the tunnel. But we shouldn't use this as a reason to shut down what has been an incredibly successful experiment borne out of necessity.

Please make outdoor dining permanent so we can continue to enjoy great food outdoors.

Thank you,  
Lala

**From:** [John Reese](#)  
**To:** [Mandelman, Rafael \(BOS\)](#)  
**Cc:** [MandelmanStaff, \[BOS\]](#); [Major, Erica \(BOS\)](#); [savesharedspaces@growsf.org](mailto:savesharedspaces@growsf.org)  
**Subject:** Please make Shared Spaces permanent!  
**Date:** Saturday, May 15, 2021 9:30:54 PM

---

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Mandelman,

I'm a resident of District 8. I am emailing you in support of the Mayor's legislation to make the Shared Spaces program permanent.

I love outdoor dining. During this awful pandemic, it created a safe way for us to eat out and support our local businesses.

Even though indoor dining is slowly re-opening, we shouldn't shut down the Shared Spaces program. Outdoor dining has given our neighborhoods a new energy, and has transformed our streets into communities.

Please make outdoor dining permanent so we can continue to enjoy great food outdoors.

Thank you,

**From:** [Sarah Stein](#)  
**To:** [Chan, Connie \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Haney, Matt \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [Ronen, Hillary](#); [Walton, Shamann \(BOS\)](#); [Safai, Ahsha \(BOS\)](#)  
**Cc:** [ChanStaff \(BOS\)](#); [StefaniStaff, \(BOS\)](#); [PeskinStaff \(BOS\)](#); [Marstaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Haneystaff \(BOS\)](#); [MelgarStaff \(BOS\)](#); [MandelmanStaff, \[BOS\]](#); [RonenStaff \(BOS\)](#); [Waltonstaff \(BOS\)](#); [SafaiStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [savesharedspaces@growsf.org](mailto:savesharedspaces@growsf.org)  
**Subject:** Please make Shared Spaces permanent!  
**Date:** Saturday, May 15, 2021 7:29:18 PM

---

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi,

I am emailing you in support of the Mayor's legislation to make the Shared Spaces program permanent.

I love outdoor dining. During this awful pandemic, it created a safe way for us to eat out and support our local businesses.

Even though indoor dining is slowly re-opening, we shouldn't shut down the Shared Spaces program. Outdoor dining has given our neighborhoods a new energy, and has transformed our streets into communities.

Please make outdoor dining permanent so we can continue to enjoy great food outdoors.

Thank you,

Cheers,

Sarah

**From:** [Moir Burke](#)  
**To:** [Ronen, Hillary](#)  
**Cc:** [RonenStaff \(BOS\); Major, Erica \(BOS\); savesharedspaces@growsf.org](#)  
**Subject:** Please make Shared Spaces permanent!  
**Date:** Saturday, May 15, 2021 3:19:15 PM

---

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Ronen,

I'm a resident of District 9. I am emailing you in support of the Mayor's legislation to make the Shared Spaces program permanent.

I love outdoor dining. During this awful pandemic, it created a safe way for us to eat out and support our local businesses.

Even though indoor dining is slowly re-opening, we shouldn't shut down the Shared Spaces program. Outdoor dining has given our neighborhoods a new energy, and has transformed our streets into communities.

Please make outdoor dining permanent so we can continue to enjoy great food outdoors.

Thank you,

**From:** [Gemma Cohen](#)  
**To:** [Preston, Dean \(BOS\)](#)  
**Cc:** [Major, Erica \(BOS\)](#); [PrestonStaff \(BOS\)](#); [savesharedspaces@growsf.org](mailto:savesharedspaces@growsf.org)  
**Subject:** Please make Shared Spaces permanent!  
**Date:** Saturday, May 15, 2021 10:42:37 AM

---

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Preston,

I'm a resident of District 5. I am emailing you in support of the Mayor's legislation to make the Shared Spaces program permanent. I love outdoor dining. During this awful pandemic, it created a safe way for us to eat out and support our local businesses. Even though indoor dining is slowly re-opening, we shouldn't shut down the Shared Spaces program. Outdoor dining has given our neighborhoods a new energy, and has transformed our streets into communities. Please make outdoor dining permanent so we can continue to enjoy great food outdoors.

Thank you,  
Gemma Cohen  
94115



**From:** [Gustav Lindqvist](#)  
**To:** [Chan, Connie \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Haney, Matt \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [Ronen, Hillary](#); [Walton, Shamann \(BOS\)](#); [Safai, Ahsha \(BOS\)](#)  
**Cc:** [ChanStaff \(BOS\)](#); [StefaniStaff, \(BOS\)](#); [PeskinStaff \(BOS\)](#); [Marstaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Haneystaff \(BOS\)](#); [MelgarStaff \(BOS\)](#); [MandelmanStaff, \[BOS\]](#); [RonenStaff \(BOS\)](#); [Waltonstaff \(BOS\)](#); [SafaiStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [savesharedspaces@growsf.org](mailto:savesharedspaces@growsf.org)  
**Subject:** Please make Shared Spaces permanent!  
**Date:** Friday, May 14, 2021 6:22:10 PM

---

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi,

I am emailing you in support of the Mayor's legislation to make the Shared Spaces program permanent.

I love outdoor dining. During this awful pandemic, it created a safe way for us to eat out and support our local businesses.

Even though indoor dining is slowly re-opening, we shouldn't shut down the Shared Spaces program. Outdoor dining has given our neighborhoods a new energy, and has transformed our streets into communities.

Please make outdoor dining permanent so we can continue to enjoy great food outdoors.

Thank you,

**From:** [Sarah Owens](#)  
**To:** [Preston, Dean \(BOS\)](#)  
**Cc:** [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [savesharedspaces@growsf.org](mailto:savesharedspaces@growsf.org)  
**Subject:** Please keep JFK car free and make Shared Spaces permanent!  
**Date:** Friday, May 14, 2021 11:08:49 AM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Preston,

I'm a resident of District 5. I campaigned for you. I walked door to door encouraging people to vote for you on election day. I am emailing you in support of the Mayor's legislation to make the Shared Spaces program permanent, as well as to advocate for keeping JFK car free.

Concerning JFK-- I live on the corner of Fell and Stanyan. I look out at the intersection where I see bikers or pedestrians getting hit by cars at least monthly. My street gets closed regularly for police activity to clean up the crash debris and scoop the poor bikers off the pavement and rush them to the ER. Car-free JFK has been such a blessing during this pandemic, and it's encouraged our community to use our beautiful public resource, Golden Gate Park, to its fullest. You all can see for yourselves any day, car-free JFK is an extremely popular and needed resource that encourages healthy recreation and pollution-free transportation. As a "progressive" city with a strong focus on making choices that address the looming climate change disaster, the fact that we're easily leaning back into making lives easier for drivers instead of bikers is extremely disappointing and frightening. I have worked both at the California Academy of Sciences and at the Fine Arts Museums of San Francisco, and I know very well the "access" issues they are using to push forward the reopening of JFK to vehicles. They are absolutely unfounded. A parking garage literally sits under them with elevators to ground level, and other surrounding streets have plenty of parking. These other surrounding streets are primarily used by able-bodied employees of these institutions who use them to commute to work every day. A practice I find incredibly disheartening, especially for Cal Academy employees, who work for an institution with such a strong focus on climate change education. These surrounding streets have more than enough space for any access needs they have been pushing for.

Concerning outdoor dining-- It's given our neighborhoods a new energy, and has transformed our streets into communities. Please make outdoor dining permanent so we can continue to enjoy great food outdoors. Any global city promoting tourism knows that cafe culture is key to making a city vibrant and welcoming. Valencia street alone has seemed like a mini-Barcelona! I believe it would not only be a loss to the small businesses in our communities, but also a huge missed opportunity for tourism revenue if these outdoor dining spaces were to be taken away.

I hope that these issues will be ones you fight for, as you ran on a platform that I considered to be about community building, recognizing the impacts of climate change, and encouraging the growth of public space and city resources that resonate with your constituents.

Thank you,

Sarah Owens  
D5 resident

**From:** [Zach Johnston](#)  
**To:** [Preston, Dean \(BOS\)](#)  
**Cc:** [PrestonStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [savesharedspaces@growsf.org](mailto:savesharedspaces@growsf.org)  
**Subject:** Just moved to Haight Ashbury (Shared Spaces)  
**Date:** Friday, May 14, 2021 8:57:31 AM

---

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Preston,

My partner and I recently moved to Haight Ashbury from Brooklyn. I'm excited to get more involved in the community and saw that you are the District 5 supervisor.

I'm sure you get a lot of emails requesting one thing or another, but I just wanted to highlight 2 things that my partner and I care deeply about as homeowners and invested members of this community:

1. **Making Shared Spaces permanent**

Even though indoor dining is re-opening, I would love to keep this outdoor community energy alive by having the sidewalks lined with tables and people having a good time. You'd think diners on the sidewalk would be busy, but it actually makes walking down the street a life-giving experience. So please, if you can throw in your support for shared spaces, I would be very grateful.

2. **Keeping JFK car-free**

This should really be #1 because car-free JFK is all my partner and I need to be happy. We own a car and understand that it can add a bit of time to a drive, but the benefit of being able to bike, walk, or jog through the park is immeasurably greater. Please, please, please if you can offer any vocal support for this my partner and I would be very very thankful.

Thanks,  
Zach & Taylor

**From:** [Hilary Shirazi](#)  
**To:** [Mandelman, Rafael \(BOS\)](#); [MandelmanStaff, \[BOS\]](#); [Major, Erica \(BOS\)](#); [savesharedspaces@growsf.org](mailto:savesharedspaces@growsf.org)  
**Subject:** Please make Shared Spaces permanent  
**Date:** Friday, May 14, 2021 7:57:41 AM

---

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Mandelman,

I'm a resident of District 8. I am emailing you in support of the Mayor's legislation to make the Shared Spaces program permanent.

We shouldn't shut down the Shared Spaces program. Outdoor dining has given our neighborhoods a new energy, and has transformed our streets into communities.

Please make outdoor dining permanent so we can continue to enjoy great food outdoors.

Thank you,  
Hilary

**From:** [Spencer Scheffy](#)  
**To:** [Stefani, Catherine \(BOS\)](#)  
**Cc:** [StefaniStaff\\_ \(BOS\)](#); [Major, Erica \(BOS\)](#); [savesharedspaces@growsf.org](mailto:savesharedspaces@growsf.org)  
**Subject:** Please make Shared Spaces permanent!  
**Date:** Friday, May 14, 2021 7:48:43 AM

---

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Supervisor Stefani,

I'm a resident of District 2. I am emailing you in support of the Mayor's legislation to make the Shared Spaces program permanent.

I love outdoor dining and it creates such a great atmosphere and sense of community. It really reminds me of outdoor dining in Europe and the cafe culture. It's also a great way to support our local businesses.

Please make outdoor dining permanent so we can continue to enjoy great food outdoors.

Thank you!  
Spencer



**From:** [Cameron Parker](#)  
**To:** [Peskin, Aaron \(BOS\)](#)  
**Cc:** [PeskinStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [savesharedspaces@growsf.org](mailto:savesharedspaces@growsf.org)  
**Subject:** Permanent Shared spaces  
**Date:** Friday, May 14, 2021 7:16:05 AM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Supervisor Peskin,

I'm a resident of District 3, emailing you in support of the Mayor's legislation to make the Shared Spaces program permanent.

I am very excited, as I am sure most people are, to be able to return to "normal" and indoor dining. But during the pandemic we learned just how much more valuable parking spaces are as places for people to eat and drink than for idle cars. We need to learn that lesson and never go back. I hope you feel the same.

Thank you,

**From:** [W. Scott Krol](#)  
**To:** [Peskin, Aaron \(BOS\)](#)  
**Cc:** [PeskinStaff \(BOS\)](#); [Major, Erica \(BOS\)](#); [savesharedspaces@growsf.org](mailto:savesharedspaces@growsf.org)  
**Subject:** Please make Shared Spaces permanent!  
**Date:** Friday, May 14, 2021 7:11:01 AM

---

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Peskin,

I'm a resident of District 3. I am emailing you in support of the Mayor's legislation to make the Shared Spaces program permanent.

I love outdoor dining. During this awful pandemic, it created a safe way for us to eat out and support our local businesses.

Even though indoor dining is slowly re-opening, we shouldn't shut down the Shared Spaces program. Outdoor dining has given our neighborhoods a new energy, and has transformed our streets into communities.

Please make outdoor dining permanent so we can continue to enjoy great food outdoors.

Thank you,



May 3, 2021

SFMTA Board of Directors  
1 South Van Ness, 7<sup>th</sup> Floor  
San Francisco, CA 94102

Dear MTA Board of Directors:

On behalf of the Downtown Community Benefit District, I am writing to urge your support the legislation to transition the Shared Spaces legislation from a temporary emergency response program to a permanent program.

We represent property owners and businesses within a 43-block area comprised of the Financial District and Jackson Square Historic District. We have approximately 40 Shared Spaces in our district that include curbside dining and retail pick-up, outdoor dining, and personal services. We've heard from our local businesses that the program is helping them survive and recover after a period of extreme financial hardship.

A permanent Shared Spaces program would also help create a clear and predictable path for future program applicants by consolidating the permit process and creating a single, "one-stop" permit portal. It would also encourage arts, culture, and entertainment activities with a new Just Add Music (JAM) permit. This is a once in a lifetime opportunity to enliven our streets while supporting local restaurants, cafes, and retail businesses to recover from the global COVID pandemic and beyond.

Sincerely,

*Robert Silver*

Robbie Silver – Interim Executive Director

Cc: Alaric Degrafinried - Public Works  
Jeffrey Tumlin - SFMTA  
Tom Maguire - SFMTA  
Rich Hillis - SF Planning  
Carmen Chu - Office of the City Administrator  
Nicole Bohn - Office of the City Administrator  
Maggie Weiland - Office of the City Administrator  
SF BOS Legislative Aides



**584 Castro Street #333  
San Francisco CA 94114-2512**

**415/980-0011**

formerly "Merchants of Upper Market & Castro – MUMC"

[Info@CastroMerchants.com](mailto:Info@CastroMerchants.com)  
[www.CastroMerchants.com](http://www.CastroMerchants.com)

April 01, 2021

Honorable London Breed, Mayor  
City and Country of San Francisco  
City Hall – Mayor's Office, Room 200  
1 Dr. Carleton B. Goodlett Place  
San Francisco CA 94102-4689

Honorable Rafael Mandelman, District 8 Supervisor  
City and Country of San Francisco  
City Hall – Room 244  
1 Dr. Carleton B. Goodlett Place  
San Francisco 94102-4689

Dear Mayor Breed and Supervisor Mandelman,

Castro Merchants supports and strongly urges you to support legislation to make permanent the "Shared Spaces" program in San Francisco's Castro business area. The program provides significant benefits to all Castro-area businesses, by increasing resident and consumer activity and revenues when these added business operating spaces are employed.

Currently, temporary "Shared Spaces" in the Castro includes Permitted, use of limited sidewalk space and on-street parking spaces, adjacent to "brick and mortar" businesses on Castro, 19<sup>th</sup>, 18<sup>th</sup>, 17<sup>th</sup>, Upper Market, 16<sup>th</sup>, Noe, Sanchez, and Church Streets.

Castro Merchants also supports any future "Shared Spaces" applications in our Service Area that conform to applicable rules and regulations.

Castro Merchants represents business owners and managers in a Service Area which includes San Francisco's Castro-Upper Market area, generally along Upper Market Street from Castro Street to Octavia Blvd.; Castro from Market to 19<sup>th</sup> Street; and commercially zoned portions of cross streets throughout that area. Most of our Members and all of the current temporary "Shared Spaces" are within that Castro Merchants Service Area.

Thank you for your interest in and support requested for this change in the "Shared Spaces" program.

With warmest regards,

A handwritten signature in blue ink, appearing to read "Masood", followed by a horizontal flourish.

Masood Samereie, President

cc: Supervisor Mandelman staff  
SFMTA Shared Spaces Project Manager

**From:** [Chaz -](#)  
**To:** [Connie Chan](#); [Board of Supervisors, \(BOS\)](#)  
**Cc:** [Breed, Mayor London \(MYR\)](#); [Munowitch, Monica \(MTA\)](#)  
**Subject:** Re: Shared Spaces: Reality vs Perception  
**Date:** Friday, April 30, 2021 4:10:26 PM

---

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Now it appears the city is considering a program that will literally cost \$10M of the city budget.

San Francisco Celebrates

Asian Pacific  
American  
Heritage Month

apaheritage



THURSDAY, APRIL 29, 2021 | SERVING SAN FRANCISCO,  
SAN MATEO AND SANTA CLARA COUNTIES | SFEXAMINER.COM

# SHARED SPACES COULD COST SFMTA \$10.6M A YEAR

Program intended to help business could eat into  
budget of struggling transit agency **PAGE 6**

## THE CITY

Eliminating natural  
gas in housing could  
cost \$5.9 billion

City weighs options  
including mandatory  
replacement of  
appliances in homes

**PAGE 4**

## I DRIVE S.F.

A nice crowd-free  
trip to SFMOMA



But usual  
traffic  
crops up  
on way  
home

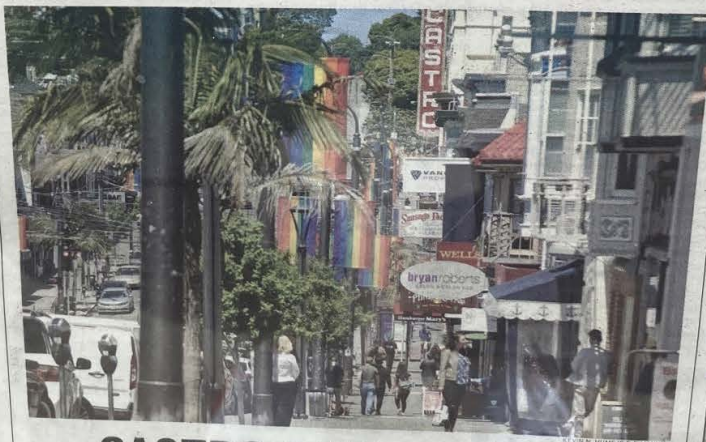
**PAGE 5**

## ARTS & ENTERTAINMENT

Another thrilling  
Tom Clancy flick

Michael B. Jordan  
makes a great spy hero

**PAGE 24**



# CASTRO CAMERA PLAN RAISES PRIVACY CONCERNS

Residents push back on community business district  
proposal to install surveillance network **PAGE 2**

Best  
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AGR

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Best Law

BES  
LAW FIF

USNA  
2021

tel 415.421.

No response required. You all know what's going on is a land grab at the tax payer's expense.  
Shame on anyone who supports making this emergency response permanent.

Sincerely,



Charles Hurbert

---

**From:** Chaz - <churbert@outlook.com>  
**Sent:** Tuesday, April 13, 2021 6:05 PM  
**To:** Connie Chan; board.of.supervisors@sfgov.org  
**Cc:** Breed, Mayor London (MYR); Monica.Munowitch@sfmta.com  
**Subject:** Shared Spaces: Reality vs Perception

Dear Connie,

Please see the attached picture below. This is what shared spaces looks like in a majority of the Richmond District (and across the city for that matter). The SFMTA has continually pushed the tired idea of "vibrancy " when presenting the Board of Supervisors and the public on Slow Streets and Shared Spaces. What you see below is the reality of what it is in most instances. Our city looks like a Shanty town. This is NOT what residents want.

The idea that this is an efficient use of public space is a slap in the face of residents who are required to not only maintain buildings free of graffiti and trash, but in the face of residents who are being shut out of the discussion about what we want our neighborhoods to look be. Currently as I understand it, there is NO ONE in the Shared Spaces program who is responsible for dealing with public input, which in my view shows how much they respect community input. I am familair with their online complaint form but that is for reporting specifci spaces not giving public input on the program as a whole.

Please put an end to the SFMTA's unchecked power to reshape OUR neighborhoods and demand that neighbors have input on new programs that affect our daily lives. What I see every day from outside my window is NOT what residents want or deserve.

Sincerely,

Charles Hurbert, D1



**From:** [Richard Skaff](#)  
**To:** [Michael Newman](#)  
**Cc:** [Ida A. Clair](#); [Angela Jamont](#); [Michael Nearman](#); [Board of Supervisors, \(BOS\)](#); [Administrator, City \(ADM\)](#); [Mia Marvelli](#)  
**Subject:** Disability advocates fear Shared Spaces could create an 'obstacle course' on city sidewalks  
**Date:** Friday, April 30, 2021 4:32:47 PM

---

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello, Michael,

I was especially touched by one of the photos in the **San Francisco Examiner** article I'm forwarding to you. That photo shows the use of tape on the City sidewalk that was placed there, apparently intending to define the path of travel between the sidewalk tables and chairs and the parklet at a restaurant location in San Francisco. That's just one of many examples of the failure of San Francisco to manage the use of its publically owned sidewalks and street parking lanes in a way that protects residents and visitors alike, and assures that the right of way is maintained in a fully accessible and safe manner as required by State and federal regulations.

There is also nothing within the City's parklet program describing the loss of on-street parking spaces to the installation of oarklets/shared spaces, which will directly effect seniors and people with disabilities who are unable to take public transportation or walk long distances, and use on-street (not necessarily defined as accessible) parking spaces close to shops and restaurants.

<https://www.sfexaminer.com/news/disability-advocates-fear-shared-spaces-could-create-an-obstacle-course-on-city-sidewalks/>

The issues I'm writing to you about are San Francisco's programs that allow tables and chairs on its public sidewalks and parklets/shared spaces within its on-street parking lane. Those programs are similar to those that are happening throughout California and were happening long before we faced the effects of Covid.

In many cases, those publically owned spaces (sidewalks/on-street parking lanes) that are being converted for commercial use (**parklets/shared spaces**) are being permitted by cities, counties, and even Cal Trans, which in my opinion is the illegal giving away of public property to a private business. I say that because in many cases, those publically owned spaces are being used by private businesses without any ongoing reimbursement/rent to the public entity those spaces belong to.

The uses I'm describing have, in many cases, also been allowed without any **specific** requirements to protect people with disabilities and assure that those spaces are accessible to and usable by people with disabilities and maintained that way. Additionally, in many cases, the general public is not being protected. In many of the locations I've found, there are no structural (like K Rail) vehicle barriers between the active vehicle lanes and the parklet. I sent you an article a few days ago that described one accident in San Francisco where a car ran into an unprotected parklet and injured two customers sitting in the parklet!

I'm very concerned that neither the State Architect, Cal Trans or any of the other code-writing State agencies have developed codes/standards within California Building Code, Title 24 or the Cal Trans Manual for Uniform Traffic Control Devices (MUTCD).

California residents, including those of us with disabilities, need Cal DOJ to help find a way to get this "problem" fixed, whether by holding a statewide workshop with all affected parties, or working with the statewide organizations that represent both cities and counties as well as representatives from the senior/disability community to develop state-wide function and safety standards for those uses.

I look forward to receiving your timely response.

Richard Skaff, Executive Director  
Designing Accessible Communities  
Email: [richardskaff1@gmail.com](mailto:richardskaff1@gmail.com)  
Cell: 707-755-1681

"Get in good trouble, necessary trouble, and redeem the soul of America." A statement made by civil rights leader, John Lewis.

And, "Fighting Hate  
Teaching Tolerance  
Seeking Justice" | The  
Southern Poverty Law Center

**From:** [Andrea Aiello](#)  
**To:** [Walton, Shamann \(BOS\)](#)  
**Cc:** [Burch, Percy \(BOS\)](#); [Board of Supervisors, \(BOS\)](#); [Bintliff, Jacob \(BOS\)](#)  
**Subject:** BF 210284 Shared Spaces Legislation  
**Date:** Friday, April 30, 2021 6:12:09 PM  
**Attachments:** [CastroCBD\\_SupportSharedSpaces\\_2021.pdf](#)

---

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello President Walton,

Attached please find the Castro Community Benefit District's support for the Mayor's Shared Spaces legislation.

If you have any questions, please contact me.

Thank you very much.

All My Best,  
Andrea Aiello

[CBD Logo](#)



Andrea Aiello Executive Director  
Castro/Upper Market CBD  
cell: 415-500-1181  
[www.castrocbd.org](http://www.castrocbd.org)  
[facebook.com/castrocbd](https://facebook.com/castrocbd)  
[twitter.com/visitthecastro](https://twitter.com/visitthecastro)

**From:** [Chaz -](#)  
**To:** [Connie Chan](#); [Board of Supervisors, \(BOS\)](#)  
**Cc:** [Breed, Mayor London \(MYR\)](#); [Munowitch, Monica \(MTA\)](#)  
**Subject:** Shared Spaces: Reality vs Perception  
**Date:** Tuesday, April 13, 2021 6:06:15 PM

---

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Connie,

Please see the attached picture below. This is what shared spaces looks like in a majority of the Richmond District (and across the city for that matter). The SFMTA has continually pushed the tired idea of "vibrancy " when presenting the Board of Supervisors and the public on Slow Streets and Shared Spaces. What you see below is the reality of what it is in most instances. Our city looks like a Shanty town. This is NOT what residents want.

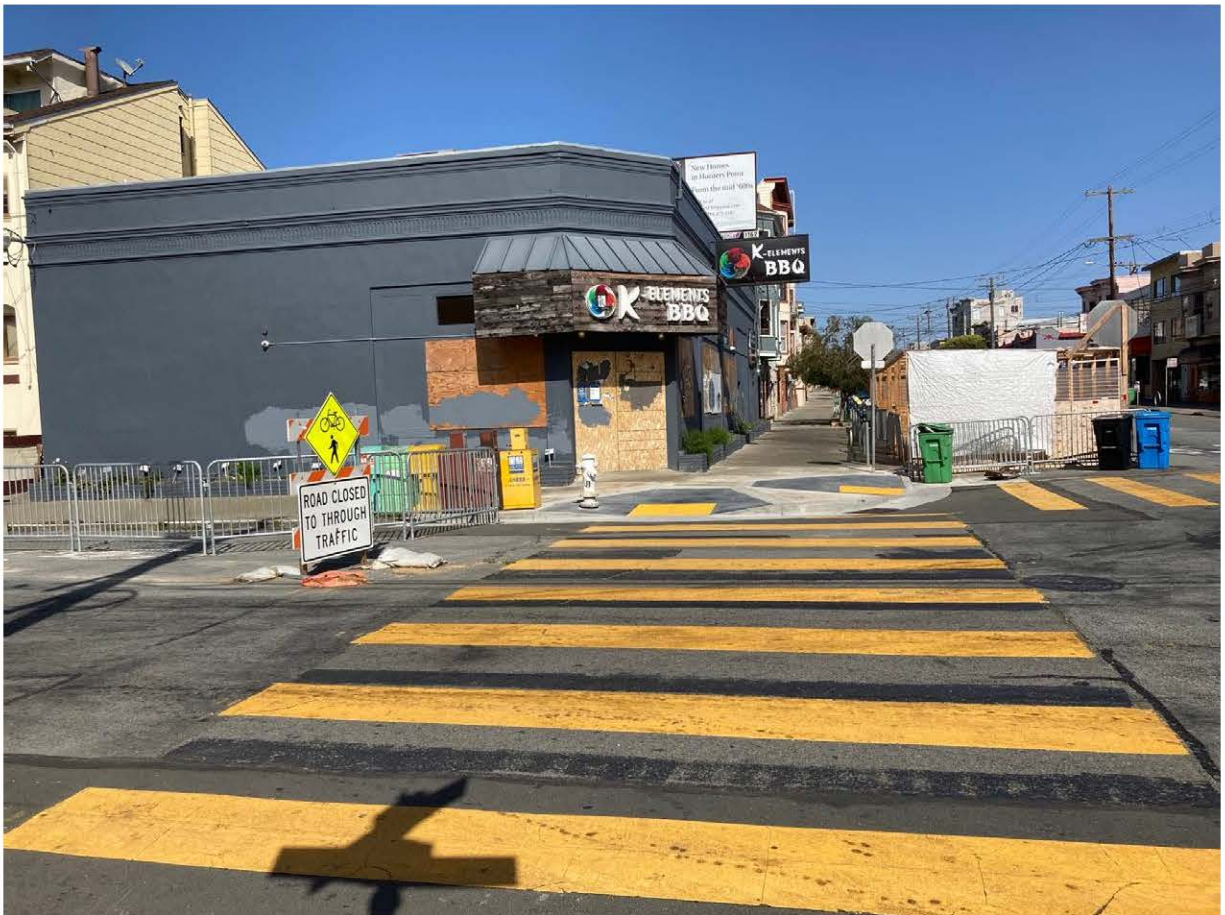
The idea that this is an efficient use of public space is a slap in the face of residents who are required to not only maintain buildings free of graffiti and trash, but in the face of residents who are being shut out of the discussion about what we want our neighborhoods to look be. Currently as I understand it, there is NO ONE in the Shared Spaces program who is responsible for dealing with public input, which in my view shows how much they respect community input. I am familair with their online complaint form but that is for reporting specifci spaces not giving public input on the program as a whole.

Please put an end to the SFMTA's unchecked power to reshape OUR neighborhoods and demand that neighbors have input on new programs that affect our daily lives. What I see every day from outside my window is NOT what residents want or deserve.

Sincerely,

Charles Hurbert, D1





**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors](#)  
**Cc:** [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Major, Erica \(BOS\)](#)  
**Subject:** FW: For public record - NO on making parklets permanent  
**Date:** Monday, March 22, 2021 4:56:12 PM

---

**From:** Royee Chen <royeechen@earthlink.net>  
**Sent:** Monday, March 22, 2021 9:33 AM  
**To:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>  
**Subject:** For public record - NO on making parklets permanent

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Supervisors,

Please, **don't** make the parklets permanent. These parklets should go away when the COVID restrictions are lifted. In fact, the following should be instituted in the meantime, to improve the quality of life of those who live and work around these parklets:

- **SIZE:** the parklet's **width** should be limited to the physical footprint of the business, and NOT extend to adjacent properties. *Case in point:* Harry's Bar on Fillmore Street - whose parklet extends beyond its footprint and encroaches on the adjacent property's frontage. *Scary thought:* What if a business built a parklet the entire length of a city block? Is that permissible?
- **BLOCKING OF PARKING METERS:** it's bad enough that parklets take away parking spaces, but they should definitely **not block** special parking meters - such as those zoned for commercial parking only. *Case in point:* Roam Artisan Burger at 1785 Union Street. Not only does its parklet extend beyond its own footprint, but it is blocking three red-top, commercial parking meters that were put there to allow for truck deliveries. Where are those trucks supposed to park now?
- **ALCOHOL:** under no circumstance should alcohol be served in these parklets - especially at places like Blue Light at 1979 Union Street. *The result:* bars with all their attendant problems, are given free rein to operate outside. This is a nightmare for residents and police. And it's especially reckless when **crowds** drink in front of establishments like Blue Light, and **block** the sidewalk.
- **DENSITY:** some blocks are chock-full of parklets. Place a **limit** on the parklets on any given block - by number or by space taken.

Please preserve our quality of life. **DON'T** extend the life of these parklets beyond what is reasonable.

Thank you.

Royee Chen

From: [Board of Supervisors - BOS](#)  
To: [BOS-Supervisors](#)  
Cc: [Valencia, David \(BOS\)](#); [Santana, Alisa \(BOS\)](#); [Van Wagon, BOS](#); [Mayer, Erica \(BOS\)](#)  
Subject: FR: Neighbor input on PERMANENT Shared Spaces  
Date: Thursday, March 25, 2021 11:49:34 AM

From: Chaz - <churbert@outlook.com>  
Sent: Thursday, March 25, 2021 11:03 AM  
To: CAC@sfmta.com  
Cc: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>  
Subject: Neighbor input on PERMANENT Shared Spaces

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear CAC Members,

I just read about the below proposal to make the Shared Spaces program permanent. While I understand the need to assist ailing restaurants during an unprecedented pandemic the idea that making these outdoor dining spaces permanent without the normal process of public input to access impacts is unfair to every resident of this city that has already been asked to make accommodations for businesses thus far. Below are why I believe this proposal needs a standard approval process similar to what is already required to have sidewalk seating:

- 1. LOST BUDGET REVENUE:** Not only is more much needed parking spaces lost for residents, but this proposal effectively reduces much needed revenue for the city budget due to a loss of parking meters as a revenue source. We already allow Ford bikes, Bird Scooters, and car share companies to operate with subsidized fees that reduce available city budget.
- 2. LAND GRAB:** By allowing businesses to permanently encroach on the public space, this effectively hands over tens of thousands of feet of public space to owners of ground-level commercial space. I happen to own a building with commercial space and this program effectively allows me to add square footage to the usable space that I rent out. With such an incentive I don't know how we will stop EVERY building owner to take advantage of this loop-hole to increase desirability and charge higher rents based on the additional usable space.
- 3. DISRUPTION TO NEIGHBORS:** To those of us who live on commercial streets like Clement (in my case) or Valencia, this means more disruption of our daily lives. I happen to live next door to a Korean BBQ that has built an outdoor stable that accommodates up to 80+ people every night they are open. Their patrons are LOUD, have not been practicing social distancing in line, and often block the sidewalk as they wait in queue. Also, the smoke from their portable hibachi grills blows smoke into neighboring homes (mine being the closest), and generally makes me feel like closing my windows and blinds which is something I only do reticently. If you care to see a picture of what I and other neighbors have already been asked to put up with, I've attached a photo of what it looks like from my window below on any given night: <https://www.dropbox.com/s/0rptkua02ase87u/2140Clement.jpg?dl=0>



[2140Clement.jpg](#)

Shared with Dropbox

<https://www.dropbox.com/s/0rptkua02ase87u/2140Clement.jpg?dl=0>

<https://www.dropbox.com/s/0rptkua02ase87u/2140Clement.jpg?dl=0>

At what point are we as residents going to be factored into these decisions that impact the quality of our lives? How is it acceptable to give away public land for someone else to turn a profit off of? I implore you to agenzize the matter of shared spaces as it is unfair to ask residents who have already been accommodating during this difficult time to accept even more disturbance and negative impacts to our quality of life. I was born in the Richmond district and now live here in middle age precisely because it is NOT the bustling corridors of Valencia, Divisadero or Hayes Valley. Please put this matter on the agenda and solicit input from not only those in favor who likely live far from commercial corridors but especially those who are closest and most affected.

Thank you for your time and consideration.

Sincerely,

Charles Hurbert  
2134 Clement Street  
SF, CA 94121  
GWH5/CCSF/SFSU Alumni

**From:** [Richard Skaff](#)  
**To:** [Bohn, Nicole \(ADM\)](#)  
**Cc:** [Deborah \(Debby\)Kaplan](#); [California Department of Justice](#); [Ida A. Clair](#); [John King](#)  
**Subject:** Fwd: SF Planning Commission hearing 4/22 on permanent "Shared Spaces" program  
**Date:** Sunday, April 18, 2021 4:21:18 PM  
**Attachments:** [2021-003010PRJ.pdf](#)  
[20210422\\_cal.pdf](#)

---

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello, Nicole and Debbie.

I just received the attached email from a San Francisco resident. That person has, in the near past, contacted me regarding San Francisco's intent to formalize the City's Parklet Program because of access concerns.

Well, if what I've read within the attached documents is all there is with regard to both program and physical accessibility required by the "Plan", I have concerns about the present program that apparently had the parklet policy enforcement role taken away from DPW. Apparently, the Planning Department is now in charge of the City's Parklet Program. Is that a correct assumption on my part? If so, does Planning have trained inspection staff to inspect installed Parklets? And if a Parklet is found to be out of compliance with the City's Parklet program, what is the Planning Department's authority to enforce the program requirements as they relate to both program and physical access for persons with disabilities?

I've done quick review of the documents (attached below) and it doesn't appear (although I may have missed it) to have anything within the Parklet Program documents that speaks to the issues of state and federal accessibility requirements. I would have thought that there would be a substantial section within those documents defining what state and federal access requirements relate to the placing of a dining, sitting public use on public, Title II, City owned sidewalks and streets.

What, if any input did the Mayor's Office on Disability have in the development of the City Parklet Program?

These are all questions every city, county, state agency (in our case, CalbTrans) should be asking when developing a parklet program. I'm sorry to say that most, if not all, haven't and aren't. Hopefully the City of San Francisco will create a fully accessible for everyone parklet program that will help other communities know what they should and must do to make their parklets fully accessible to everyone.

I look forward to getting a timely response from you. It appears that the Planning Department hearing about the City Parklet Program will be taking place this next week, so hearing from you prior to the hearing will be important.

Thank you.

Richard Skaff, Executive Director  
Designing Accessible Communities

Email: [richardskaff1@gmail.com](mailto:richardskaff1@gmail.com)

Cell: 707-755-1681

"Fighting Hate

Teaching Tolerance

Seeking Justice" | The

Southern Poverty Law Center

----- Forwarded message -----

From:

Date: Sun, Apr 18, 2021, 3:16 PM

Subject: SF Planning Commission hearing 4/22 on permanent "Shared Spaces" program

To: Richard Skaff <[richardskaff1@gmail.com](mailto:richardskaff1@gmail.com)>

Attached is the report, and agenda. It is Agenda item 8.





**584 Castro Street #333  
San Francisco CA 94114-2512**

**415/980-0011**

formerly "Merchants of Upper Market & Castro – MUMC"

[Info@CastroMerchants.com](mailto:Info@CastroMerchants.com)  
[www.CastroMerchants.com](http://www.CastroMerchants.com)

April 01, 2021

Honorable London Breed, Mayor  
City and Country of San Francisco  
City Hall – Mayor's Office, Room 200  
1 Dr. Carleton B. Goodlett Place  
San Francisco CA 94102-4689

Honorable Rafael Mandelman, District 8 Supervisor  
City and Country of San Francisco  
City Hall – Room 244  
1 Dr. Carleton B. Goodlett Place  
San Francisco 94102-4689

Dear Mayor Breed and Supervisor Mandelman,

Castro Merchants supports and strongly urges you to support legislation to make permanent the "Shared Spaces" program in San Francisco's Castro business area. The program provides significant benefits to all Castro-area businesses, by increasing resident and consumer activity and revenues when these added business operating spaces are employed.

Currently, temporary "Shared Spaces" in the Castro includes Permitted, use of limited sidewalk space and on-street parking spaces, adjacent to "brick and mortar" businesses on Castro, 19<sup>th</sup>, 18<sup>th</sup>, 17<sup>th</sup>, Upper Market, 16<sup>th</sup>, Noe, Sanchez, and Church Streets.

Castro Merchants also supports any future "Shared Spaces" applications in our Service Area that conform to applicable rules and regulations.

Castro Merchants represents business owners and managers in a Service Area which includes San Francisco's Castro-Upper Market area, generally along Upper Market Street from Castro Street to Octavia Blvd.; Castro from Market to 19<sup>th</sup> Street; and commercially zoned portions of cross streets throughout that area. Most of our Members and all of the current temporary "Shared Spaces" are within that Castro Merchants Service Area.

Thank you for your interest in and support requested for this change in the "Shared Spaces" program.

With warmest regards,

A handwritten signature in blue ink, appearing to read "Masood".

Masood Samereie, President

cc: Supervisor Mandelman staff  
SFMTA Shared Spaces Project Manager

**From:** [Board of Supervisors \(BOS\)](#)  
**To:** [BOS-Supervisors](#); [BOS-Legislative Aides](#); [BOS-Administrative Aides](#)  
**Cc:** [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Nagasundaram, Sekhar \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#)  
**Subject:** FW: SF Chamber of Commerce File#210284 - Shared Spaces  
**Date:** Thursday, April 22, 2021 8:47:00 AM  
**Attachments:** [SFChamber\\_File210284.pdf](#)  
[image002.png](#)

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**From:** Emily Abraham <[eabraham@sfchamber.com](mailto:eabraham@sfchamber.com)>  
**Sent:** Wednesday, April 21, 2021 6:17 PM  
**To:** Emily Abraham <[eabraham@sfchamber.com](mailto:eabraham@sfchamber.com)>  
**Subject:** SF Chamber of Commerce File#210284 - Shared Spaces

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Good evening,

On behalf of The San Francisco Chamber of Commerce and the business community we represent, thank you for your continued leadership in working to guide us through these challenging times. The San Francisco Chamber of Commerce actively supports policies that uplift our small business community, which contribute so greatly to our City's unique culture. We offer our support of File #210284, "Administrative, Public Works, and Transportation Codes - Shared Spaces," while also requesting further clarity. Please see attached for our full letter.

Please do not hesitate to reach out with any questions.

Respectfully,

Emily Abraham



**Emily Abraham**

Interim Director, Public Policy  
San Francisco Chamber of Commerce  
(Direct) 916-294-5029 • (E) [eabraham@sfchamber.com](mailto:eabraham@sfchamber.com)  
Pronouns: [she/her/hers](#)

Sign-up for our weekly newsletter [here](#).

Join us at our upcoming virtual [events](#).

- [Executive Coffee Break](#) – April 29 | 11AM
- [Small Business Week](#) – May 3 - 7
- [Executive Coffee Break](#) – June 3 | 11AM
- [CityBeat Breakfast](#) – June 24 | 11AM
- [SF Chamber's Member Mixer](#) – July 27 | 5:30PM



235 Montgomery St., Ste. 760, San Francisco, CA 94104

tel: 415.352.4520 • fax: 415.392.0485

sfchamber.com • twitter: @sf\_chamber

April 21, 2021

San Francisco Board of Supervisors

1 Dr. Carlton B. Goodlett Place

San Francisco, CA 94012

**RE: File #210284 “Administrative, Public Works, and Transportation Codes - Shared Spaces”**

Dear Board of Supervisors,

On behalf of The San Francisco Chamber of Commerce and the business community we represent, thank you for your continued leadership in working to guide us through these challenging times. San Francisco has gone from the purple tier to orange tier over the course of a month, now resting close to the threshold for yellow tier restriction status. The San Francisco Chamber of Commerce’s Economic Recovery Data Dashboard shows a roughly 10% net increase in consumer spending as restrictions have been lifted, and it is likely that this trend will continue as San Francisco enters the yellow tier. Further, the decrease in unemployment and increase in job postings over the recent months offer an optimistic indicator in projecting future spending and business revenue.

Our data also shows an upward trend in seated diners in San Francisco, which correlates to public health orders, as well as the implementation of shared spaces over last summer. Proactive legislation like the Shared Spaces program kept many businesses alive during the peak of the pandemic. Legislation like this paves the way for an even more vibrant San Francisco post the COVID-19 pandemic and builds on structures implemented to keep businesses in our hardest hit industries afloat.

Making Shared Spaces permanent meets a real demand from business owners and the community. Since the beginning of the program, there have been 2,435 shared spaces applications, 1900 of which have been approved. Permanent Share Space will undoubtedly create more service jobs and give San Franciscans an economic fighting chance now and the opportunity to thrive in the future.

While we are overall supportive of making Shared Spaces permanent, our membership has requested some points of clarity, especially around permit approval process transparency.

**In the legislation, several Transportation Code sections referenced for roadway closures processes and definitions neither exist nor are created by the Legislation:**

1. **Transportation Code Section 101.** The Legislation states “Longer-Term Closure” and “Temporary Closure” are referenced to have the same definitions as found in Section 101 of the Transportation Code, but there are no definitions of the two terms in that section.
2. **Transportation Code Section 204.** The Legislation states Curbside Shared Spaces are to be approved or denied pursuant to Section 204 of the Transportation Code, but Section 204 does not exist and is not created by the Legislation.
3. **Transportation Code Section 205.** The [Addendum No. 2 to the Better Streets Plan Mitigated Negative Declaration](#) references regulations for roadway closures in Transportation Code Section



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sfchamber.com • twitter: @sf\_chamber

205, but Section 205 does not exist and is neither referenced in the Legislation nor created by the Legislation.

4. **Transportation Code Section 206.** The Legislation states Roadway Shared Spaces that result in a Longer-Term Closure are reviewed by the MTA Board of Directors and approved by MTA pursuant to Section 206 of the Transportation Code, but Section 206 does not exist and is not created by the Legislation.

As [Addendum No. 2 to the Better Streets Plan Mitigated Negative Declaration](#) being utilized for this legislation points out, this legislation is anticipated to increase roadway closure permits and increase the intensity of roadway activity. **We believe the existing processes in place for roadway closures, both temporary and longer-term, should be re-examined to make sure that a roadway closure is studied carefully and does not adversely affect logistical operations in the City and surrounding businesses, not just the potential for a roadway closure to substantially delay active public transit service.**

Additionally, for both short-term and long-term permit applications, there are only seven or ten days notice of an MTA Board hearing with notice posted on at least two utility poles in the affected area and on the MTA website. No written notice is mailed to nearby owners and occupants. **Given that many of our small businesses require certain delivery routes and parking accessibility to operate their business, we want to ensure that the notification of street closures or parking space elimination takes into consideration these unique circumstances, and allows for more direct and visible notification to surrounding business owners.**

The San Francisco Chamber of Commerce actively supports policies that uplift our small business community, which contribute so greatly to our City's unique culture. We offer our support, while also requesting further clarity. On behalf of our membership, we urge you to support this legislation as well as making the appropriate modifications to this permanent program.

Sincerely,

A handwritten signature in black ink, appearing to read "Rodney Fong", written over a circular stamp or seal.

Rodney Fong  
President & CEO  
San Francisco Chamber of Commerce

cc: Clerk of the Board, to be distributed to all Supervisors; Mayor London Breed; OEWD; Planning Commission



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April 21, 2021

San Francisco Board of Supervisors

1 Dr. Carlton B. Goodlett Place

San Francisco, CA 94012

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Rodney Fong  
President & CEO  
San Francisco Chamber of Commerce

cc: Clerk of the Board, to be distributed to all Supervisors; Mayor London Breed; OEWD; Planning Commission



**From:** Board of Supervisors, (BOS)  
**To:** [BOS-Supervisors](#)  
**Cc:** [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [Nagasundaram, Sekhar \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#)  
**Subject:** FW: San Francisco Planning Department Policy/Program - Shared Spaces (Parklets)  
**Date:** Tuesday, April 27, 2021 8:20:00 AM

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**From:** Richard Skaff <richardskaff1@gmail.com>  
**Sent:** Monday, April 26, 2021 3:41 PM  
**To:** Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Administrator, City (ADM) <city.administrator@sfgov.org>  
**Cc:** Bohn, Nicole (ADM) <nicole.bohn@sfgov.org>; Deborah (Debby)Kaplan <debkap301@gmail.com>; Ida A. Clair <ida.clair@dgs.ca.gov>; Mia Marvelli <mia.marvelli@dgs.ca.gov>; Michael Nearman <michael.nearman@dgs.ca.gov>  
**Subject:** San Francisco Planning Department Policy/Program - Shared Spaces (Parklets)

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Mayor Breed and the San Francisco Board of Supervisors

I'm writing to you to ask that you direct the City Planning Director to cease his Department's efforts to create the City/Planning Department "Shared Spaces" program.

During last week's Planning Department Workshop, there were many individuals who spoke eloquently about their concerns regarding the proposed Shared Spaces Program as presently proposed and structured.

One of the concerns raised was the lack of any specificity regarding the state and federal mandates for both physical and "programmatic" accessibility. There is only cursory and inadequate language about those mandates presently included in the Program documents.

The second major failure of the Shared Spaces/Parklet Program is the almost complete lack of any details that define how the Shared Spaces/Parklets placed in a street parking lane will be created and what specific systems will be used/required by the Department's Shared Spaces/Parklet Program to physically protect members of the public from the intrusion of vehicles when the public is sitting/standing in those spaces.

The following is a URL with a video and written news article describing a recent event where a vehicle ran into a Shared Space/Parklet, injuring some of those sitting in that space.

<https://news.yahoo.com/2-injured-car-crashes-san-064019509.html>

Please immediately inform me whether the development of the City's Shared Spaces/Parklet Program will immediately be suspended until the concerns regarding physical and programmatic

accessibility for people with disabilities and the safety of those using those spaces are effectively and completely resolved.

I look forward to your timely response.

Richard Skaff, Executive Director  
Designing Accessible Communities  
Email: [richardskaff1@gmail.com](mailto:richardskaff1@gmail.com)  
Cell: 707-755-1681  
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Teaching Tolerance  
Seeking Justice" | The  
Southern Poverty Law Center

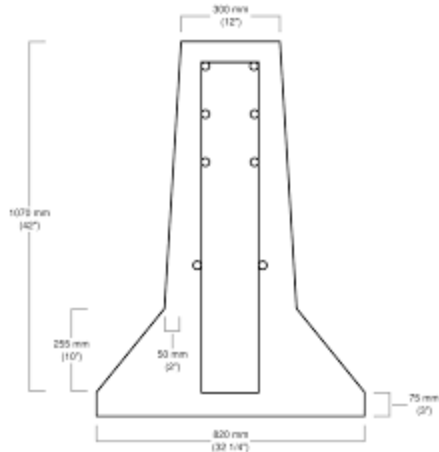
**From:** [Richard Skaff](#)  
**To:** [Michael Newman](#)  
**Cc:** [California Department of Justice](#); [Ida A. Clair](#); [Michael Nearman](#)  
**Subject:** Dangerous Parklets/Shared Spaces  
**Date:** Sunday, April 25, 2021 5:08:36 PM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I'm not surprised by the following news report regarding a vehicle injuring diners sitting in a San Francisco Parklet/Shared Space site that had no vehicle barrier to protect those in the Parklet/Shared Space. It was only a matter of time!

The SF Planning Commission and staff (and many other cities/counties throughout the State) have created these programs that have no clear requirement mandating the use of a recognized vehicle barrier systems like "K Rail" (there are a number of vehicle



barricading systems allowed by the MUTCD) as defined in both the federal and state Manual for Uniform Traffic Control Devices, that I believe are required to be placed between the active vehicle lanes and the parking lane where the Parklets/Shared Spaces programs allow businesses to create seating/dining tables and chairs in the parking lane in front of the business that created the space.

<https://news.yahoo.com/2-injured-car-crashes-san-064019509.html>

Richard Skaff, Executive Director  
Designing Accessible Communities  
Email: [richardskaff1@gmail.com](mailto:richardskaff1@gmail.com)  
Cell: 707-755-1681  
"Fighting Hate  
Teaching Tolerance  
Seeking Justice" | The  
Southern Poverty Law Center

**From:** [Richard Skaff](#)  
**To:** [Michael Newman](#)  
**Cc:** [Michael Nearman](#); [Ida A. Clair](#); [Mia Marvelli](#); [mail@aiacalifornia.org](mailto:mail@aiacalifornia.org)  
**Subject:** City/County/Unincorporated/Cal Trans Parklets/Shared Spaces  
**Date:** Sunday, April 25, 2021 6:27:30 PM  
**Attachments:** [8. Shared Spaces 20210422 CPC.pdf](#)  
[guidelines for cafe tables and chair permit.pdf](#)  
[4887-Tables and Chairs 2015 Guidelines Signed Order 0.pdf](#)

---

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello, Michael.

I just received an email from a San Francisco resident with the following TV News story:

<https://news.yahoo.com/2-injured-car-crashes-san-064019509.html>

This accident, as described within the attached video and written story, is not surprising and apparently not the only vehicle accident involving a vehicle driving into an on-street/parking lane Parklets/Shared Spaces. Apparently, there have been a number of other similar accidents.

Of course, the issue of dining tables and chairs, A Frame Signs, and product displays on public sidewalks also create a dangerous path of travel condition if not properly designed, especially for blind/low visioned pedestrians but are also problematic for those pedestrians using wheelchairs for mobility. I've attached a copy of the San Francisco Department of Public Works **GUIDELINES FOR CAFÉ TABLES AND CHAIRS PERMIT** and **Tables and Chairs 2015 Guidelines** for your review.

Michael, please confirm receipt of the many emails I've sent you today and yesterday and that you are able to open and review the attachments. If you have any questions, please email or call me to discuss.

Thank you.

Richard Skaff, Executive Director  
Designing Accessible Communities  
Cell: 707-755-1681  
Email: [richardskaff1@gmail.com](mailto:richardskaff1@gmail.com)  
"Fighting Hate  
Teaching Tolerance  
Seeking Justice" | The  
Southern Poverty Law Center





City and County  
of San Francisco

# Shared Spaces

INFORMATIONAL PRESENTATION

Thursday, April 22, 2021

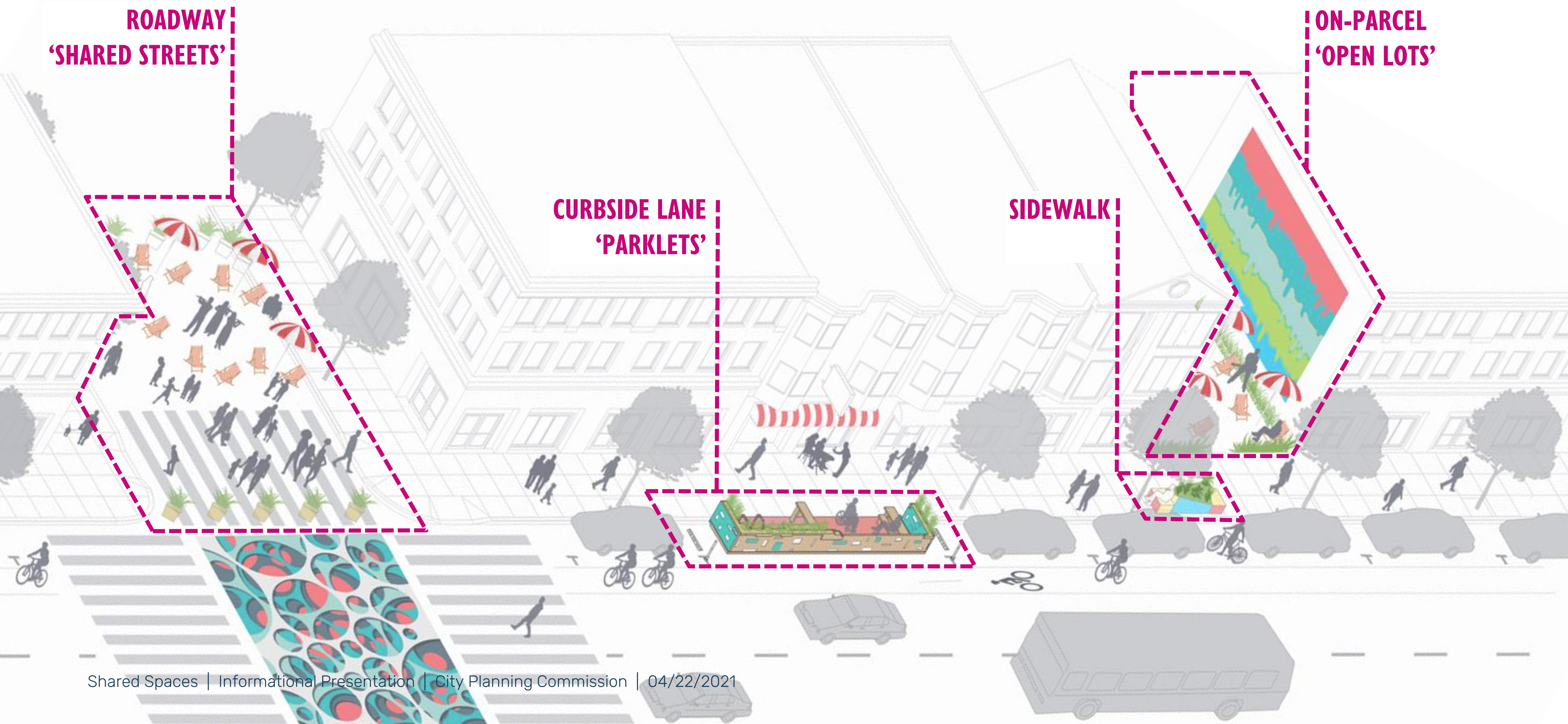


# Topics

1. Context & Snapshot of Shared Spaces Program Today
2. Policy Goals and Legislative Actions
3. Transitioning to a Codified Program
4. Questions & Discussion

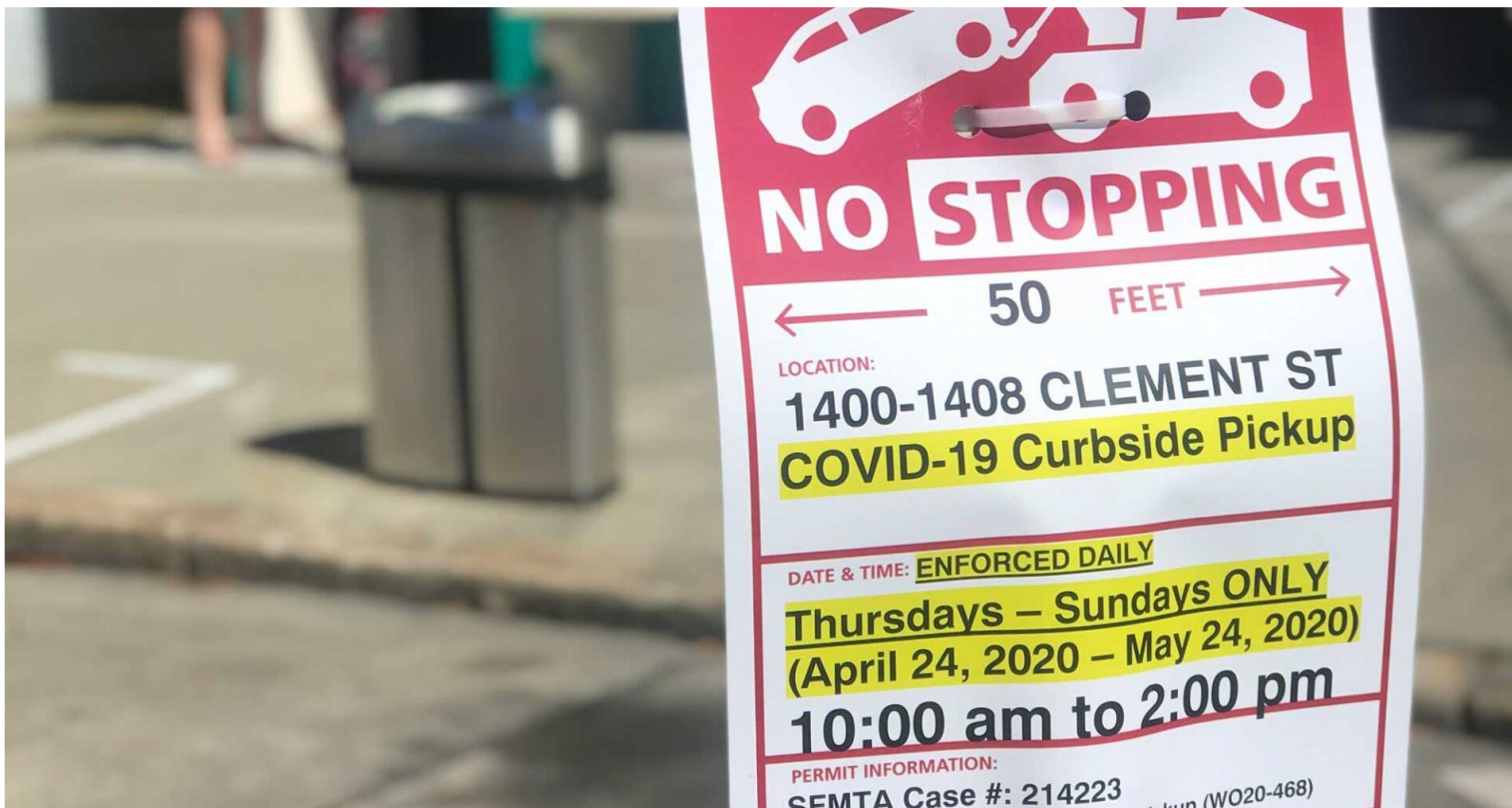


# Where are Shared Spaces?





# How are Shared Spaces used?



Curbside Pickup



Outdoor Retail



Distanced Queuing



Personal Services



Outdoor Dining



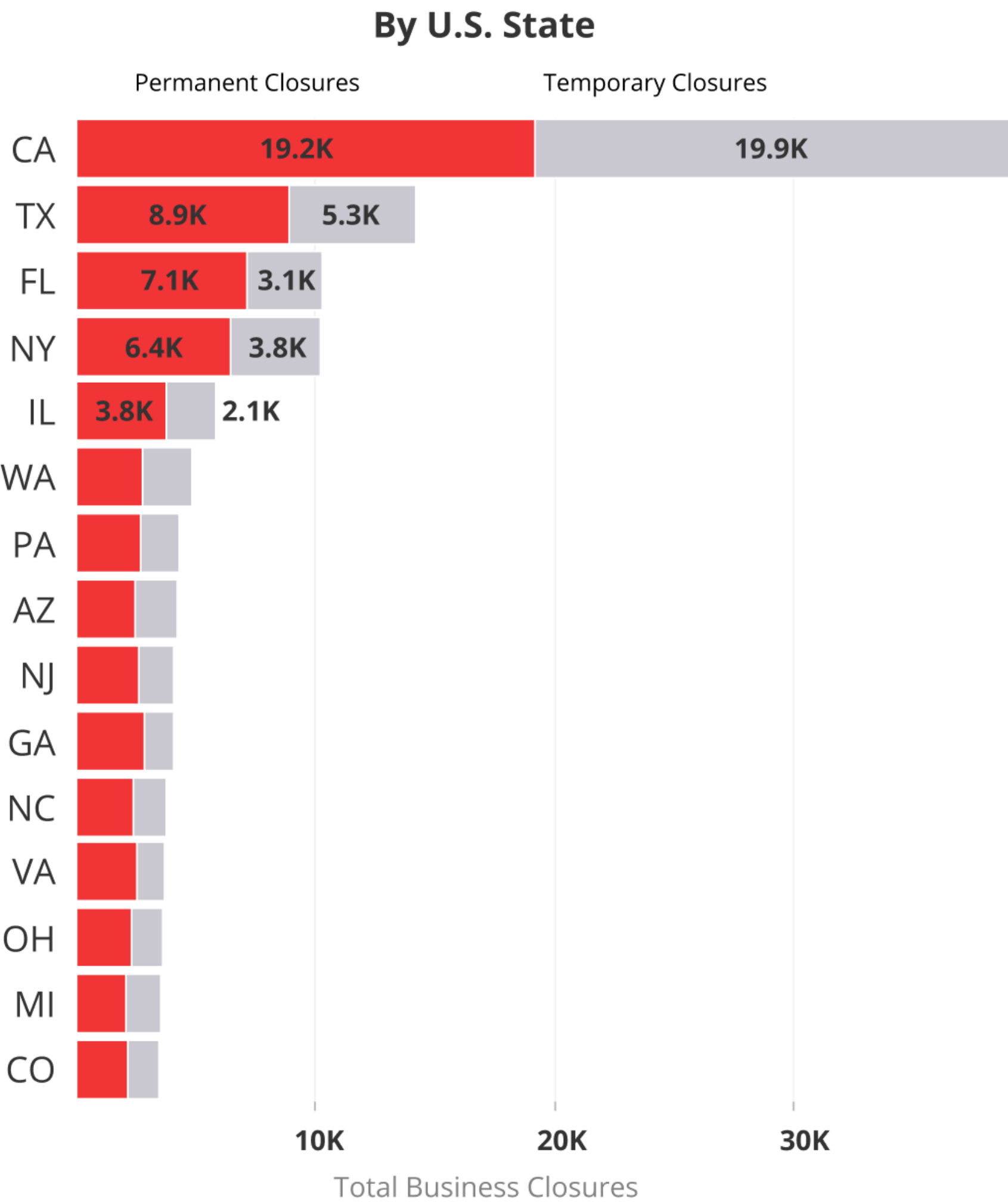
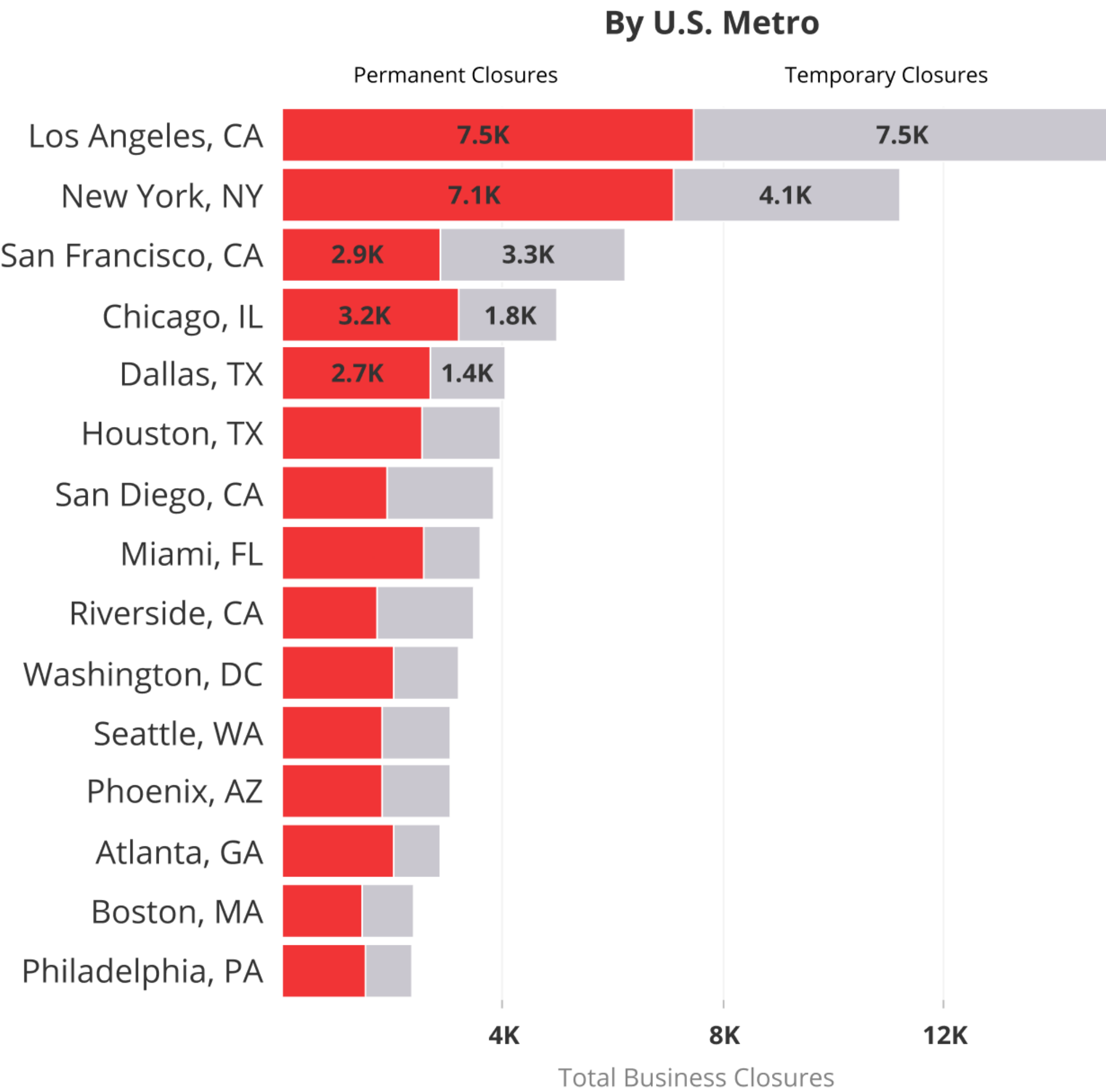
Entertainment



# Economic Context

## Where are the Most Businesses Closed?

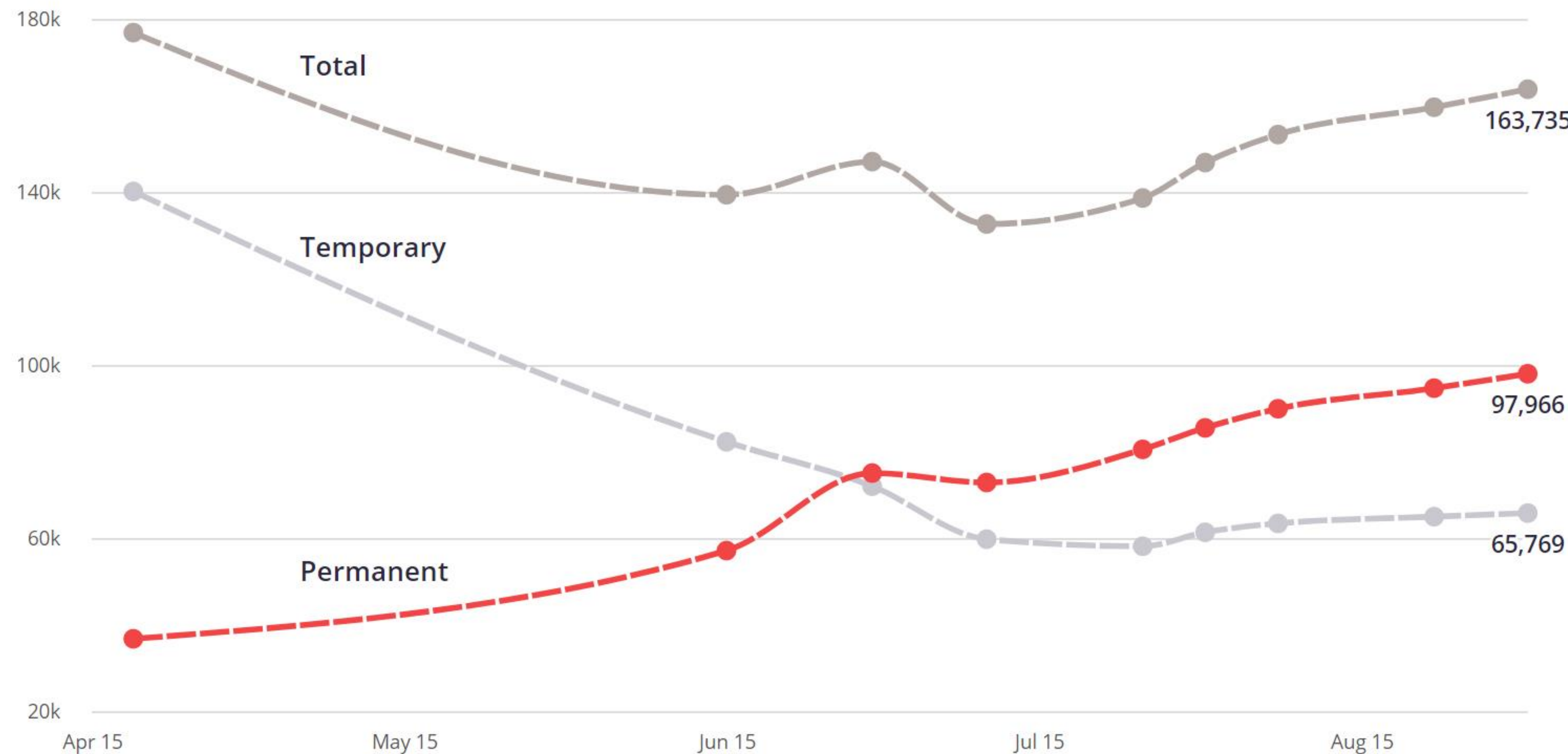
Geographic areas with the largest number of business closures since March 1



# Responding to Economic Context

## Business Closures Continue to Increase Nationally

Number of businesses marked closed on Yelp that were open March 1

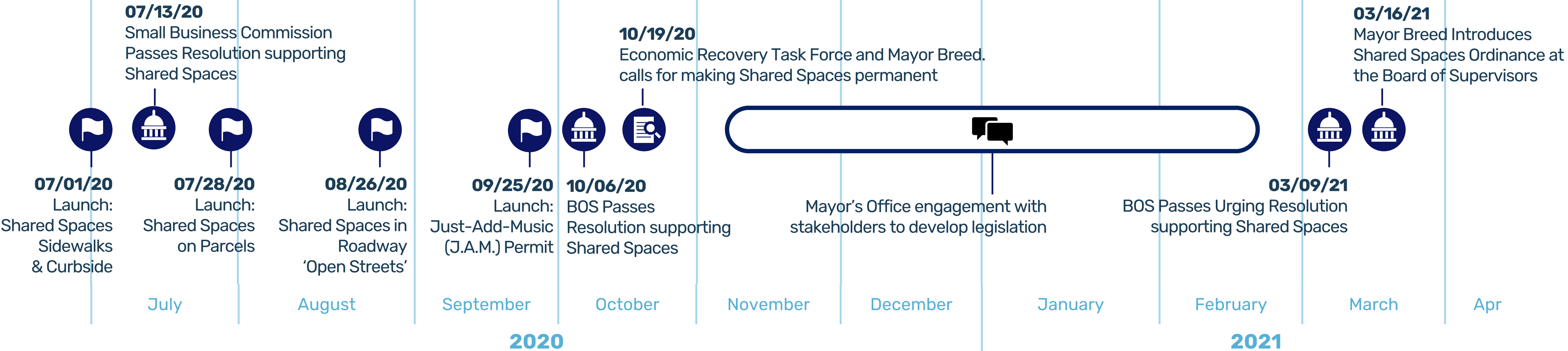


# Timeline of Program Evolution

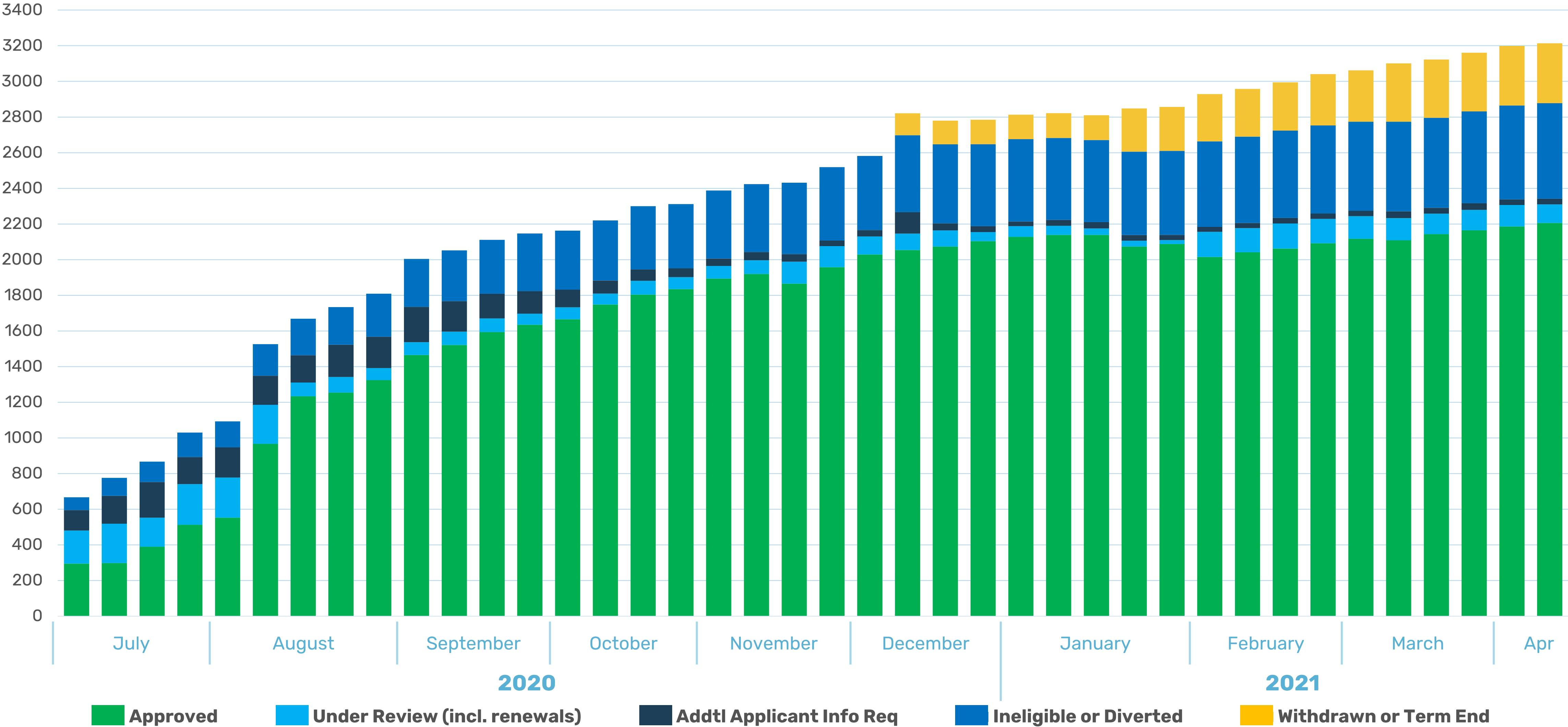
## CITY & REGIONAL CONTEXT

- 2009**  
San Francisco Parklet Program kicks off
- 02/25/20**  
San Francisco declares state of public health emergency
- 03/04/20**  
State of California declares state of public health emergency
- 03/15/20**  
Governor closes all bars, nightclubs, wineries, and brewpubs
- 03/17/20 – 05/03/20**  
Shelter in Place Order takes effect in SF and five other bay area counties
- 03/19/20**  
Statewide shelter in place order goes into effect
- 04/17/20**  
Six bay area counties mandate face coverings
- 04/24/20**  
Economic Recovery Task Force created by Mayor Breed and BOS President Yee
- 04/28/20**  
Governor creates 4-stage 'Resilience Roadmap' for lifting restrictions
- 05/18/20**  
California enters 'Resilience Roadmap' Stage 2
- 05/26/20**  
California enters 'Resilience Roadmap' Stage 3
- 06/12/20**  
San Francisco resumes outdoor dining
- 08/31/20**  
California's Color-Coded System Initiated. SF in the Red Tier
- 09/07/20**  
Personal Services Allowed Outdoors
- 12/06/20 - 01/25/21**  
activities suspended in Bay Area counties under State's Regional Stay-At-Home Order

## SHARED SPACES PROGRAM

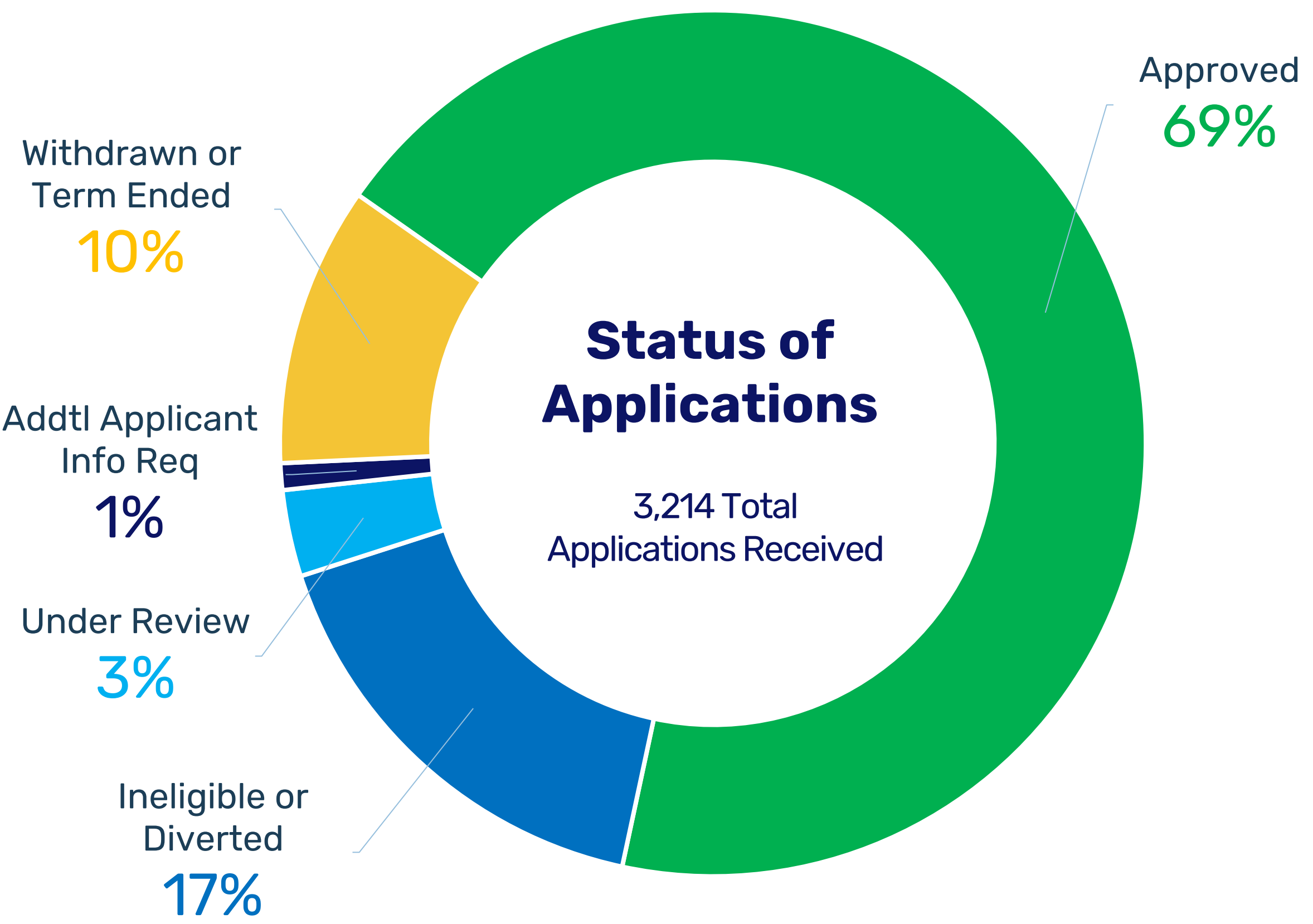
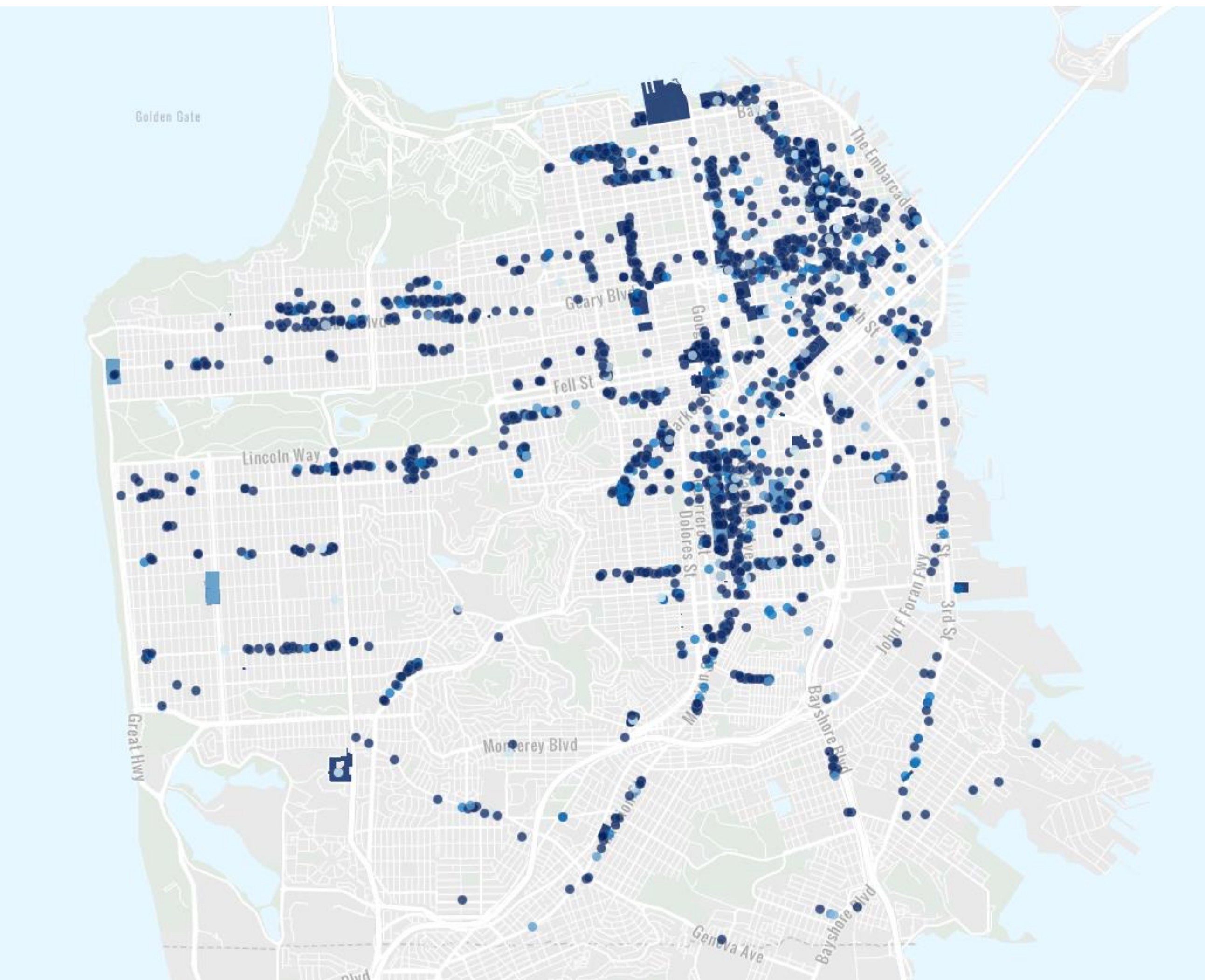


# Timeline of Program Growth by week



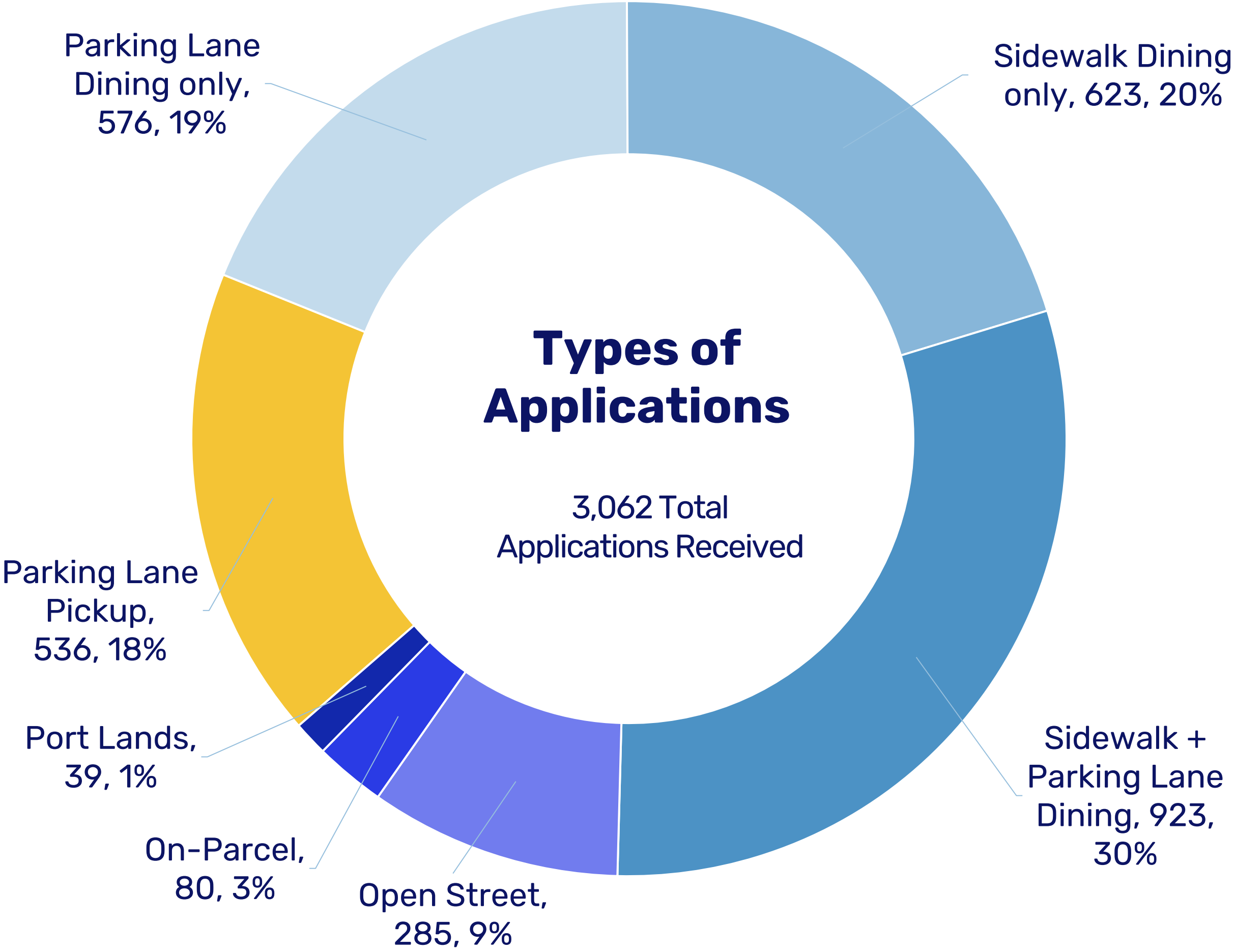
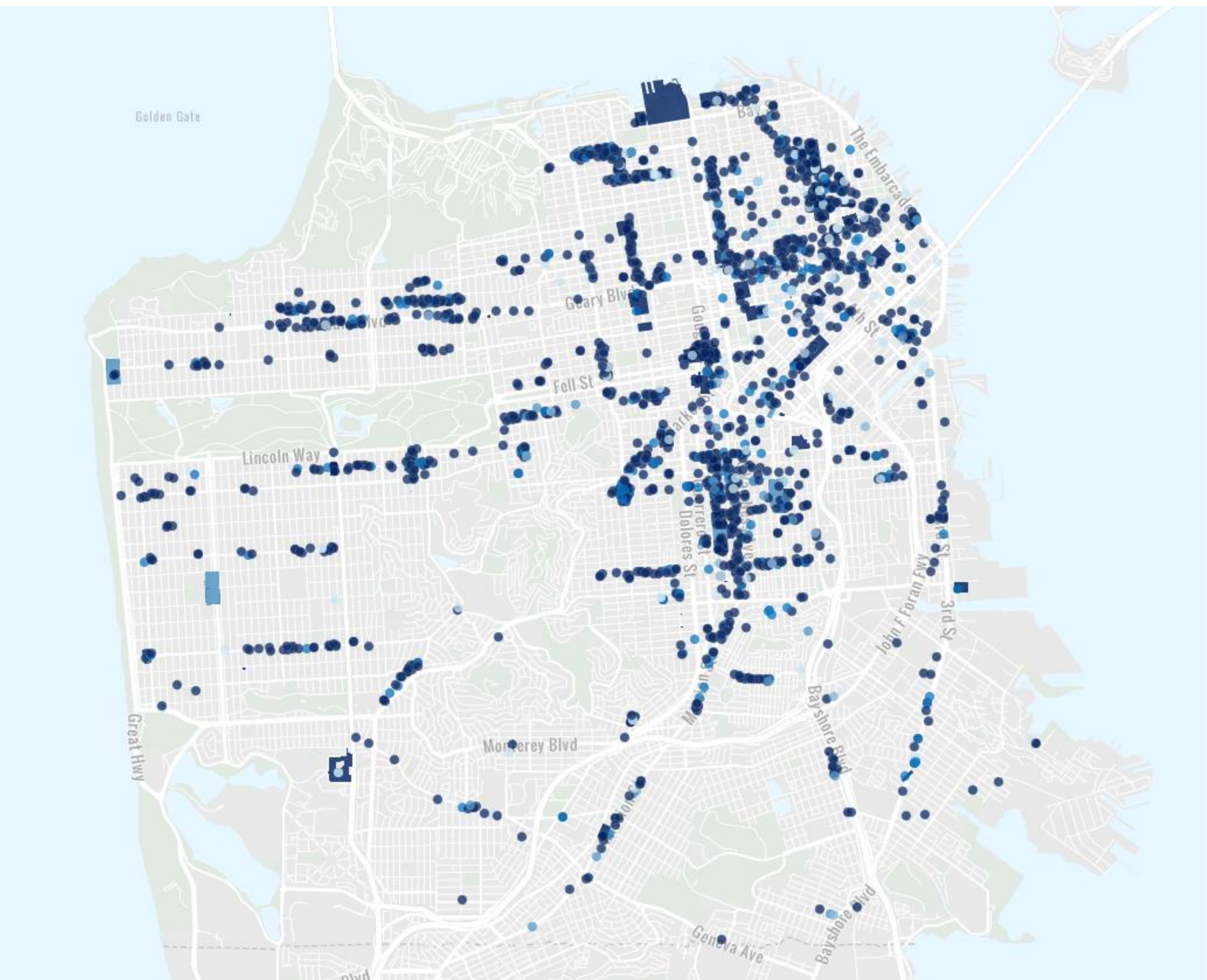


# Shared Spaces Program Statistics



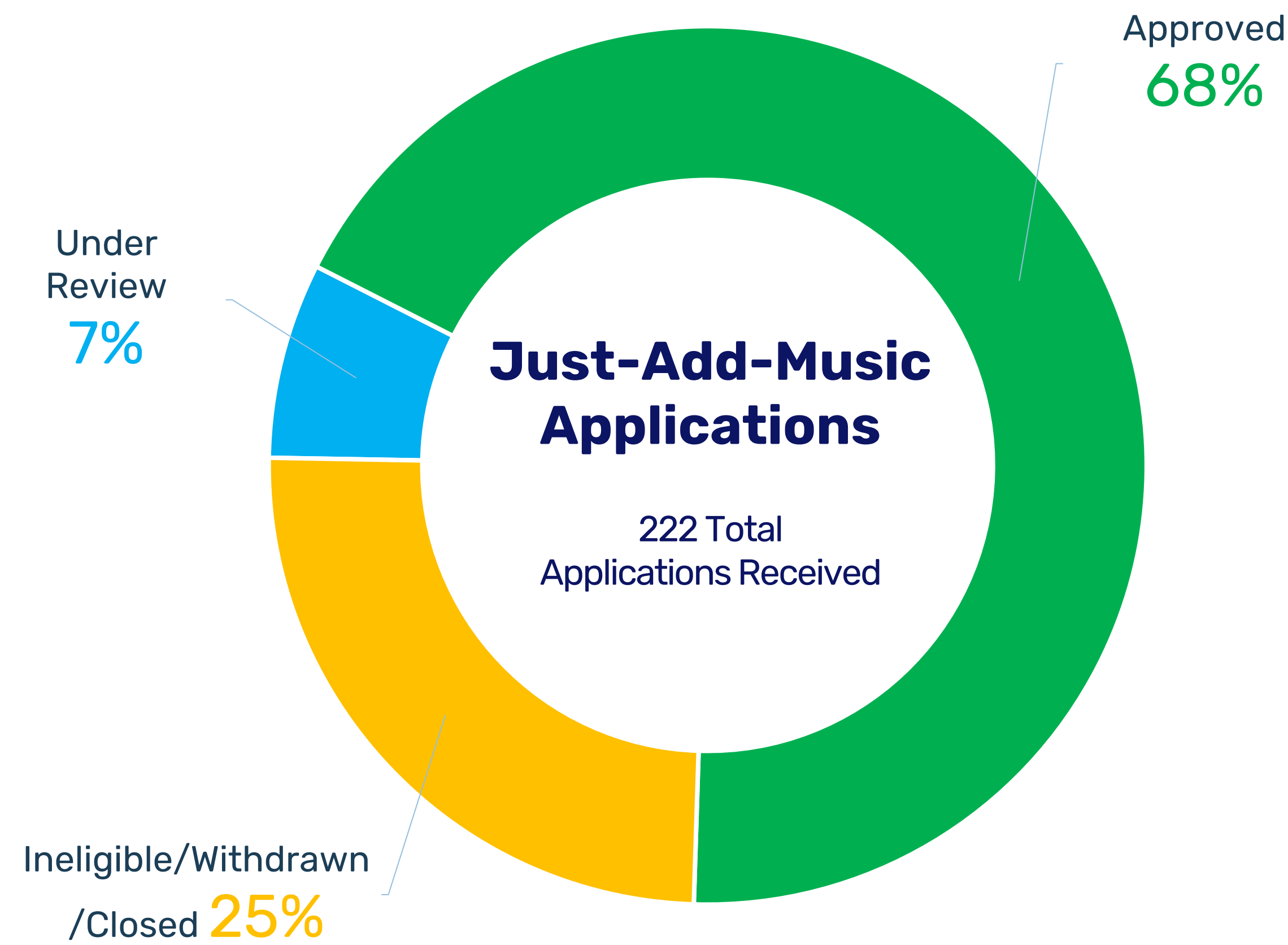


# Shared Spaces Program Statistics





# Shared Spaces Program Statistics





# What are the benefits?



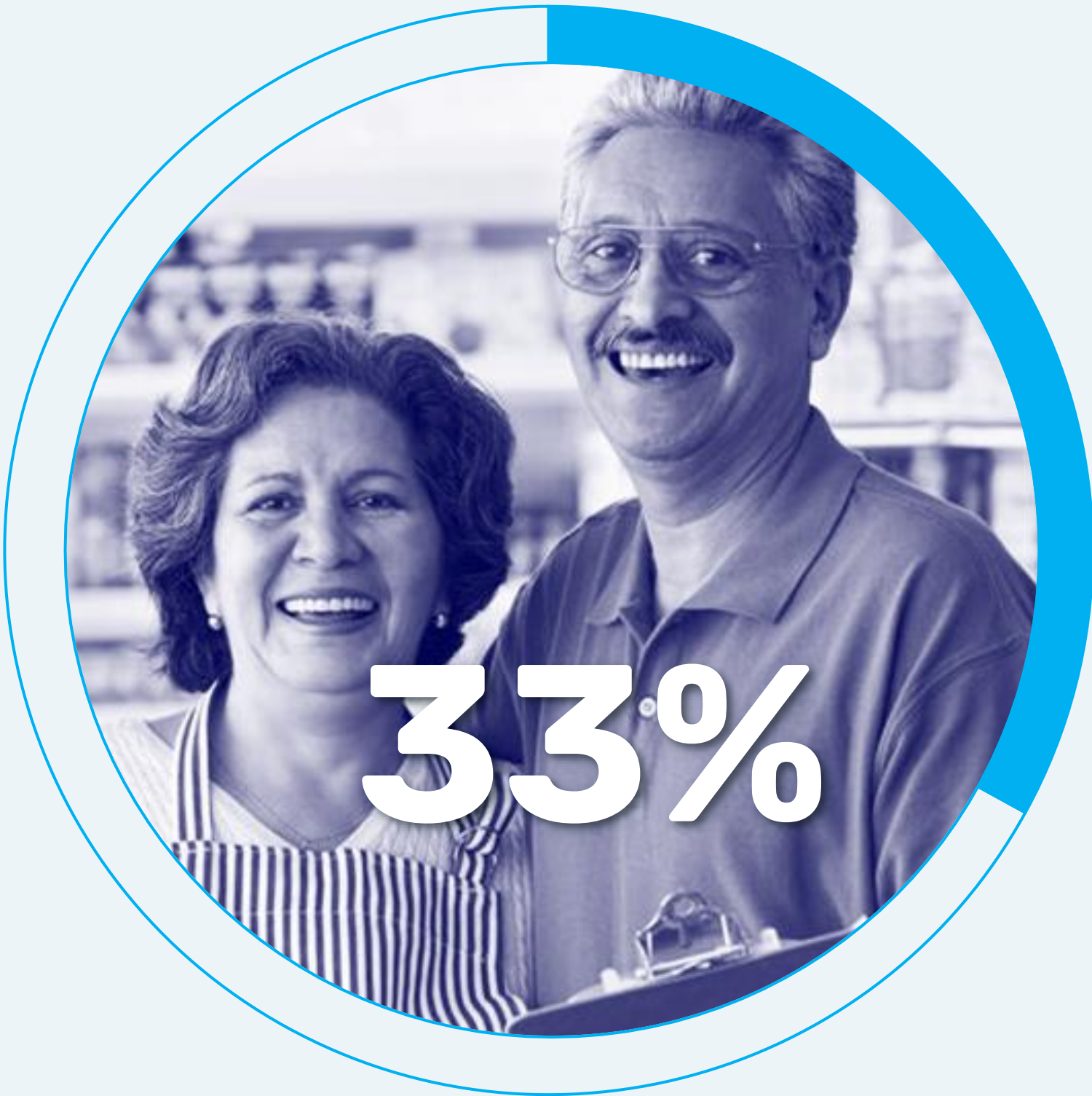
- A Shared Space Permit has a **positive benefit** for struggling small businesses.
- A sample of over 100 restaurants with an active permit for the entire first quarter of the program (July to September 2020) **generated an additional \$82k in taxable sales**, compared to other comparable restaurants without Shared Spaces. The second quarter of the program had hundreds more active permits, salvaging even more in taxable sales.
- Shared Spaces permits are a **benefit in all neighborhoods**, even those commercial districts that were doing less well than others before the pandemic.



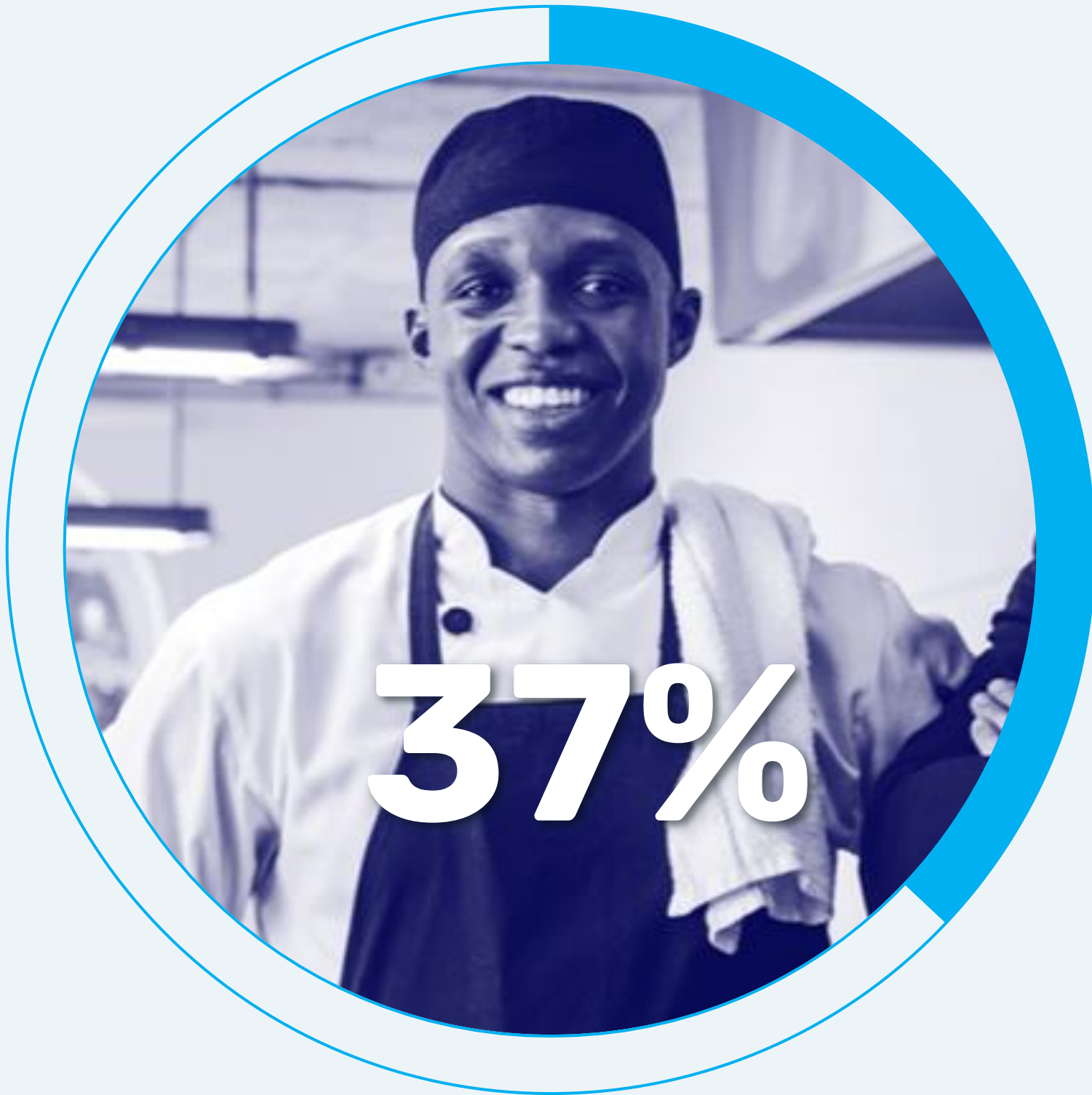
# Who are Shared Spaces Small Businesses?



WOMEN-OWNED



IMMIGRANT-OWNED



'MINORITY-OWNED'

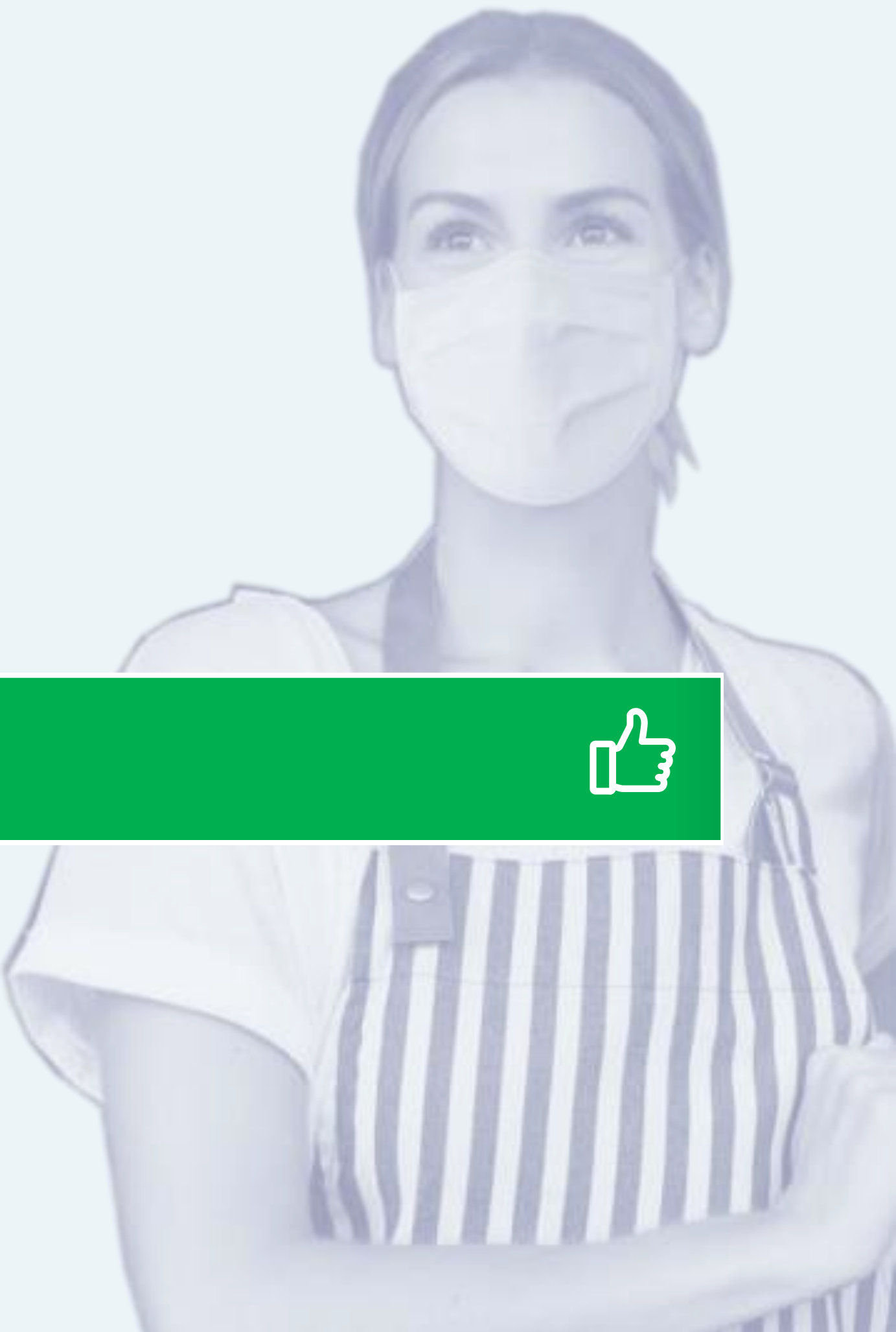
# What do Shared Spaces operators want for the future?



*"The Shared Spaces Program enabled me to reopen under public health directives..."*



|                          |          |       |                |
|--------------------------|----------|-------|----------------|
| 8%                       | 8%       | 34%   | 50%            |
| Strongly Disagree or N/A | Disagree | Agree | Strongly Agree |





# What do Shared Spaces operators want for the future?



*"The Shared Spaces Program is enabling me to avoid permanent closure..."*



**6%**  
Strongly  
Disagree  
or N/A

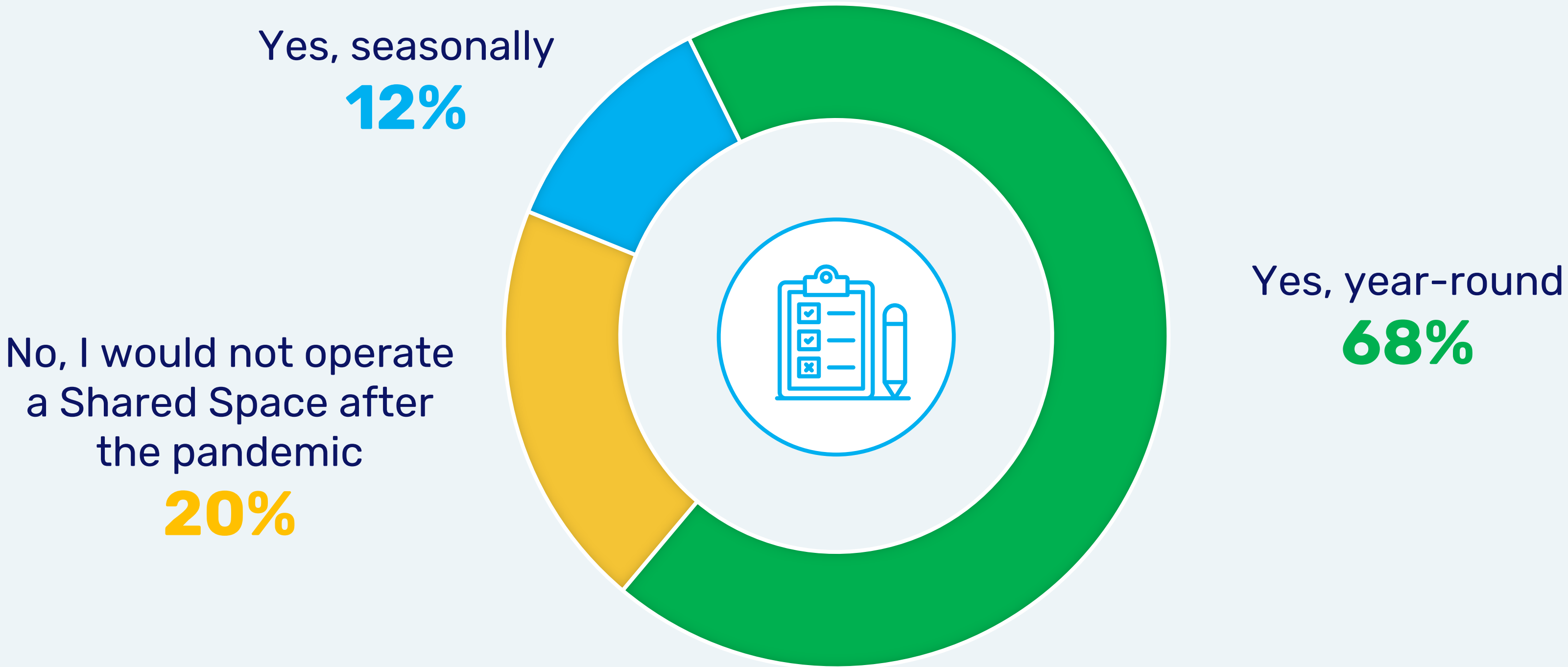
**14%**  
Disagree

**39%**  
Agree

**41%**  
Strongly Agree

# What do Shared Spaces operators want for the future?

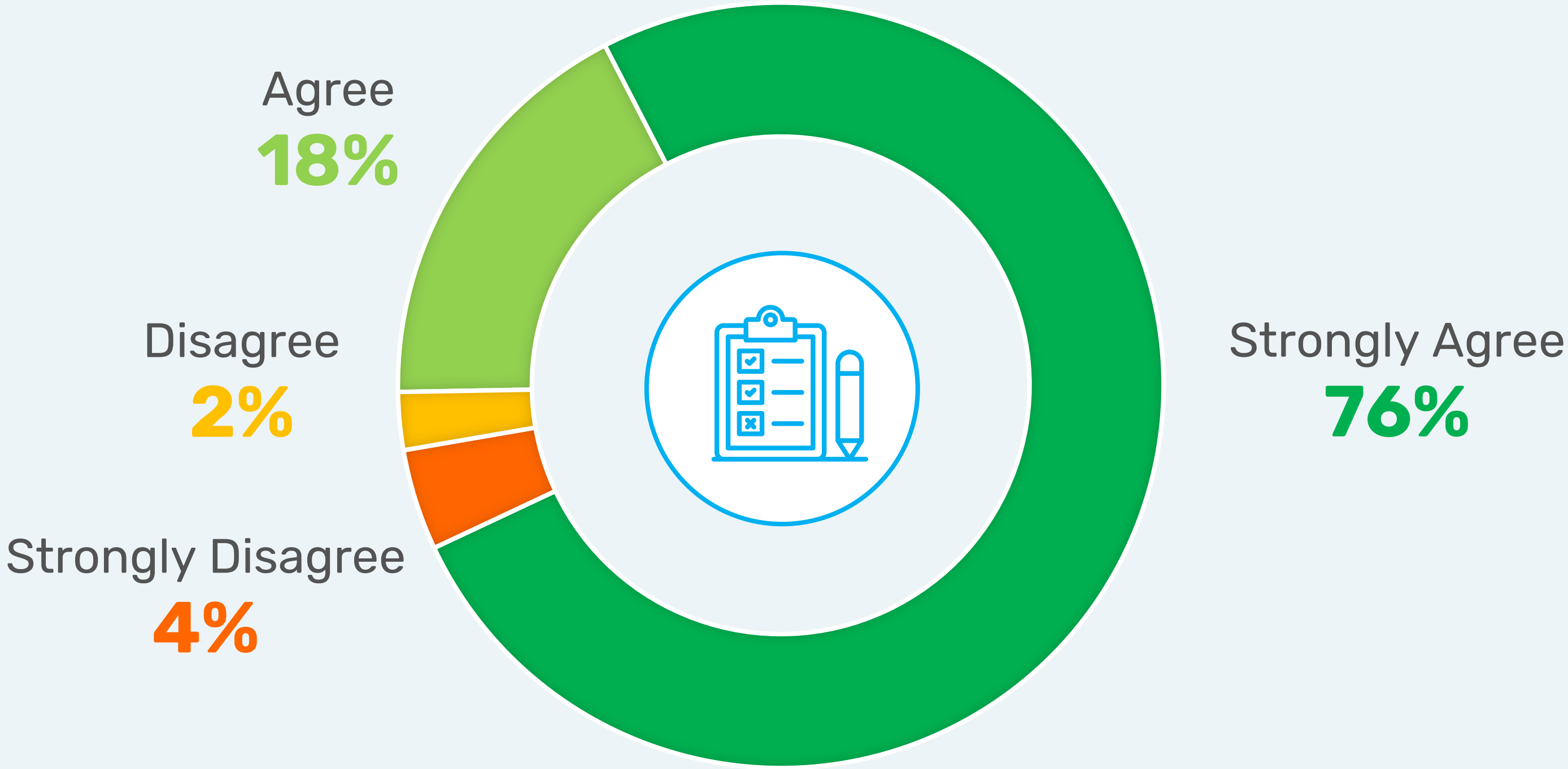
*"I would operate a Shared Space if permits are extended..."*



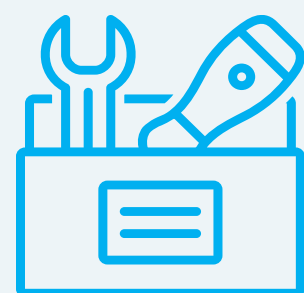


# What do Shared Spaces operators want for the future?

*"I would operate an outdoor Shared Space even if I am allowed to operate indoors."*



# Shared Spaces Ordinance: Policy Goals



**1.**  
**Simplify the  
City's Toolbox**



**2.**  
**Prioritize Equity  
& Inclusion**



**3.**  
**Phase Implementation  
with Economic  
Conditions**



**4.**  
**Encourage Arts,  
Culture, &  
Entertainment**



**5.**  
**Balance Curbside  
Functions**



**6.**  
**Maintain  
Public Access**



**7.**  
**Efficient Permit  
Review & Approval**



**8.**  
**Clear Public  
Input Procedures**



**9.**  
**Coordinated  
Enforcement**



# 1. Simplify the City's Toolbox



**Consolidate similar pre-covid permit types** into Shared Spaces, rather than creating whole new provisions alongside pre-existing ones.

**Maximize efficiency for permittees and administering departments** by aligning approvals timetables, public notice requirements, appeals procedures, and enforcement triggers across typologies and jurisdictions.





## 2. Prioritize Equity & Inclusion



**Ensure needs of disabled persons are accommodated.**

**Prioritize City resources** for those neighborhoods and communities most impacted by historical disparities.

**Prioritize locations** of most vulnerable populations for the City's project management, funding, and materials.

**Provide grants** for materials, technical assistance, and community ambassadors.





### 3. Phase Implementation with Economic Conditions



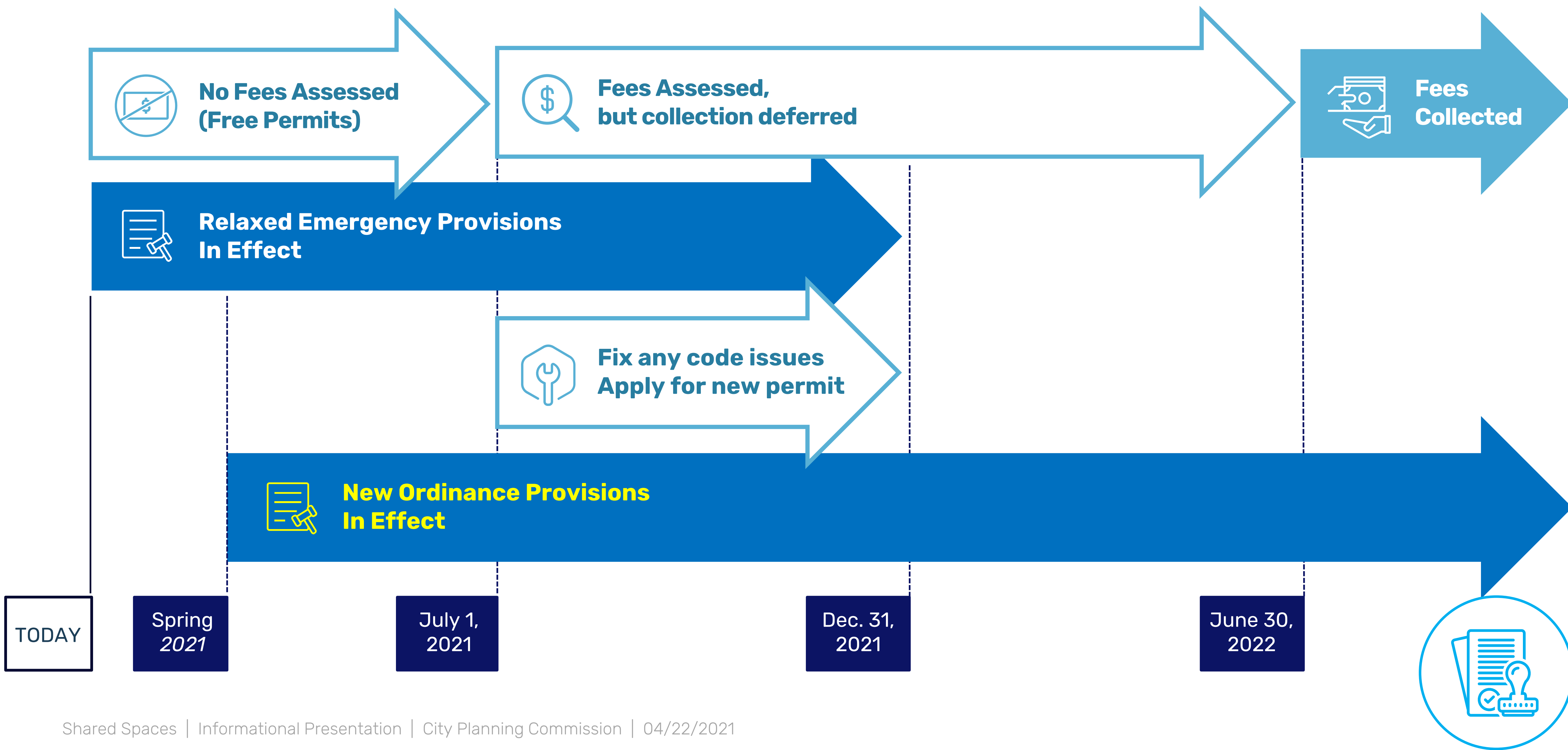
**Economic recovery will be a long process,** exceeding the state of public health emergency and spanning multiple future fiscal years.

Code Requirements and fees for Shared Spaces should be implemented in phases that are **calibrated to stages of economic improvement.**





# 3. Phase Implementation with Economic Conditions





## 4. Encourage Arts, Culture & Entertainment Activities



Carry forward the features of the **Just Add Music (JAM) Permit**.

Once a Shared Space permit has been granted, authorizing occupancy by the project sponsor on that land, **allow for** the project sponsor to provide **recurring entertainment, arts & culture activities**.

Allow for arts & culture activities to be **primary; not just accessory** to dining or other commerce.





# 5.1 Balance Curbside Functions



**Balance Shared Spaces occupancies** with loading, micromobility, short-term car parking, and other needs on the block and corridor.

**Encourage sharing and turnover** of Shared Spaces locations amongst merchants on the block.

**Transit First** and **Vision Zero** Policies remain priorities.





## 6. Maintain Public Access



image: Samuel Heller

**Shared Spaces, as occupancies of public space and the public realm, should provide for some public access:**

- During daylight hours while not being used for commercial purposes
- At least one seating opportunity – such as a bench – during business hours
- A graduated fee schedule will correspond to types of use.





# 6. Public Access: Proposed Curbside Use Types & Fees



**1** Public Parklet



**2** Movable Commercial Parklet



**3** Commercial Parklet





# 6. Public Access: Proposed Curbside Use Types & Fees







## 2 Movable Commercial Parklet





# 6. Public Access: Proposed Curbside Use Types & Fees

| TIER | TYPE                                                              |  PUBLIC ACCESS                      |  COMMERCIAL ACTIVITY |  DAILY OCCUPANCY |  CONSTRUCTION |
|------|-------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|
| 1    | <b>Public Parklet</b><br><i>Like pre-COVID parklets</i>           | Entire facility during daylight hours through 10pm                                                                    | None                                                                                                    | 24 hours                                                                                            | Fixed Structure                                                                                  |
| 2    | <b>Movable Commercial Parklet</b>                                 | At least one bench during hours of commercial operation                                                               | During hours of operation                                                                               | During hours of Operation                                                                           | Movable Fixtures                                                                                 |
| 3    | <b>Commercial Parklet</b><br><i>Like most Shared Spaces today</i> | At least one bench during hours of commercial operation, Otherwise entire facility during daylight hours through 10pm | During hours of operation                                                                               | 24 hours                                                                                            | Fixed Structure                                                                                  |



# 6. Public Access: Proposed Curbside Use Types & Fees

| TIER | TYPE                       | OCCUPANCY FEES*     |                               |                   | ENTERTAINMENT FEES |                |
|------|----------------------------|---------------------|-------------------------------|-------------------|--------------------|----------------|
|      |                            | First Annual        |                               | Annual Renewal    | First Annual       | Annual Renewal |
| 1    | Public Parklet             | \$1,000             | \$250                         | \$100             | \$507              | \$200          |
| 2    | Movable Commercial Parklet | \$3,000             | \$1,000                       | \$1,500           | \$507              | \$200          |
| 3    | Commercial Parklet         | \$6,000             | \$1,500                       | \$3,000           | \$507              | \$200          |
|      |                            | First Parking Space | Each Additional Parking Space | Per Parking Space | Per Site           |                |





## 6. Public Access: Proposed Curbside Use Types & Fees



All Application Fees are **collected by a single agency** – the one that Issues the final permit. Funds are then distributed to other agency / agencies as appropriate.

Ongoing annual renewal fee collection integrated into the **Unified License Fee**

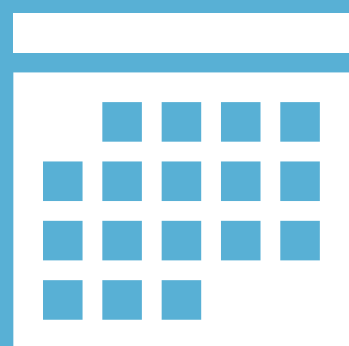




## 7. Efficient Permit Review & Approvals



**Create a single, one-stop permit intake portal** for the applicant. The intake system will then route necessary information to the pertinent agencies for their reviews and approvals.



A **30-day approvals timetable** would allow for vastly better quality control up front, and also accommodate provisions for public noticing when required.





# 7.1 Permit Review & Approvals Timetable

DURING COVID

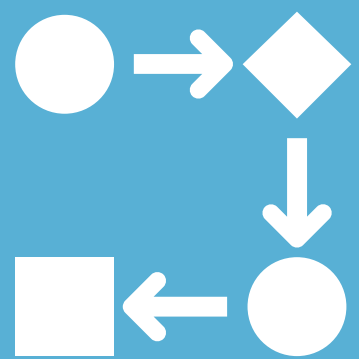



# 7.1 Permit Review & Approvals Timetable

IN THE FUTURE

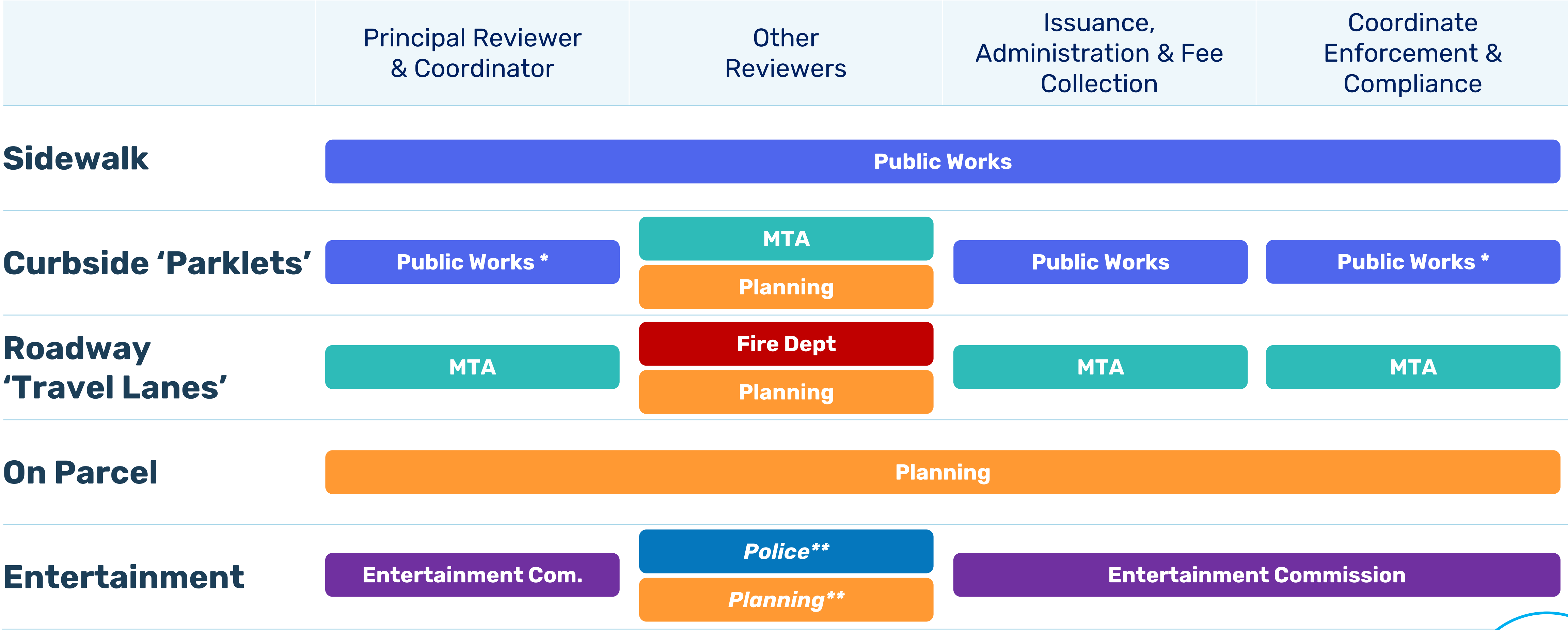


# 7.2 Permit Issuance and Administration

|                                                                                     |                                                                                                                                        |
|-------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|
|    | Articulate <b>clear sequence of review and/or approvals</b> for other agencies.                                                        |
|  | The permit will be <b>issued by the one city department</b> whose jurisdiction is associated with the proposed Shared Spaces location. |



# 7.2 Permit Issuance and Administration: In the Future



\* Including ADA, FIR, and PUC design standards  
\*\* If triggered by certain thresholds





## 8.1 Clear Public Input Procedures: Neighbor Consent



Shared Spaces strongly encourages **cooperation between neighbors** to help ensure the public realm in our commercial districts is being leveraged in a **balanced and sustainable** manner.





## 8.1 Clear Public Input Procedures: Neighbor Consent



When one merchant wishes to occupy a neighbor's frontage with a Shared Space, **written consent from that neighbor** is required. Either:

- the groundfloor tenant, or
- in the absence of a groundfloor tenant, the property manager or owner

**This requirement still applies** if your neighbor changes their mind, or a new tenant is established in the neighboring groundfloor space.





# 9. Coordinated Enforcement

LEAD AGENCY

SF Public Works



Sidewalk



SF Fire Department



Curbside  
'Parklets'



SF Mayor's Office  
on Disability

SFMTA



Roadway  
'Travel Lanes'



SF Planning



On Parcel

SF Police Department



Entertainment

SUPPORTING AGENCIES



THANK YOU!

# Questions?

Robin Abad Ocubillo  
*Shared Spaces Program Director*



[Twitter.com/SharedSpacesSF](https://twitter.com/SharedSpacesSF)



[Instagram.com/SharedSpacessf](https://www.instagram.com/SharedSpacessf)



[Facebook.com/SharedSpacesSF/](https://www.facebook.com/SharedSpacesSF/)



[SF.gov/Shared-Spaces](https://sf.gov/Shared-Spaces)



[SharedSpaces@sfgov.org](mailto:SharedSpaces@sfgov.org)

# GUIDELINES FOR CAFÉ TABLES AND CHAIRS PERMIT



Street-Use and Mapping  
49 South Van Ness Ave.  
Suite 300  
San Francisco, CA 94103  
Phone: (628) 271-2000

[sfpublicworks.org](http://sfpublicworks.org)  
[facebook.com/sfpublicworks](https://facebook.com/sfpublicworks)  
[twitter.com/sfpublicworks](https://twitter.com/sfpublicworks)

San Francisco Public Works may find it necessary to request additional information after initial review of the application.

## NEW APPLICATION SUBMITTAL REQUIREMENTS

- ☐ Complete the Café Tables and Chairs Permit Application Form. (Please fill out the form completely)
- ☐ Submit fully dimensioned computer generated site plan. (See Sample Diagram)
- ☐ Submit photos of the existing site conditions fronting your business.
- ☐ Submit San Francisco Business Registration Certificate for the requested address.
- ☐ Pay non-refundable processing fee: payable to San Francisco Public Works by a check, electronic check, money order or all major credit / debit cards. (See Fee Schedule)
- ☐ Copy of valid Certificate of Insurance (COI). The COI is evidence of general commercial liability coverage with language that must comply with Public Works Bureau of Street-Use & Mapping's requirements as identified in the Sample COI. *NOTE: The COI may be submitted when the Site Plan is approved by BSM, but prior to issuance of the permit.*

### COMPLETE AND SUBMIT THE APPLICATION EITHER IN PERSON OR THROUGH EMAIL



#### IN PERSON

San Francisco Public Works, **Permit Center**  
Bureau of Street-Use & Mapping, 49 South Van Ness Avenue, Suite 200  
**Processing Hours: 7:30 a.m. - 4:30 p.m. Monday, Tuesday, Thursday and Friday**  
**9:00 a.m. - 4:30 p.m. Wednesday. Closed on official holidays**



#### EMAIL

Electronic copies (PDF) of the application materials may be sent to:  
[BSMPermitDivision@sfdpw.org](mailto:BSMPermitDivision@sfdpw.org)

## RENEWAL REQUIREMENTS

### Applicants can now renew permits online:

- Renewal Website: <http://bsm.sfdpw.org/permittracker/renew.aspx>
- Fee Payment Website: <http://bsm.sfdpw.org/cashiers/Kiosk.aspx>

### For renewals in-person or by mail, submit the following:

1. Copy of valid Certificate of Insurance that must comply with Public Works' requirements as identified in the Sample COI.
2. Renewal fee payment by check, electronic check, money order or all major credit /debit cards. (See Fee Schedule)

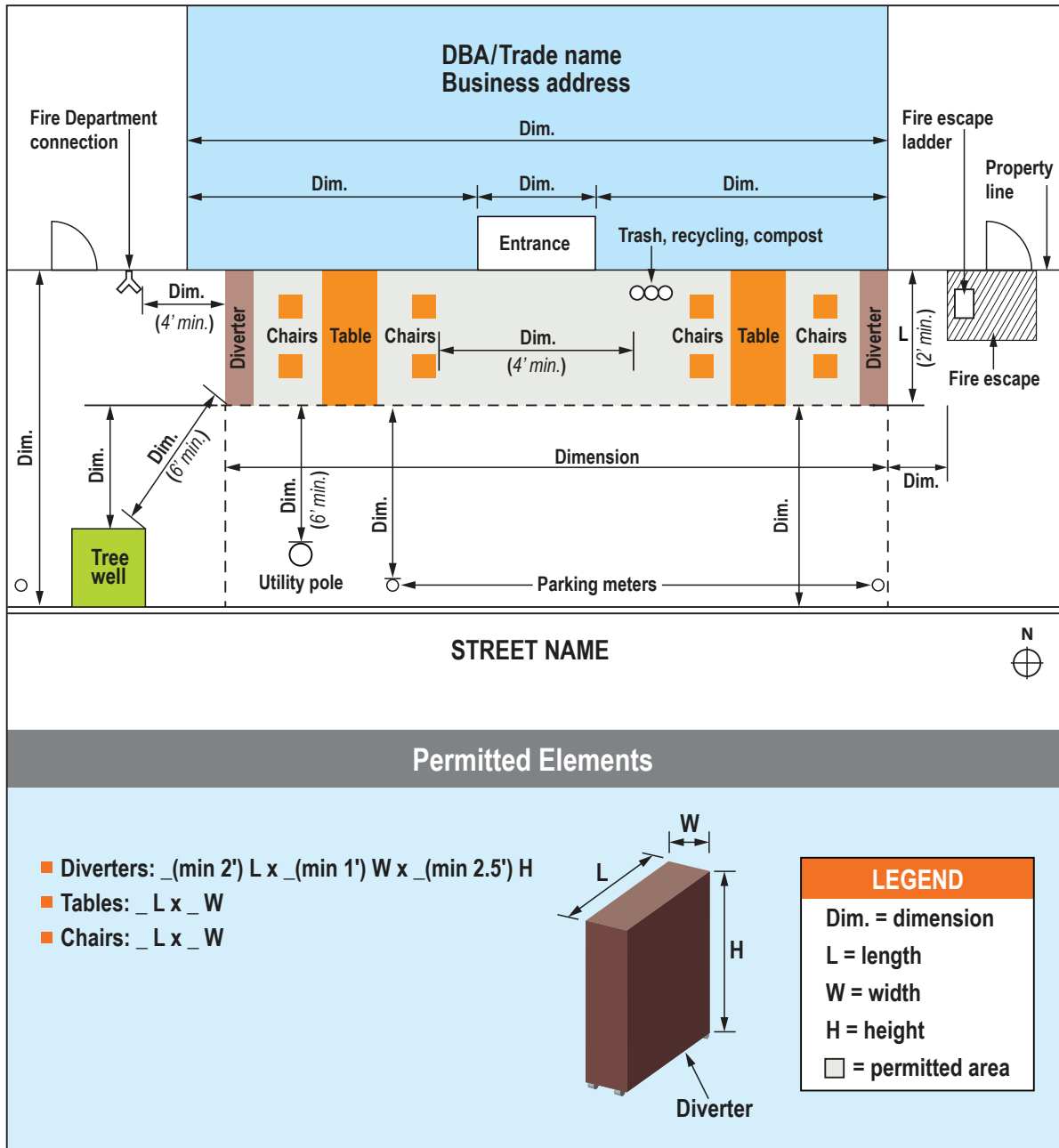
## ADDITIONAL INFORMATION

Article 5.2, Section 176 of the Public Works Code and Public Works Order 183,188 pertain to how San Francisco Public Works administers the Café Tables and Chairs permit in the City and County of San Francisco. It is the applicant's responsibility to renew their permit before the expiration date. The inspector will issue citations if the permit is not renewed and/or not clearly displayed. Permit fees may be updated annually by the City.

## INFORMATIONAL LINKS

- Public Works Order 183,188: <http://www.sfpbpublicworks.org/services/permits/public-works-orders>
- SFPW Code: [http://www.amlegal.com/codes/client/san-francisco\\_ca/](http://www.amlegal.com/codes/client/san-francisco_ca/)
- Permit Webpage: <http://www.sfpbpublicworks.org/services/permits/cafe-tables-and-chairs>
- SF Environment: <https://sfenvironment.org/recycling-composting-faqs>

## SAMPLE DIAGRAM







DPW Order No.: 183188

## CAFÉ TABLES AND CHAIRS (SIDEWALK CAFÉ) IN THE PUBLIC RIGHT-OF-WAY

Edwin M. Lee  
Mayor

Mohammed Nuru  
Director

Jerry Sanguinetti  
Manager

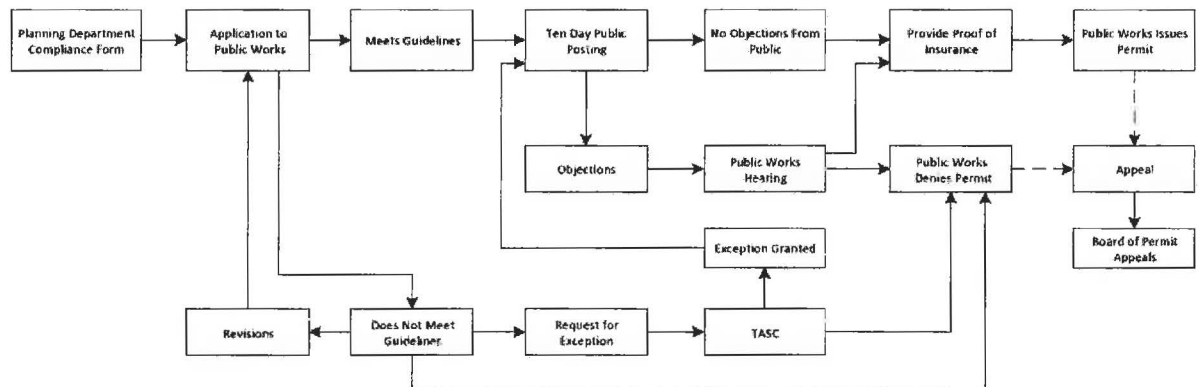
Street Use and Mapping  
1155 Market St., 3rd floor  
San Francisco, CA 94103  
tel 415-554-5810

[sfpublicworks.org](http://sfpublicworks.org)  
[facebook.com/sfpublicworks](https://facebook.com/sfpublicworks)  
[twitter.com/sfpublicworks](https://twitter.com/sfpublicworks)

I. **PURPOSE:** Article 5.2 of the Public Works Code establishes regulations for placing tables and chairs in the public right-of-way. This Public Works (PW) Order provides detailed implementation guidelines for restaurants or food and beverage establishments to occupy the public sidewalk, court, alley, or street with a Sidewalk Café.

### II. APPLICATION AND APPROVAL PROCESS

A. This application process is summarized in the following flow chart:



B. Requests to setup a Sidewalk Café in the public right-of-way on a sidewalk, or pedestrian only street or alley, shall include the following:

1. Planning Code Compliance form including the business address, hours of operation, and number of tables, chairs, and benches, with an approval signature from the Planning Department indicating that the proposed Sidewalk Café is in compliance with the Planning Code.

2. PW Occupancy Permit Application including:

- a. The applicant's name and contact information (address, email, and phone number)
- b. The San Francisco Business License Number
- c. The proposed number of Tables, Chairs, and/or Benches
- d. The approximate proposed area to be occupied by the Sidewalk Café (tables, chairs, benches, and diverters, et al)
- e. The days and hours that the public right-of-way is to be occupied
- f. A non-refundable processing fee as specified in Public Works' current Fee Schedule

3. Valid San Francisco Business License Certificate

4. Site Plan – computer generated using CAD or other program(s) to create a fully dimensioned, detailed, and to scale layout plan of the Sidewalk Café. The plan shall include the placement of all tables, chairs, benches, diverters, trash receptacles, business entrance (s), and other required information. The plan must also indicate the property line, the width of the sidewalk, any existing sidewalk obstructions/furniture such as parking meters, sidewalk basement access hatches or stairs, tree wells, et al; the location of any curb ramps, fire exits/fire escapes, and the exact width of the pedestrian Clear Zone (See Figure One below). The applicant must also indicate the type of diverter proposed including all dimensions and materials.
5. Evidence of Liability Insurance as required by Public Works
6. NOTES: Tables, benches, and chairs in a ROADWAY area will be required to follow an additional permit procedure not covered in this Order. Street closure permits are issued by the San Francisco Municipal Transportation Agency (SFMTA) and must be approved prior to obtaining approval from PW for all the placement of the tables, benches, and chairs.

C. If the application meets all design guidelines set forth in this Order:

1. PW Inspector shall post a 10 day public notice in a readily visible place on the frontage of the applying establishment.
  - a. If PW receives no objections, application may be approved (Refer to step C 2).
  - b. If PW receives objections, a PW public hearing will be scheduled.
2. Applicant submits payment for an annual fee charged per square foot of occupancy one year in advance in accordance with current fee schedule, and submits proof of commercial general liability insurance as described and required by PW.
3. PW issues permit.
4. Upon approval of the application and issuance of the permit, the Permittee shall display a copy of the approved permit and site plan in a conspicuous location in their business establishment, visible from the sidewalk, while occupying said sidewalk/street area with the Sidewalk Café.

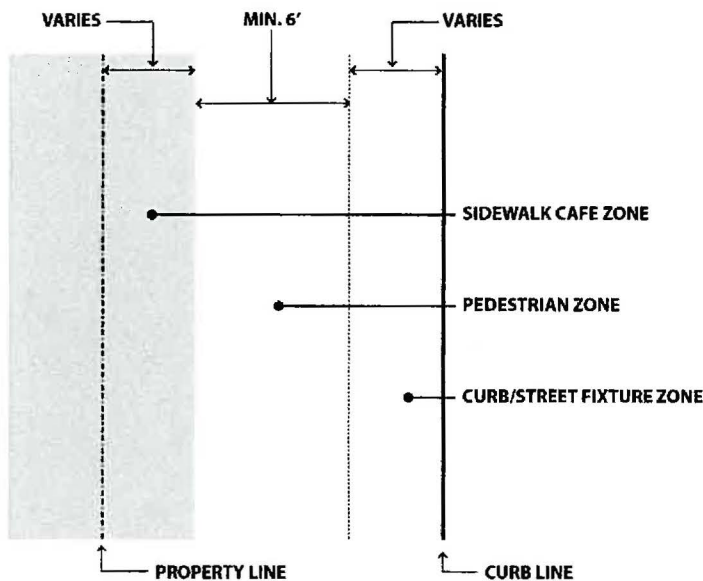
D. If application does not meet guidelines set forth in this Order:

1. Applicant may revise application documents in order to meet guidelines
2. Applicant may request an exception to said guidelines for review
  - a. If an exception is granted, refer to Paragraph "C".
  - b. If an exception is not granted, PW will disapprove the permit.

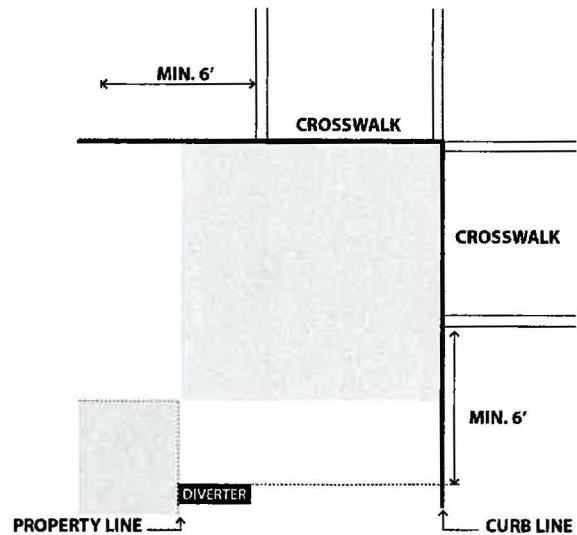
E. If PW disapproves or revokes a permit, applicant may appeal this disapproval or revocation to the Board of Appeals.

F. NOTE: Permits are subject to all applicable conditions specified in Sections III & IV below. Each permit is valid for a time period as determined by the Director of Public Works; or, until the applicant no longer owns or operates the business establishment,

until one (1) year from the date the permit was issued, or until the permit is revoked by the Director of Public Works, whichever occurs earlier. Café Tables & Chairs Permits



**FIGURE ONE: Sidewalk Zones**  
shall be non-transferable.



**FIGURE TWO: Corner Clear Zone**

### III. DESIGN GUIDELINES:

A. The Sidewalk Café must be located on the sidewalk, or pedestrian only street or alley, area fronting and adjacent to the applicant's business at the property line. The business must be an existing or proposed eating establishment with a valid San Francisco City business license.

B. The size of the Sidewalk Café shall be determined by the following factors: the width of the sidewalk, the level of existing or anticipated peak hour pedestrian congestion, and the existing neighborhood character.

C. Sidewalk Cafés shall not intrude on the "pedestrian zone" (Figure One). A minimum of six (6) feet clear pedestrian zone must be maintained on the sidewalk at all times. The six (6) feet of pedestrian clearance is a typical minimum, but may be increased at the City's discretion.

D. Sidewalk Cafés shall not intrude on pedestrian "corner clear zones" at corners (Figure Two). Sidewalk Cafes must also not interfere with curb ramps or driveways, maintaining a minimum six (6) foot clearance.

E. No element of the proposed installation may interfere with access to or egress from any building or facility.



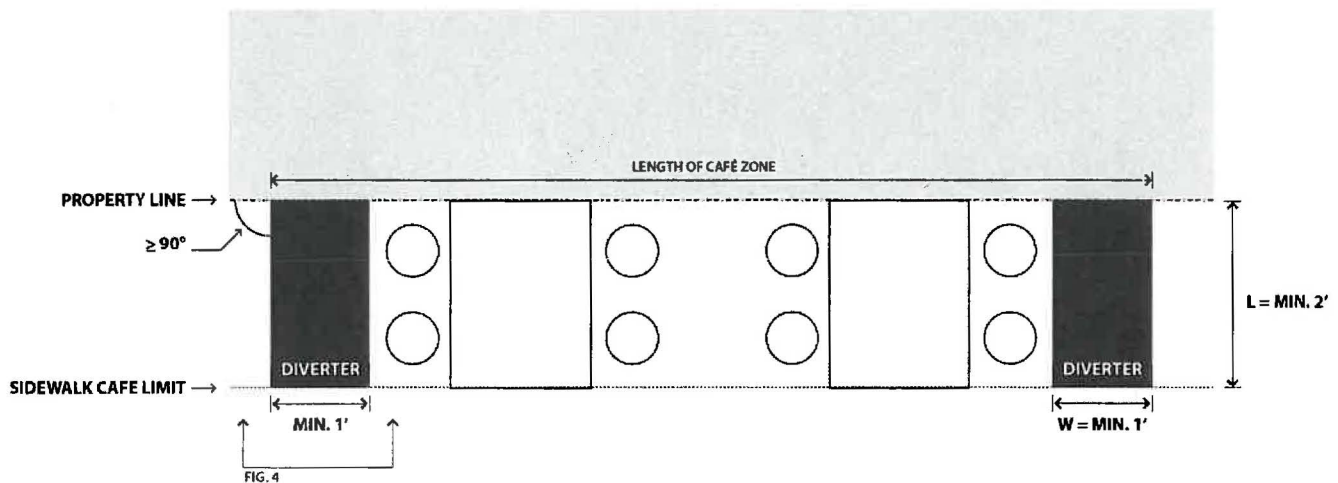
F. No elements of the proposed Sidewalk Café shall be permanently affixed to the public-right-of-way.

G. No element of the proposed occupancy may be below a fire escape, obstruct access to a Fire Department Connection (FDC), or fire hydrant.

H. All Sidewalk Café elements, including but not limited to accessible tables and other functional facilities, must conform to the rules and regulations outlined in the City and County of San Francisco Better Streets Plan: <http://www.sf-planning.org/ftp/BetterStreets/proposals.htm> All sidewalk Café elements must conform to the rules and regulations outlined in the California Building Code, Title 24, Part 2, the Americans with Disabilities Act (ADA) and the provisions of the 2010 ADA (Americans with Disabilities Act) Accessibility Guidelines. Sidewalk Cafes also must not interfere with the requirement of California Civil Code Section 54 (a) that states in part; *"Individuals with disabilities or medical conditions have the same right as the general public to the full and free use of the streets, highways, sidewalks, walkways, public buildings, medical facilities, including hospitals, clinics, and physicians' offices, public facilities, and other public places."*

I. The Permittee must provide three (3) durable trash receptacles (compost, recycle, waste) within the sidewalk café zone as per Article 5.1, Section 173 of the Public Works Code and be shown on the layout plan. Further, per Section 173 of the Public Works Code, all trash receptacles shall be removed from the public right-of-way, concurrent with the removal of the tables and chairs, and end of each business day. The trash receptacles must be contained within the area demarcated by the diverters.

J. All installations of the Sidewalk Café must have a pedestrian diverter at each end to demarcate the Sidewalk Café Zone and to guide pedestrians around the Sidewalk Café into the Pedestrian Zone (Figure One). The depth of the diverter will determine the depth of the Sidewalk Café Zone. No part of any table, chair, bench or other Sidewalk Café element may extend beyond the depth of the diverters. It is the essential responsibility of the Permittee to ensure that all Sidewalk Café activity stays within the approved area at all times of operation.



**FIGURE THREE: Sidewalk Cafe Layout**

K. Pedestrian Diverters must conform to the following design guidelines:

1. Diverters must be flush with the building edge at an angle of 90 degrees or more as shown in Figure Three
2. Diverters must conform to the dimensional guidelines as shown in Figure Four
3. Diverters must be sturdy and stable, of sufficient weight as to not be tipped or blown over
4. Diverters may not have any protruding legs or supports
5. Free standing fences are not allowed
6. Attachments or fasteners to the sidewalk are not allowed
7. Diverters must be at least 30" high to prevent from being tripping hazard
8. Diverters with plantings higher than 30" are strongly encouraged
9. Plantings must remain within the planter edge envelope as illustrated in Figure Four.
10. Diverters must be solid within 30" of the adjacent sidewalk surface
11. Diverters must be of a contrasting color to the walking surface so that they are clearly visible to persons with low vision, at least 70% contrast between adjacent materials is desirable
12. Diverters must have a non-glare or reflective finish
13. Diverters must be kept free of advertising
14. Diverters must be maintained and kept free of litter and other debris
15. Diverters for Sidewalk Cafes proposing bench seating must extend a minimum of twelve (12) inches beyond the edge of the seat as shown in Figure Five

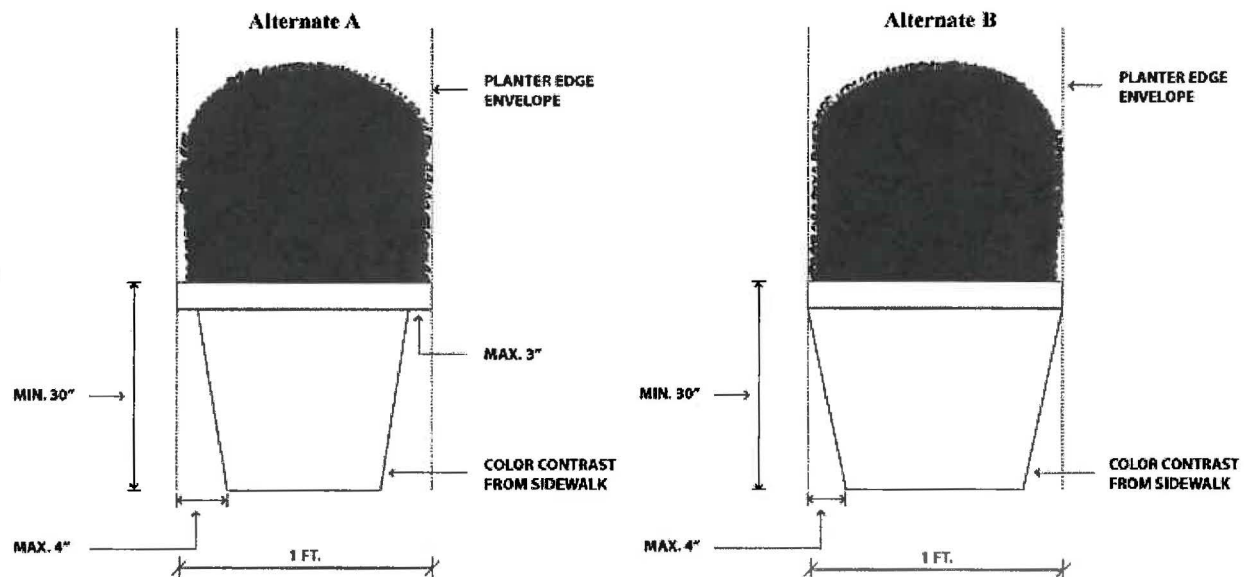


FIGURE FOUR: Diverter Dimensions

L. The Sidewalk Café area shall be determined by multiplying the distance from the outside edge from one diverter to the next diverter (Length of Café Zone), by the extent of the diverters (L) from the property line into the sidewalk (public right-of-way) to form a rectangle, see Figure



Three. The area shall include all the space between the diverters, including, but not limited to building entrance and exit ways.

M. Umbrellas placed in the Sidewalk Café must provide a minimum eighty-four (84) inch height clearance above the adjacent sidewalk surface if the canopy projects beyond the boundaries of the Sidewalk Café. No supporting element of the umbrella, including the base, shall protrude beyond the boundaries of the permitted Sidewalk Café.

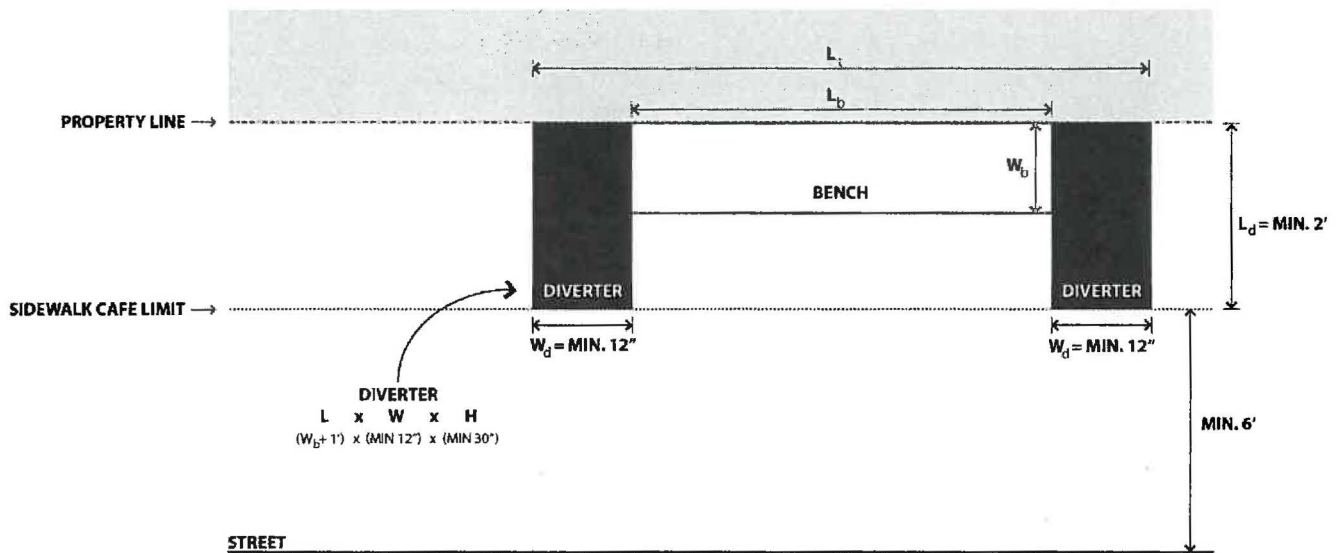


FIGURE FIVE: Bench Seating

#### IV. MAINTENANCE GUIDELINES AND CONDITIONS:

A. All elements (tables, chairs, benches, diverters, et al) of the Sidewalk Café shall be confined to the area shown on the final plan approved by the Director of Public Works.

B. All elements of the Sidewalk Café shall be promptly removed from the public right-of-way at the end of each business day at the hour stipulated in the permit.

C. Food trays or carts, receptacles for dirty dishes, trays or carts for linen and utensils, and cooking appliances shall not be placed or stored on any portion of the sidewalk or roadway area of a public right-of-way.

D. The Permittee shall maintain all elements of the Sidewalk Café and the permitted area in a clean condition at all times. Graffiti shall be removed, cleaned off, or painted to match the existing walls within 24 hours of its appearance.

E. The Permittee shall be responsible for maintaining a clean and obstruction free sidewalk/roadway area fronting and adjacent to the Sidewalk Café at all times.

F. The Permittee shall keep the sidewalk/roadway area not occupied by a Sidewalk Café free of obstructions at all times.

G. The Permittee shall keep a copy of the permit and approved plan on the premises at all times and shall be produced immediately upon request by City personnel.

H. The Permittee shall maintain liability insurance as described and required by Public Works.

I. Assignment or sale of the permit is prohibited. No outside party shall display/sell produce or other items.

J. Failure to meet the above conditions may result in a Notice of Violation, which may be accompanied by a fine. Multiple violations of the above conditions may result in the Director of Public Works recommending revocation of the Sidewalk Café Permit.

K. A revocable permit issued under this procedure does not constitute a deed or grant of an easement by the City. The permit is revocable at any time at the will of the Director of Public Works.

L. There shall be no liability on the City or upon any of its officials, officers, agents, employees, or volunteers for any damage by the Permittee from any cause arising out of permitted activities. Furthermore, the Permittee agrees to indemnify, defend, and hold harmless the City & County of San Francisco and its officials, officers, agents, employees, or volunteers from any liability arising out of permitted activities.

V. CATASTROPHIC EMERGENCIES:

A. In the event that the City experiences a catastrophic event that prevents Public Works from conducting normal business hours and business processes, including Sidewalk Café Permits, Public Works will continue to issue emergency Sidewalk Café Permits through its activated Neighborhood Emergency Coordination Centers.

B. Public Works will retain an electronic Spreadsheet that will contain all Sidewalk Café Permit information, including Permittee names, addresses, and applicable permit information. The spreadsheet shall be updated on a monthly basis.

C. Once Neighborhood Emergency Coordination Centers are activated, Public Works will assign staff to issue interim Sidewalk Café Permits to existing permit holders as well as process new applications and issue interim Sidewalk Café Permits in an expedited manner that will temporarily waive notification and Hearing procedures until such time where the City can conduct business in a non-emergency fashion.

D. The City and County of San Francisco reserves the right to move/remove Sidewalk Café elements without notice or liability to the Permittee if necessary to provide emergency services or the safe movement of people and emergency response apparatus and equipment.

The sidewalk or roadway area shall not be painted, landscaped or altered in any way without prior written approval of the Director of Public Works.

This DPW Order rescinds and supersedes DPW Order No. 162,240, approved July 7, 1993

5/13/2015

X 

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Sanquinetti, Jerry  
Bureau Manager  
Signed by: Sanquinetti, Jerry

5/13/2015

5/13/2015

X 

---

Sweiss, Fuad  
Deputy Director and City Engineer

X Mohammed Nuru

---

Nuru, Mohammed  
Director, Public Works  
Signed by: Nuru, Mohammed

**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors](#)  
**Cc:** [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Major, Erica \(BOS\)](#)  
**Subject:** FW: For public record - NO on making parklets permanent  
**Date:** Monday, March 22, 2021 4:56:12 PM

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**From:** Royee Chen <royeechen@earthlink.net>  
**Sent:** Monday, March 22, 2021 9:33 AM  
**To:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>  
**Subject:** For public record - NO on making parklets permanent

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Supervisors,

Please, **don't** make the parklets permanent. These parklets should go away when the COVID restrictions are lifted. In fact, the following should be instituted in the meantime, to improve the quality of life of those who live and work around these parklets:

- **SIZE:** the parklet's **width** should be limited to the physical footprint of the business, and NOT extend to adjacent properties. *Case in point:* Harry's Bar on Fillmore Street - whose parklet extends beyond its footprint and encroaches on the adjacent property's frontage. *Scary thought:* What if a business built a parklet the entire length of a city block? Is that permissible?
- **BLOCKING OF PARKING METERS:** it's bad enough that parklets take away parking spaces, but they should definitely **not block** special parking meters - such as those zoned for commercial parking only. *Case in point:* Roam Artisan Burger at 1785 Union Street. Not only does its parklet extend beyond its own footprint, but it is blocking three red-top, commercial parking meters that were put there to allow for truck deliveries. Where are those trucks supposed to park now?
- **ALCOHOL:** under no circumstance should alcohol be served in these parklets - especially at places like Blue Light at 1979 Union Street. *The result:* bars with all their attendant problems, are given free rein to operate outside. This is a nightmare for residents and police. And it's especially reckless when **crowds** drink in front of establishments like Blue Light, and **block** the sidewalk.
- **DENSITY:** some blocks are chock-full of parklets. Place a **limit** on the parklets on any given block - by number or by space taken.



Please preserve our quality of life. **DON'T** extend the life of these parklets beyond what is reasonable.

Thank you.

Royee Chen



COMMUNITY BENEFIT DISTRICT

April 30, 2021

693 14<sup>th</sup> Street  
San Francisco, CA 94114

PH 415.500.1181

FX 415.522.0395

[www.castrocdb.org](http://www.castrocdb.org)

[facebook.com/castrocbd](https://facebook.com/castrocbd)

@visitthecastro

Board President Shamann Walton  
City Hall Office  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102

Dear President Walton,

This letter is written to express the support of the Castro Community Benefit District (Castro CBD) for the Shared Spaces legislation, BF 210284. We urge you and your colleagues to pass this important piece of legislation.

The Shared Spaces have been a life line to the Castro's small businesses during the pandemic. Without the ability to expand into the street, we would have seen the collapse of small businesses in the Castro and throughout the city. Shared Spaces has enabled businesses to be open outside, where it is safer to eat, drink, mingle, and even exercise. This experiment has not only proved successful during the pandemic, but has become widely popular with residents and merchants in the Castro and across the city.

The board of the Castro CBD believes that permanent Shared Spaces will help change the culture of the city in a positive direction. It will help to bring positive activity to our sidewalks and into our neighborhoods, and when tourists return, they will love being able to eat and drink outdoors.

We urge a vote of support.

Sincerely,

A handwritten signature in cursive script, appearing to read "Andrea Aiello".

Andrea Aiello  
Executive Director

Volunteer  
Board of Directors

Justine Shoemaker  
President

Alan Lau  
Vice-President

Jim Laufenberg  
Secretary

Crispin Hollings  
Treasurer

Daniel Bergerac  
Board Member

Michael "Misha"  
Langley  
Board Member

Helen McClure  
Board Member

Desmond Morgan  
Board Member

Pat Sahagun  
Board Member

cc: Clerk of the Board of Supervisors  
Mayor London Breed  
Andres Power, Policy Director Mayor London  
Breed

**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors](#)  
**Cc:** [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [Nagasundaram, Sekhar \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#)  
**Subject:** FW: support of Valencia Closure  
**Date:** Thursday, April 22, 2021 2:53:00 PM

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-----Original Message-----

From: Anna Sussman <[anna@backpackjournalist.org](mailto:anna@backpackjournalist.org)>  
Sent: Thursday, April 22, 2021 2:19 PM  
To: CCSF-Shared Spaces <[sharedspaces@sfgov.org](mailto:sharedspaces@sfgov.org)>; Board of Supervisors, (BOS) <[board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org)>  
Subject: support of Valencia Closure

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors, I am writing to express my support for the continued closure of Valencia st. I live half a block from Valencia st, with my husband and two young daughters. Living in a city can be tough on families with kids. But the Valencia street closure has helped us to fully enjoy city-living in San Francisco. My daughter learned to ride a bike on the closed-off Valencia street, while diners eating on the street cheered her on. We meet friends for ice cream during the day, and enjoy live music and drinks at night.

We truly hope the closure/shared spaces program remains in effect.

Thank you  
Anna Sussman  
--

Anna Sussman

**From:** [Richard Skaff](#)  
**To:** [Michael Newman](#)  
**Cc:** [Ida A. Clair](#)  
**Subject:** Parklets and Other On-Street Dining and Shared Space Uses  
**Date:** Thursday, April 22, 2021 7:01:02 PM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Michael Newman, Chief  
Civil Rights Division  
California Department of Justice

Michael.

I'm writing to you today because the City of San Francisco Planning Department staff apparently believing that they can apply "equivalent facilitation" standards to NEW construction for the use of public sidewalks and street parking lanes for commercial "shared spaces" use. There are a number of other "issues" I'm concerned about that I would also like to include in a discussion with you.

What, if anything will you and Cal DOJ do to investigate this matter? This is an important issue because, as you've seen from the emails you've received from me, most cities, town's, and counties are adopting similar policies/programs that, in my opinion, don't include the required physical and "programmatic" accessibility for persons with disabilities.

As you can see, I'm also sending this to our new State Architect, Ida Claire with the hope that she will also respond to this email.

Richard Skaff, Executive Director  
Designing Accessible Communities  
Email: [richardskaff1@gmail.com](mailto:richardskaff1@gmail.com)  
Cell: 707-755-1681  
"Fighting Hate  
Teaching Tolerance  
Seeking Justice" | The  
Southern Poverty Law Center



BOARD of SUPERVISORS



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

May 7, 2021

**File No. 210284-3**

Lisa Gibson  
Environmental Review Officer  
Planning Department  
1650 Mission Street, Ste. 400  
San Francisco, CA 94103

Dear Ms. Gibson:

On May 4, 2021, Mayor Breed submitted the following substitute legislation:

**File No. 210284-3**

**Ordinance amending the Administrative Code to rename and modify the Places for People Program as the Shared Spaces Program, and to clarify the roles and responsibilities of various departments regarding activation and use of City property and the public right-of-way, streamline the application process, specify minimum programmatic requirements such as public access, setting permit and license fees, and provide for the conversion of existing Parklet and Shared Spaces permittees to the new program requirements; amending the Public Works Code to create a Curbside Shared Spaces permit fee, provide for public notice and comment on permit applications, provide for hearings for occupancy of longer-term street closures, and supplement enforcement actions by Public Works; amending the Transportation Code to authorize the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT) to issue permits for the temporary occupancy of the Traffic Lane for purposes of issuing permits for Roadway Shared Spaces as part of the Shared Spaces Program, subject to delegation of authority by the Municipal Transportation Agency Board of Directors to temporarily close the Traffic Lane, and adding the Planning Department as a member of ISCOTT; amending the Transportation Code to prohibit parking in a zone on any street, alley, or portion of a street or alley, that is subject to a posted parking prohibition except for the purpose of loading or unloading passengers or freight; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and affirming the Planning Department's determination under the California Environmental Quality Act.**

This substitute legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script, appearing to read "Erica Major".

By: Erica Major, Assistant Clerk  
Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning  
Don Lewis, Environmental Planning

BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. (415) 554-5184  
Fax No. (415) 554-5163  
TDD/TTY No. (415) 554-5227

May 7, 2021

Planning Commission  
Attn: Jonas Ionin  
1650 Mission Street, Ste. 400  
San Francisco, CA 94103

Dear Commissioners:

On May 4, 2021, Mayor Breed introduced the following substitute legislation:

**File No. 210284-3**

**Ordinance amending the Administrative Code to rename and modify the Places for People Program as the Shared Spaces Program, and to clarify the roles and responsibilities of various departments regarding activation and use of City property and the public right-of-way, streamline the application process, specify minimum programmatic requirements such as public access, setting permit and license fees, and provide for the conversion of existing Parklet and Shared Spaces permittees to the new program requirements; amending the Public Works Code to create a Curbside Shared Spaces permit fee, provide for public notice and comment on permit applications, provide for hearings for occupancy of longer-term street closures, and supplement enforcement actions by Public Works; amending the Transportation Code to authorize the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT) to issue permits for the temporary occupancy of the Traffic Lane for purposes of issuing permits for Roadway Shared Spaces as part of the Shared Spaces Program, subject to delegation of authority by the Municipal Transportation Agency Board of Directors to temporarily close the Traffic Lane, and adding the Planning Department as a member of ISCOTT; amending the Transportation Code to prohibit parking in a zone on any street, alley, or portion of a street or alley, that is subject to a posted parking prohibition except for the purpose of loading or unloading passengers or freight; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and affirming the Planning Department's determination under the California Environmental Quality Act.**

The proposed ordinance is being transmitted for review.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script, appearing to read "Erica Major".

By: Erica Major, Assistant Clerk  
Land Use and Transportation Committee

c: Rich Hillis, Director  
Scott Sanchez, Deputy Zoning Administrator  
Corey Teague, Zoning Administrator  
Lisa Gibson, Environmental Review Officer  
Devyani Jain, Deputy Environmental Review Officer  
Adam Varat, Acting Director of Citywide Planning  
AnMarie Rodgers, Legislative Affairs  
Dan Sider, Director of Executive Programs  
Aaron Starr, Manager of Legislative Affairs  
Joy Navarrete, Environmental Planning



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1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
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TDD/TTY No. 554-5227

## MEMORANDUM

TO: Rich Hillis, Director, Planning Department  
Alaric Degrafinried, Interim Director, Public Works  
Jeffrey Tumlin, Executive Director, Municipal Transportation Agency  
Andrico Penick, Director, Real Estate Division  
Jeanine Nicholson, Chief, Fire Department  
Maggie Weiland, Executive Director, Entertainment Commission  
Phil Ginsburg, General Manager, Recreation and Parks Department

FROM: Erica Major, Assistant Clerk, Land Use and Transportation Committee

DATE: May 7, 2021

SUBJECT: LEGISLATION INTRODUCED

---

The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislation, introduced by Mayor Breed on May 4, 2021:

**File No. 210284**

**Ordinance amending the Administrative Code to rename and modify the Places for People Program as the Shared Spaces Program, and to clarify the roles and responsibilities of various departments regarding activation and use of City property and the public right-of-way, streamline the application process, specify minimum programmatic requirements such as public access, setting permit and license fees, and provide for the conversion of existing Parklet and Shared Spaces permittees to the new program requirements; amending the Public Works Code to create a Curbside Shared Spaces permit fee, provide for public notice and comment on permit applications, provide for hearings for occupancy of longer-term street closures, and supplement enforcement actions by Public Works; amending the Transportation Code to authorize the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT) to issue permits for the temporary occupancy of the Traffic Lane for purposes of issuing permits for Roadway Shared Spaces as part of the Shared Spaces Program, subject to delegation of authority by the Municipal Transportation Agency Board of Directors to temporarily close the Traffic Lane, and adding the Planning Department as a member of ISCOTT; amending the Transportation Code to prohibit parking in a zone on any street, alley, or portion of a street or alley, that is subject to a posted parking prohibition except for the purpose of loading or unloading passengers or freight; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and affirming the Planning Department's determination under the California Environmental Quality Act.**

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: [erica.major@sfgov.org](mailto:erica.major@sfgov.org).

cc: Scott Sanchez, Planning Department  
Corey Teague, Planning Department  
Lisa Gibson, Planning Department  
Devyani Jain, Planning Department  
Adam Varat, Planning Department  
AnMarie, Planning Department  
Dan Sider, Planning Department  
Aaron Starr, Planning Department  
Joy Navarrete, Planning Department  
David Steinberg, Public Works  
Jeremy Spitz, Public Works  
John Thomas, Public Works  
Lena Liu, Public Works  
Kate Breen, Municipal Transportation Agency  
Janet Martinsen, Municipal Transportation Agency  
Joel Ramos, Municipal Transportation Agency  
Theresa Ludwig, Fire Department  
Sarah Madland, Recreation and Parks Department

BOARD of SUPERVISORS



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## MEMORANDUM

TO: Rich Hillis, Director, Planning Department  
Alaric Degrafinried, Interim Director, Public Works  
Jeffrey Tumlin, Executive Director, Municipal Transportation Agency  
Andrico Penick, Director, Real Estate Division  
Jeanine Nicholson, Chief, Fire Department  
Maggie Weiland, Executive Director, Entertainment Commission  
Phil Ginsburg, General Manager, Recreation and Parks Department

FROM: Erica Major, Assistant Clerk, Land Use and Transportation Committee

DATE: April 13, 2021

SUBJECT: LEGISLATION INTRODUCED

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The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislation, introduced by Mayor Breed on April 6, 2021:

**File No. 210284**

**Ordinance amending the Administrative Code to rename and modify the Places for People Program as the Shared Spaces Program, and to clarify the roles and responsibilities of various departments regarding activation and use of City property and the public right-of-way, streamline the application process, specify minimum programmatic requirements such as public access, temporarily waive permit application fees, and provide for the conversion of existing Parklet and Shared Spaces permittees to the new program requirements; amending the Public Works Code to create a Curbside Shared Spaces permit fee, provide for public notice and comment on permit applications, provide for hearings for occupancy of longer-term street closures, and supplement enforcement actions by Public Works; and amending the Transportation Code to authorize the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT) to issue permits for the temporary occupancy of the Traffic Lane for purposes of issuing permits for Roadway Shared Spaces as part of the Shared Spaces Program, subject to delegation of authority by the Municipal Transportation Agency Board of Directors to temporarily close the Traffic Lane, and adding the Planning Department as a member of ISCOTT; and also amending the Transportation Code to prohibit parking in a zone on any street, alley, or portion of a street or alley, that is subject to a posted parking prohibition except for the purpose of loading or unloading passengers or freight; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and affirming the Planning Department's determination under the California Environmental Quality Act.**

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: [erica.major@sfgov.org](mailto:erica.major@sfgov.org).

cc: Scott Sanchez, Planning Department  
Corey Teague, Planning Department  
Lisa Gibson, Planning Department  
Devyani Jain, Planning Department  
Adam Varat, Planning Department  
AnMarie, Planning Department  
Dan Sider, Planning Department  
Aaron Starr, Planning Department  
Joy Navarrete, Planning Department  
David Steinberg, Public Works  
Jeremy Spitz, Public Works  
John Thomas, Public Works  
Lena Liu, Public Works  
Kate Breen, Municipal Transportation Agency  
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April 12, 2021

Planning Commission  
Attn: Jonas Ionin  
1650 Mission Street, Ste. 400  
San Francisco, CA 94103

Dear Commissioners:

On April 6, 2021, Mayor Breed introduced the following substitute legislation:

**File No. 210284**

**Ordinance amending the Administrative Code to rename and modify the Places for People Program as the Shared Spaces Program, and to clarify the roles and responsibilities of various departments regarding activation and use of City property and the public right-of-way, streamline the application process, specify minimum programmatic requirements such as public access, temporarily waive permit application fees, and provide for the conversion of existing Parklet and Shared Spaces permittees to the new program requirements; amending the Public Works Code to create a Curbside Shared Spaces permit fee, provide for public notice and comment on permit applications, provide for hearings for occupancy of longer-term street closures, and supplement enforcement actions by Public Works; and amending the Transportation Code to authorize the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT) to issue permits for the temporary occupancy of the Traffic Lane for purposes of issuing permits for Roadway Shared Spaces as part of the Shared Spaces Program, subject to delegation of authority by the Municipal Transportation Agency Board of Directors to temporarily close the Traffic Lane, and adding the Planning Department as a member of ISCOTT; and also amending the Transportation Code to prohibit parking in a zone on any street, alley, or portion of a street or alley, that is subject to a posted parking prohibition except for the purpose of loading or unloading passengers or freight; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and affirming the Planning Department's determination under the California Environmental Quality Act.**

The proposed ordinance is being transmitted for review. The ordinance is pending before the Land Use and Transportation Committee and will be scheduled for hearing upon receipt of your response.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script, appearing to read "Erica Major".

By: Erica Major, Assistant Clerk  
Land Use and Transportation Committee

c: Rich Hillis, Director  
Scott Sanchez, Deputy Zoning Administrator  
Corey Teague, Zoning Administrator  
Lisa Gibson, Environmental Review Officer  
Devyani Jain, Deputy Environmental Review Officer  
Adam Varat, Acting Director of Citywide Planning  
AnMarie Rodgers, Legislative Affairs  
Dan Sider, Director of Executive Programs  
Aaron Starr, Manager of Legislative Affairs  
Joy Navarrete, Environmental Planning

**BOARD of SUPERVISORS**



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**Dr. Carlton B. Goodlett Place, Room 244**  
**San Francisco 94102-4689**  
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**TDD/TTY No. 554-5227**

April 12, 2021

**File No. 210284**

Lisa Gibson  
Environmental Review Officer  
Planning Department  
1650 Mission Street, Ste. 400  
San Francisco, CA 94103

Dear Ms. Gibson:

On April 6, 2021, Mayor Breed submitted the following substitute legislation:

**File No. 210284**

**Ordinance amending the Administrative Code to rename and modify the Places for People Program as the Shared Spaces Program, and to clarify the roles and responsibilities of various departments regarding activation and use of City property and the public right-of-way, streamline the application process, specify minimum programmatic requirements such as public access, temporarily waive permit application fees, and provide for the conversion of existing Parklet and Shared Spaces permittees to the new program requirements; amending the Public Works Code to create a Curbside Shared Spaces permit fee, provide for public notice and comment on permit applications, provide for hearings for occupancy of longer-term street closures, and supplement enforcement actions by Public Works; and amending the Transportation Code to authorize the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT) to issue permits for the temporary occupancy of the Traffic Lane for purposes of issuing permits for Roadway Shared Spaces as part of the Shared Spaces Program, subject to delegation of authority by the Municipal Transportation Agency Board of Directors to temporarily close the Traffic Lane, and adding the Planning Department as a member of ISCOTT; and also amending the Transportation Code to prohibit parking in a zone on any street, alley, or portion of a street or alley, that is subject to a posted parking prohibition except for the purpose of loading or unloading passengers or freight; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and affirming the Planning Department's determination under the California Environmental Quality Act.**

This substitute legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in black ink, appearing to read "Erica Major", is written over the printed name.

By: Erica Major, Assistant Clerk  
Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning  
Don Lewis, Environmental Planning