[Urging Departments to Create a Permanent Shared Spaces Program]

Resolution urging the Office of Economic and Workforce Development, Planning Department, Municipal Transportation Agency, Department of Public Works, Fire Department, and Recreation and Parks 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.

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

WHEREAS, The City and County of San Francisco and the State of California are under a State of Emergency that has required businesses to cease certain operations for various, often predictable, periods of time; and

WHEREAS, As of December 6, 2020, given the recent increase in COVID-19 cases in San Francisco, most small business activities have been paused indefinitely, including outdoor dining; and

WHEREAS, According to the California Employment Development Department, the City’s restaurant sector, which pre-COVID employed roughly 60,000, has lost more than 30.5% of it’s workforce and observed dramatic losses in sales; and

WHEREAS, The City’s arts and entertainment and recreation sectors, which pre-COVID, employed 14,000 has lost more than 30% of its workforce and observed dramatic losses in sales; and
WHEREAS, Although San Francisco and California do not currently report which activities contribute to the spread of COVID, New York City recently released data indicating that private household and social gatherings were the largest contributor to COVID spread at 74%; and

WHEREAS, The local San Francisco Health Officer has presented to the Small Business Commission that while indoor dining increases the risk of COVID spread, there is no clear linkage between outdoor dining and the spread of the virus; and

WHEREAS, The distribution of local, State, and Federal relief to small businesses has been limited and uneven; and

WHEREAS, Aside from direct cash stimulus, the use of public outdoor space is one of the few options left to save small businesses from permanent closure during the pandemic and its aftermath; and

WHEREAS, The Shared Spaces program launched in June 2020 and allows local businesses to apply to temporarily use public spaces to operate outside in a safe, socially distanced way in order to promote public health, help struggling businesses survive, and contribute to a vibrant street life on our commercial corridors; and

WHEREAS, The program is a multi-agency collaboration born out of the city’s Economic Recovery Task Force; and

WHEREAS, The Shared Spaces program has been in effect for approximately six months and has generated 2,281 applications with nearly 2,000 approved or partially approved to create Shared Spaces; and

WHEREAS, There are currently seven different types of permits that businesses can apply for under the Shared Spaces Program: Sidewalk Permits, Curbside Lane Permits, Street Closure Permits, Private Property Permits, Port Property Permits, Recreation and Parks Department Property Permits, and Just Add Music (JAM) Permits; and
WHEREAS, The Shared Spaces program has provided a lifeline to small businesses, activated neighborhoods, beautified commercial corridors, and created community; and

WHEREAS, From the Shared Spaces Impact survey of 1,600 small business owners in San Francisco, 80% wanted to continue operating outdoors and 90% said these shared outdoor spaces have kept them from closing permanently; and

WHEREAS, Shared Spaces permits were initially scheduled to expire at the end of 2020, but in October, permits were extended through June 30, 2021; and

WHEREAS, On October 8, 2020, Mayor London Breed established her support for moving forward on creating a plan to make elements of the Shared Spaces program permanent, and an analysis of how to make parts of the program permanent is currently underway; and

WHEREAS, As Shared Spaces transitions from an emergency lifeline for small businesses to a potentially long-term use of public space, stakeholders, City staff and members of the public have grappled with a range of related policy issues, including: addressing accessibility for people with disabilities, navigating who is responsible for maintaining Shared Spaces in a safe and sanitary manner; expanding design standards to enhance public safety, prohibit hostile design, and to ensure effective architectural integration into permanent elements of the City’s streetscape and commercial corridors; ensuring that commercial use of public space does not unfairly exclude any member of the public, and establishing fees and other financial incentives to ensure that free, public access is prioritized; implementing the Shared Spaces program in a way that is equitable and reflects the ethnic and cultural diversity of eligible small businesses across San Francisco; implementing tools for tracking the City’s response to public feedback and for mediating disputes between competing uses of public space; and ensuring that interdepartmental coordination is
conducive to an easily navigable permit system and the fair and even enforcement of
conditions of the Shared Spaces program; and

WHEREAS, The Small Business Commission has unanimously established their
support for a more permanent Shared Spaces program to last at least three years via SBC
Resolution No. 2020-002 in July of 2020; and

WHEREAS, The Economic Recovery Task Force established their support for a more
permanent Shared Spaces program for long-term economic recovery in their October 2020
Report, recommending that the Program be extended three years until December 31, 2023,
“so as to give businesses an incentive to make their spaces attractive, and give them certainty
that the program will be a worthwhile investment;” and

WHEREAS, The Board of Supervisors unanimously established their support for the
Shared Spaces program via Resolution No. 495-20; and

WHEREAS, The Board also unanimously passed an Ordinance (File No. 200786)
waiving permit and renewal fees in the Public Works Code for café tables and chairs in public
sidewalks and roadway areas, and waiving fees for use of parklets until April 2022; and

WHEREAS, Other metro areas with programs similar to Shared Spaces, like New York
City, have already established permanent programs to support small businesses; now,
therefore, be it

RESOLVED, That the Board of Supervisors supports a permanent Shared Spaces
program; and, be it

FURTHER RESOLVED, That the Board urges the Office of Economic and Workforce
Development, Municipal Transportation Agency, Planning Department, Fire Department,
Department of Public Works, and Recreation and Parks Department to develop a proposal to
make permanent a Shared Spaces program in prior to the current expiration date of the
Shared Spaces program on June 30, 2021, or any extension of that term pursuant to the COVID-19 emergency; and, be it

FURTHER RESOLVED, That the Board supports streamlined and timely permitting in a permanent program that are currently core tenets of the Shared Spaces program; and, be it

FURTHER RESOLVED, That Board urges Departments to work together to prioritize equitable City-wide participation in a permanent Shared Spaces program.
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

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 3/19/2021
Mayor

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