



San Francisco Public Works
 General – Director’s Office
 49 South Van Ness Ave., Suite 1600
 San Francisco, CA 94103
 (628) 271-3160 www.SFPublicWorks.org

Public Works Order No: 205516

**PUBLIC WORKS REGULATIONS FOR SIDEWALK AND PARKING LANE OCCUPANCY
 UNDER THE SAN FRANCISCO SHARED SPACES PROGRAM**

I. PURPOSE:

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. Due to widespread success throughout the City’s neighborhoods, the City passed Ordinance 99-21 to make the Shared Spaces Program permanent. The legislation describes the elements of the program, including carrying forward the stream-lined permitted program; encouraging arts & culture; and better balancing commercial activities with public space and transportation demands in the recovering economy.

This Public Works Order implements the requirements outlined in the [legislation establishing the permanent Shared Spaces Program](#), and in the event of a conflict, the legislation shall control. This Order clarifies that Café Tables & Chairs and Display Merchandise permit applications shall be processed under the Shared Spaces Program and are subject to pre-existing requirements and design guidelines set forth by Public Works Code and corresponding Public Works Orders.

As used in this Order, the term “Program Requirements” shall mean the requirements of the Shared Spaces legislation, this Order, the [Shared Spaces Manual](#), the [SFMTA’s Shared Spaces Curbside and Roadway Regulations](#), Public Works Order No(s). [183,188](#) (Café Tables & Chairs), [166,458](#) (Display Merchandise), and [200,889](#) (Non-Commercial Sidewalk Use), and any successor versions of these documents. The term “parking lane” is defined as that portion of the roadway closest to the curb, and as used in the Order and corresponding Shared Spaces documents, the terms “curbside” and “parking lane” are used interchangeably.

This new Public Works Order replaces and supersedes Public Works Order No. [203,904](#) in order to establish additional requirements and design guidelines for permittees to conditionally utilize space within the public right-of-way.

II. SHARED SPACES PERMIT TYPES ISSUED BY PUBLIC WORKS:

Public Works will review applications for the following permit types to be issued under the Shared Spaces Program:

- a. **Sidewalk Shared Spaces:**
 - i. **Cafe Tables & Chairs:** Movable outdoor seating on the sidewalk for commercial use during business hours, subject to Public Works Order No. [183,188](#).
 - ii. **Display Merchandise:** Movable displays on the sidewalk for retail use during business hours, subject to Public Works Order No. [166,458](#).

- iii. **Non-Commercial Use:** Public seating and other activations. Other uses of the sidewalk space must abide by applicable requirements set forth in Public Works Order No. [200,889](#).
- b. **Parking Lane Shared Spaces (Parklets):**
 - i. **Tier 1 – Public Parklets:** Parklets installed and designated for public use only.
 - ii. **Tier 2 – Movable Commercial Parklets:** Movable fixtures placed in the parking lane principally for commercial use during business hours. All fixtures must be removed from the public right-of-way outside of business hours. When the Movable Commercial Parklet is not being activated for commercial use, it is open to the public.
 - i. **Tier 3 – Fixed Commercial Parklets:** Fixed structures placed in the parking lane for commercial use during business hours. These fixed structures are then open to the public during non-commercial hours.

III. PERMIT APPLICATION SUBMITTAL PROCESS:

To apply to use sidewalk and/or the parking lane space under the Shared Spaces Program, applicants shall use the City's interagency online portal and submit an application that complies with the Program Requirements. Applicants must provide all required application information to be considered for a permit. This information shall include the following:

- a. Applicant's contact information.
- b. Name of the business, organization, or entity using the sidewalk space and/or parking lane.
- c. The location of the proposed Shared Space and general information about the establishment.
- d. The proposed use of the sidewalk or parking lane space.
- e. Proof that the applicant complies with the following insurance requirements:
 - i. General liability insurance throughout the term of the permit in the amount of at least \$1,000,000 per occurrence/\$2,000,000 in the aggregate to respond to claims made against the City and County of San Francisco (e.g. an additional insured endorsement in favor of the City).
 - ii. A waiver of subrogation for workers compensation insurance in favor of the City & County of San Francisco.
- f. Certification that the permittee will comply with all applicable health officer orders and requirements.
- g. Photographs at various angles of the site location, including utilities and existing sidewalk and curbside space conditions, etc. Public Works staff may request for additional photographs to supplement review.
- h. An initial site plan showing the proposed or existing layout for the Shared Space (e.g. parklet design); existing conditions of the sidewalk and parking lane space; locations of and proximity to all surface obstructions (i.e. tree wells, utility poles, etc.); clearances for the pedestrian path of travel; etc. The site plan must include the footprint of the proposed area of occupancy and all sidewalk and street elements, showing at least 20 feet on both sides.
 - i. **Sidewalk:** Site plan must follow requirements listed in Public Works Order No. [183,188](#) for Cafe Tables & Chairs permits and Public Works Order No. [166,458](#) for Display Merchandise permits.

- ii. **Parking Lane:** Site plan must use the template provided by Public Works, along with completion of a checklist for additional requirements.
- i. Signed letter(s) with written permission from any neighboring property owner and/or tenant, authorizing occupancy of their frontage. Written permission must be granted in the form of a completed template, as prescribed by Public Works.
 - i. **Sidewalk – *If the Shared Space would extend beyond the applicant’s frontage, then for each neighboring frontage where the Shared Space extends, the applicant must submit proof of consent as follows:***
 - 1. For buildings with multiple ground floor tenants, written permission must be obtained from the ground floor tenants in the units directly fronting the sidewalk space proposed to be used as a Shared Space.
 - 2. In cases where there is no ground floor tenant fronting the sidewalk space proposed to be used as a Shared Space, written permission from the fronting property owner/designee is required.
 - ii. **Parking Lane - *If the Shared Space would extend into half of or more of a marked parking space, or any portion of an unmarked parking space beyond the applicant’s frontage, then for each such parking space, the applicant must submit proof of consent as follows:***
 - 1. For buildings with multiple ground floor tenants, written permission must be obtained from the ground floor tenants in the units directly fronting the parking lane proposed to be used as a Shared Space.
 - 2. In cases where there is no ground floor tenant fronting the parking lane proposed to be used as a Shared Space, written permission from the fronting property owner/designee is required.
 - 3. Exceptions apply for unmarked parking spaces or other special circumstances.
- j. Consent to all terms and conditions of the permit, including indemnification.
- k. Applicant may be required to submit additional documentation if necessary or requested by Public Works staff.

IV. PERMIT APPLICATION - REVIEW PROCESS:

Sidewalk:

- a. After the application is submitted for sidewalk occupancy, a Department-designated staff member will review the application to verify site eligibility.
- b. If Public Works verifies that the proposed site is eligible for sidewalk occupancy, and accepts the proposed site plan, Public Works shall direct the applicant to post public notice (detailing the location and proposed scope of occupancy). The public notice shall be posted by the applicant at the business location for ten (10) calendar days to allow for public comment. The applicant must provide proof of posting by submitting photographs to Public Works.
- c. If no objections are received during the 10-day public notification period and all other requirements have been met, Public Works will approve and issue the applicant a Shared Spaces permit for sidewalk occupancy. If there are unresolved objections from the public during the 10-day public notification period, Public Works will proceed with scheduling a public hearing. Following the public hearing, the Public Works

Director will issue a decision to approve, conditionally approve, or deny the permit application.

Parking Lane:

- a. If the applicant submits an application for parking lane occupancy, a San Francisco Municipal Transportation Agency (SFMTA) or an SFMTA-designated staff member will review the application to verify site eligibility with the Program Requirements.
- b. Once SFMTA has determined that the site is eligible for parking lane occupancy, the application will move to Public Works for review.
- c. If Public Works accepts the proposed site plan, Public Works shall direct the applicant to post public notice (detailing the location and proposed scope of occupancy) will be provided to the applicant. The public notice shall be posted by the applicant at the business location for ten (10) calendar days. The applicant must provide proof of posting by submitting photographs to Public Works.
 - i. **Notice to Neighboring Properties:** In cases where the Shared Space would occupy any portion of a *marked parking space or unmarked parking space* fronting a neighboring building, the applicant must provide direct notice to the tenant during the 10-day public notification period. If there is no tenant, the notice shall be provided to the property owner.
- d. Public Works will approve and issue the applicant a Shared Spaces permit once the 10-day public notification period has been completed and all other requirements have been met.

V. GUIDELINES FOR OCCUPANCY OF SHARED SPACES:

Sidewalk:

- a. Permittee may occupy sidewalk space in front of, or adjacent to, their establishment, for outdoor seating, displaying merchandise while the establishment is open, or non-commercial purposes consistent with the Program Requirements.
- b. Permittee's sidewalk occupancy must abide by the following guidelines:
 - i. The permittee shall display a copy of the permit during hours of operation.
 - ii. **Site Layout & Minimum Clearances:**
 - a. Permittee must maintain a continuous 8-foot minimum width pedestrian path of travel clear of obstructions at all times throughout their permitted area. Locations where an 8-foot clearance is not feasible will be reviewed by Public Works staff on a case-by-case basis and subject to a 6-foot minimum clearance requirement.
 - b. Sidewalk occupancy shall not encroach into curb returns or mid-block crossings, nor obstruct curb ramps, driveways, building entrances, or entrance access control systems, with an 8-foot clearance maintained where physically feasible at all times.
 - c. At no time can sidewalk occupancy obstruct emergency facilities (including, but not limited to fire hydrants, standpipes, red zones, alarms, fire escapes, etc.). Written permission must be obtained from the San Francisco Fire Department for sidewalk occupancy within 4 feet of fire safety structures. For fire escapes, the 4-foot clearance

- must be maintained from the extension of the fire safety structure as if it were to be deployed in the case of an emergency.
- d. Permittee must comply with all existing applicable parking and curb regulations as approved by SFMTA and shall not obstruct sidewalk area adjacent to bus stops, blue curbs (accessible parking), and/or white curbs (passenger loading zones).
 - e. Permittee must provide adequate clearances to adjacent bus zones and transit stops, as outlined in the [SFMTA's Shared Spaces Curbside and Roadway Regulations](#). Bus stop zones must remain clear of furniture and all other elements of the sidewalk area. No elements shall be placed within 10 feet of a bus shelter.
- iii. **Occupancy of Neighboring Sidewalks:** If the Shared Space extends beyond the applicant's frontage, then for each neighboring frontage where the Shared Space extends, the applicant must maintain proof of consent as follows:
- a. For buildings with multiple ground floor tenants, written permission must be obtained from the ground floor tenants in the units directly fronting the sidewalk space proposed to be used as a Shared Space.
 - b. In cases where there is no ground floor tenant fronting the sidewalk space proposed to be used as a Shared Space, written permission from the fronting property owner/designee is required.
- iv. **Additional Requirements in Shared Spaces Manual:**
- a. Hanging or overhead objects, including umbrellas or canopies, must have a clearance of at least 7 feet (or 84 inches) from the ground. Objects must maintain at least a 1-foot clearance from the curb.
 - b. Any umbrellas or canopies must be consistent with the Department of Public Health guidance on outdoor structures. <https://www.sfdph.org/dph/files/ig/Guidance-Shared-Outdoor-Spaces.pdf>.
 - 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 area.
 - d. Any use of a portable heater, portable generator, candles, open flame or any activity regulated by Fire Code must be approved by the San Francisco Fire Department separately from this provisional permit. Please refer to the **Fire Safety** section in the [Shared Spaces Manual](#) for additional guidelines.
 - e. Electric heaters may be used if applicant obtains an adequate electrical permit from the Department of Building Inspection: https://dbiweb02.sfgov.org/dbi_electrical/.
- v. Any furniture or other objects must be removed from the sidewalk at the close of business every day.
- vi. No permanent fixtures may be placed within the sidewalk space. For clarity, this includes parklets.
1. At no time may elements of the Sidewalk Shared Space be bolted or affixed in any way to the sidewalk, roadway, or any structure (including but not limited to buildings, fire hydrants, street trees, streetlight or traffic poles, etc.).

2. Encroachments in the public right-of-way may require additional permits and fees, as determined by Public Works.
- c. Permittee occupying the sidewalk for the purposes of *outdoor seating/dining* must abide by the following *supplemental* guidelines:
- i. The permittee must utilize diverters on each side of the sidewalk seating area to guide pedestrians around the occupied space. The diverters must be:
 1. At least 30 inches high, 12 inches wide, and 24 inches long/deep.
 2. Solid within at least 24 inches off the ground.
 3. Sturdy, stable, and heavy enough so they cannot tip over or be blown away by the wind.
 4. Distinctly visible to the visually impaired with contrasting colors.
 5. Removable after business closure every day. Diverters may not be fixed to the sidewalk or face of the building.
 6. Flush with the building at approximately 90 degrees.
 7. Free of advertising.
 - ii. The objects within the sidewalk seating area may not extend beyond the depth of the diverters and onto the pedestrian path of travel at any time.
 - iii. The permittee must provide at least one (1) accessible table available for wheelchair users within the permitted sidewalk area, meeting the following requirements:
 1. Be between 28 to 34 inches high.
 2. Have at least 27 inches of space from the floor to the bottom of the table.
 3. Provide 30-inch-wide knee and toe clearance that extends at least 19 inches under the table.
 4. Have a total clear floor space of 30 inches by 48 inches per seat.
 5. Be located a minimum distance of 4 feet to the nearest obstruction.
 6. Have a label displaying the International Symbol of Accessibility.
 7. Maintain [an accessible route to the table](#).
 - iv. Trash, recycling, and compost bins must be provided within the permitted sidewalk area if space allows. These bins shall be brought inside the establishment at the close of business every day.
 - v. Tables and chairs on sidewalks with a greater than 5% slope may be subject to additional staff review or operational requirements.
 - vi. No alterations may be made to the public sidewalk, including stickers or spray paint, other than social distancing markings. Any markings must be in accordance with [Public Works Order 203,240](#).
 - vii. Permittee must maintain the quiet, safety, and cleanliness of the sidewalk space and its adjacent area (100-foot radius), in accordance with standards set forth in the [Public Works Good Neighbor Policy](#).

Parking Lane:

- a. Permittee may occupy the parking lane in front of, or adjacent to, their establishment for seating, dining, retail use, or non-commercial (community-serving) use, subject to the Program Requirements.
- b. Permittee's parking lane occupancy must abide by the following guidelines:
 - i. The permittee shall display a copy of the permit during hours of operation.
 - ii. **Site Layout & Minimum Clearances:**

1. Permittee must comply with all existing applicable parking and curb regulations, as approved by SFMTA and outlined in the [SFMTA's Shared Spaces Curbside and Roadway Regulations](#).
2. Permittee shall not obstruct access to bus zones, passenger loading zones, blue accessible parking spaces, red zones, active driveways, or impede the free flow of traffic including bicycle lanes while installing, repairing/modifying, or removing their Shared Space.
3. At no time can occupancy obstruct emergency facilities (including, but not limited to, fire hydrants, red zones, alarms, fire escapes, etc.). Written permission must be obtained from the San Francisco Fire Department for parking lane occupancy within 4 feet of fire safety structures. For fire escapes, the 4-foot clearance must be maintained from the extension of the fire safety structure as if it were to be deployed in the case of an emergency.
4. Occupancy shall not obstruct or block any underground and surface utilities, including but not limited to: utility poles, gas valves, manhole covers, air release valves, waste water systems, and catch basins. All elements in the parking lane must allow for access to public utilities for maintenance and repairs (i.e. provide access panels, removable pavers, modular design). Additional review and approval from utility companies may be required.

iii. Obligation to Remove/Modify Parklet:

1. At any time, as necessary for any City project or maintenance work, Permittee must remove, store, and/or modify the parklet, at their own cost and return the right-of-way to a condition that the Director deems appropriate within 15 days of receiving notice from the City, although the Director of Public Works may require removal, storage, or modification of the Shared Space in a shorter time period where the Director of Public Works determines that an emergency or other threat to public health or safety exists, or finds that any delay would result in extraordinary cost to the City.
2. Such work includes, but is not limited to: transit vehicles, street paving or striping, utility work, access to underground and surface utilities, overhead lines, or other work requiring access for duration of construction and/or maintenance.

iv. Public Access: When the Movable Commercial Parklet or Fixed Commercial Parklet is being activated for commercial use, Permittee must provide public seating, which is accessible to persons who are not patrons of the business. Such public seating shall include at least one public bench or other seating arrangement for every 20 linear feet of Curbside Shared Space, or per subdivided section of a Curbside Shared Space. When a Parklet is not being activated for commercial use, it is open to the public.

v. Occupancy of a Neighboring Parking Lane: If the Shared Space extends into half of or more of a neighboring parking space, or any portion of an unmarked parking space beyond the Permittee's frontage, then for each such parking space, the Permittee must maintain proof of consent as follows:

1. For buildings with multiple ground floor tenants, written permission must be obtained from the ground floor tenants in the units directly fronting the parking lane proposed to be used as a Shared Space.
2. In cases where there is no ground floor tenant fronting the parking lane proposed to be used as a Shared Space, written permission from the fronting property owner/designee is required.
3. Occupancy of parking lane fronting a neighboring property is subject to additional review by SFMTA, including marked and unmarked parking spaces.

vi. **Additional Requirements in the Shared Spaces Manual:**

1. Permittees proposing to install structures in the parking lane shall comply with all requirements listed in the **Structural Integrity** section of the [Shared Spaces Manual](#).
 2. The following provisions apply to hanging or overhead objects, including umbrellas or canopies:
 - i. Must have a clearance of at least 7 feet (or 84 inches) from the ground and cannot exceed 10 feet in overall height (including poles, posts, canopies, wires, string lights, signs, or pergolas) while still complying with the maximum 42-inch-high enclosure construction requirements.
 - ii. If constructing a structure where Muni lines are present, the top of the structure (including any roof) must not be taller than 9 feet from the road surface.
 - iii. Objects must maintain at least a 1-foot setback from the curb; no object may extend above or overhang onto the sidewalk.
 - iv. Objects also may not extend any further than 7 feet perpendicular from the curb; conditions, such as diagonal parking, may further restrict this dimension.
 - v. Any umbrellas or canopies must be consistent with the Department of Public Health guidance on outdoor structures. <https://www.sfdph.org/dph/files/ig/Guidance-Shared-Outdoor-Spaces.pdf>.
 3. 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 curbside area.
 4. Any use of a portable heater, portable generator, candles, open flame or any activity regulated by Fire Code must be approved by the San Francisco Fire Department separately from this provisional permit. Please refer to the **Fire Safety** section in the [Shared Spaces Manual](#) for additional guidelines.
 5. Electric heaters may be used if applicant obtains an adequate electrical permit from the Department of Building Inspection: https://dbiweb02.sfgov.org/dbi_electrical/.
 6. The elements listed above may not be stored within the public right-of-way – all elements must be removed from the Shared Space(s) at the close of business every day.
- vii. All cables, cords, or wires used for Parking Lane Shared Spaces lighting and speakers shall be:

1. Run at ground level and completely covered with approved ADA accessible cable ramps that do not exceed the allowable maximum 1:12 slope. Taping down or stringing overhead wires are not permitted for Movable Commercial Parklets. All cable ramps shall be removed from the sidewalk when not in active use.
 2. Alternatively, overhead fixed lighting cords for Fixed Commercial or Public Parklets shall be plugged into a weather-proof electrical outlet installed on the exterior of the building at a minimum of 10 feet above the walking surface. No fixed objects shall be used to support the light's cord, which shall be able to be easily unplugged by fire department personnel. Additional reference material is available in the [Shared Spaces Manual](#).
- viii. No permanent fixtures may be placed within the public right-of-way; however, approved Public and Fixed Commercial Parklets may remain overnight in the public right-of-way continuously until permit expiration. Movable Commercial Parklets and all other associated furniture must be removed from the public right-of-way outside of the permitted hours of occupancy.
1. At no time may fixtures be bolted or affixed in any way to the sidewalk, roadway, or any structure (including but not limited to buildings, fire hydrants, street trees, streetlight or traffic poles, etc.).
 2. Encroachments fixed to the public right-of-way may require additional permits and fees, as determined by Public Works.
- ix. Permittee is responsible for ensuring proper protection of street trees and tree basins adjacent to their Parking Lane Shared Space in accordance with requirements established by the Bureau of Urban Forestry. Shared Spaces operators shall agree to provide water to newly planted trees adjacent to their permitted space whenever the Bureau of Urban Forestry requires that due to access limitations.
1. No tree shall be pruned without consent from the Bureau of Urban Forestry.
 2. Subject to a voluntary agreement, consistent with Public Works Code, Section 805, permittee may take responsibility for maintaining street trees adjacent to their Parking Lane Shared Space.
 3. If the installation of a Parking Lane Shared Space damages any street trees, permittee will be subject to any corrective actions or fines issued by the Bureau of Urban Forestry, which may include any associated costs.
- c. Permittee occupying parking lane space for the purposes of outdoor seating/dining within a Movable Commercial Parklet must abide by the following supplemental guidelines:
- i. The permittee must utilize roadway barriers surrounding the outdoor seating/dining area in the parking lane to protect those seated from vehicle traffic. The barriers must meet the following requirements:

1. Have a railing 36 to 42 inches high with openings of no more than 4 inches wide.
 2. Have cable or flexible rail with a solid rail at the top and a solid rail at the bottom. The bottom rail must be at least 5 inches high from the floor.
 3. Sturdy and durable in nature with the ability to weather impact.
 4. If the barriers have raised planters or built-in furniture, they must be at least 17 inches high and 12 inches wide.
 5. The barriers must provide a 3-foot opening at least every 20 feet for emergency access, connected to a 3-foot-wide clear path of travel that is open to the sky from the street to the face of the building.
 - The sidewalk space between the curb and the building of each 3-foot-wide emergency access gap shall remain clear of overhead obstructions (i.e. string lights, canopies, decorations, heaters, wires, poles, etc.) at all times.
 6. The proposed outdoor seating/dining area including the outer extent of the barriers must be 12 inches clear of any active traffic or bicycle lane, and 6 inches clear from the outer edge of any transit vehicle rail.
 7. A continuous 6-inch x 6-inch minimum clear gutter space must be maintained along the entire length of the proposed outdoor seating/dining area to allow for curbside drainage flow.
 8. The edges or corners of the barriers must be marked with high intensity retro-reflective tape or reflectors to be visible at night, from street grade to the top of the structure.
 9. The address for each storefront or building where the outdoor dining area will be established shall be displayed at a height of 36 to 42 inches on the street-facing side (parallel to the curb) of the barriers and be readily visible for emergency responders. Address numbers shall be a minimum of 4 inches tall (5/8-inch-wide stroke) with black numbers on a white background.
 10. Any barriers that are used for safety purposes must fit within the permitted scope of occupancy.
- d. The permittee must provide at least one accessible table available for wheelchair users within the permitted parking lane area, meeting the following requirements:
- i. Be between 28 to 34 inches high.
 - ii. Have at least 27 inches of space from the floor to the bottom of the table.
 - iii. Provide a 30-inch-wide knee and toe clearance that extends at least 19 inches under the table.
 - iv. Have a total clear floor space of 30 inches by 48 inches per seat.
 - v. Be located a minimum distance of 4 feet to the nearest obstruction.
 - vi. Have a label displaying the International Symbol of Accessibility.
 - vii. Maintain [an accessible route to the table](#).
- e. Temporary ramps in the Public Right-of-Way, if required to maintain accessibility to the permitted parking lane area, shall comply with the slope requirements in the Curb Ramp Standard Plans, Sheet RX-4 and the California Building Code, Chapter B which are summarized as follows:
- i. 4-foot minimum clear ramp width.
 - ii. 8.3% (1:12) maximum ramp running slope (slope parallel to direction of travel).
 - iii. Clear level landing at top and bottom of the ramp (4-foot x 4-foot minimum).

- iv. Unobstructed accessible route from the pedestrian throughway path of travel of the sidewalk to the ramp.
 - v. Edge protection is required on each side of the ramp. A curb or barrier shall be provided that prevents the passage of a 4-inch diameter sphere. To prevent wheel entrapment, the curb or barrier shall provide a continuous and uninterrupted barrier along the length of the ramp.
 - vi. Ramp material shall be *firm, stable and slip resistant*. The ramp must be securely attached so it does not move or shift during use.
 - vii. Ramp may not encroach onto the required 8-foot clearance for the pedestrian path of travel on the sidewalk.
- f. The **Parklet Specifications** listed below apply to both Public Parklets and Fixed Commercial Parklets.
- i. **Parklet Specifications:**
 1. **Boundary:** The parklet shall have a continuous rigid, physical boundary around the perimeter to provide a detectable separation between the Shared Space in the parking lane and vehicular traffic in the roadway. The physical boundary shall be a minimum of 42 inches high and 4 inches wide.
 - The boundary must include a 3-foot opening at least every 20 feet for emergency access, connected to a 3-foot-wide clear path of travel that is open to the sky from the street to the face of the building. The sidewalk space between the curb and the building of each 3-foot-wide emergency access gap shall remain clear of overhead obstructions (i.e. string lights, canopies, decorations, heaters, wires, poles, etc.) at all times.
 - Panels made of transparent materials like Acrylite, Plexiglass, plastic films, etc. may be installed above the 42-inch boundary height.
 - Panels must be secured, stable, and sturdy, and must comply with [San Francisco Department of Public Health guidelines](#) regarding airflow and other applicable health directives.
 2. The edges or corners of the physical boundary must be marked with high intensity retro-reflective tape or reflectors to be visible at night, from street grade to the top of the structure.
 3. The address for each storefront or building where the outdoor dining area will be established shall be displayed at a height of 36 to 42 inches on the street-facing side (parallel to the curb) of the structure and be readily visible for emergency responders. Address numbers shall be a minimum of 4 inches tall (5/8-inch-wide stroke) with black numbers on a white background.
 4. **Setbacks:** Parklets must maintain a 3-foot setback from each end of a marked parking space for parallel parking spaces, or a 3-foot setback on each end for angled or perpendicular spaces. Exceptions may be considered.
 - The parklet must maintain a minimum 12-inch clearance from the adjacent travel lane, or a 12-inch clearance from the outer edge of a marked parking space.

5. **Width:** Parklets may occupy the full width of the parking lane (7 feet maximum) for parallel parking, and 14 feet maximum for angled or perpendicular parking. Exceptions may apply along rail, cable car, or other special cases that would necessitate reducing the width of the zone.
6. **Height:** No part of the parklet shall exceed 10 feet in height (including poles, posts, canopies, wires, string lights, signs, or pergolas) while still complying with the maximum 42-inch-high enclosure requirements above.
 - Canopies/roofs over parklets shall be installed at a height of 96-120 inches to help maintain visibility.
 - No canopies/roofs shall be permitted if adjacent sidewalk is less than 10-feet wide.
7. A minimum of 84 inches in height must remain clear of any obstructions along the sidewalk adjacent to the parklet, parklet entrance(s) and all areas on the parklet. Obstructions may include but are not limited to tree branches and foliage, overhanging sign panels on posts, and/or the applicant's addition of architectural elements to the parklet. Parklets must not obstruct overhead lines.
8. **Slope:** The cross slope on the parklet surface shall not exceed 2.0% in any direction.
 - If proposed on a street grade greater than 5.0%; additional design requirements and review may be required to make the parklet accessible to the maximum extent technically feasible as defined in the California Building Code.
9. **Threshold:** Deck or parklet must be flush with sidewalk and must not leave a gap greater than 1/2 inch, nor a vertical separation greater than 1/4 inch. One accessible entrance is required. If more than one entrance is provided, all shall be accessible and comply with the requirements of the California Building Code, Chapter 11B.
10. The platforms for parklets may not be poured concrete; mounted concrete pavers may be acceptable.
11. Parklets shall be required to have soft hit posts and wheel stops in accordance with the requirements outlined in the [Shared Spaces Manual](#). These elements shall not extend beyond the permitted scope of occupancy in the parking lane.
12. The parklet shall be constructed of durable materials that can withstand the wear and tear of elements. Permittees must ensure that all structural elements of the parklet are in good condition.
 - The parklet surface material shall be firm, stable and slip resistant.
13. Parklets must allow for curbside drainage flow. A 6-inch x 6-inch minimum clear gutter space must be provided along the entire length of the proposed parklet. The perimeter of the parklet must be kept free of debris to ensure sufficient drainage occurs.
14. Permittees are responsible for maintenance and upkeep of any parklet structure. Sites must be kept free of debris and removable elements must be stored within the establishment after business hours.
15. No elements of the parklet may be built or placed on the sidewalk without a separate Public Works permit for sidewalk occupancy, with the

exception of a ramp if necessary to maintain accessibility to the Shared Space.

16. Parklets must follow the angle/direction of the parking lane striping to ensure access to any available parking spaces adjacent to the permitted scope of occupancy.
17. Any elements used to secure the parklet between midnight and 7:00 AM must fit within the permitted scope of occupancy and meet all other applicable requirements and design guidelines listed in this Order.

ii. **Safety & Accessibility for Parklets:**

1. Parklets must allow pedestrians on either side of the street to maintain a visual connection to the street; as such continuous opaque walls shall not exceed 42 inches in height. Transparent materials like Acrylite, Plexiglass, plastic films, etc. may be used to separate tables or guard against wind in excess of 42 inches.
 - Panels must be secured, stable, and sturdy, and must comply with [San Francisco Department of Public Health guidelines](#) regarding airflow and other applicable health directives.
 2. An accessible path of travel must connect the sidewalk to the accessible entry, deck surface, wheelchair turning space and wheelchair resting space. The entrance must be at least 48 inches wide for accessibility.
 3. An accessible path of 48 inches in width must exist within the parklet. At least one accessible table is required. If an accessible table on a level surface (2% maximum slope in all directions) is provided in the sidewalk, an additional one is not required within the parklet structure. The Americans with Disabilities Act (ADA) requires 5% of seating for consumption of food and/or drink, but not less than one table, to be accessible.
 4. Parklet shall support a live load of 100 pounds per square foot. Parklet boundary wall shall be designed to resist a load of 50 pounds per linear foot in any direction at a height of 42 inches above the Parklet surface. Additionally, the parklet boundary wall shall be designed to resist a single concentrated load of 200 pounds applied in any direction at a height of 42 inches above the parklet surface.
 5. Where built-in dining surfaces such as counters or bars are provided for the consumption of food or drink, a portion of the main counter, 60 inches minimum in length, shall be installed as follows:
 - The top of the dining surface must be between 28 to 34 inches high.
 - Have at least 27 inches of space from the floor to the bottom of the counter.
 - Have a clear floor space of 30-inches by 48-inches positioned for a forward approach.
 - Maintain an accessible route to the counter.
- g. Trash, recycling, and compost bins must be provided within the permitted parking lane area, if space allows. These bins shall be brought inside the establishment at the close of business every day.
- h. Tables and chairs in the parking lane with a greater than 5% slope may be subject to additional staff review or operational requirements.

- i. No alterations may be made to the public roadway, including stickers or spray paint. Any markings must be in accordance with Public Works regulations.
- j. Permittee must maintain the quiet, safety, and cleanliness of the parking lane space and its adjacent area (100-foot radius), in accordance with standards set forth in the [Public Works Good Neighbor Policy](#).
- k. In addition to these standards, permittees are also required to follow all updates to this Order, or other guidance applicable to the Shared Spaces Program.
- l. Permittees are responsible for removing any installed elements due to either permit expiration, non-operation, or non-compliance.

VI. Permit Application and Renewal Fees:

- a. Fees will be assessed consistent with Administrative Code Sections 94A.10 and 94A.12.
- b. ***Fees for Sidewalk Shared Spaces are waived through March 2022 per [Ordinance 211-20](#), after which the following fees will apply as follows:***
 - i. **Cafe Tables & Chairs:** Fees will be the full fees for a pre-existing Cafe Tables & Chairs permit, according to the current Public Works fee schedule. The annual assessment fee will be calculated based on the total square footage of occupancy permitted.
 - ii. **Display Merchandise:** Fees will be the full fees for a pre-existing Display Merchandise permit, according to the current Public Works fee schedule. The annual assessment fee will be calculated based on the total square footage of occupancy permitted.
 - iii. **Non-Commercial Use:** Per the applicable City Codes, Sidewalk Shared Spaces for non-commercial use will be assessed the new application fee for a Minor Sidewalk Encroachment permit, unless the scope of the proposal is more consistent with separate pre-existing Public Works permit type(s).
- c. ***For applicants seeking to convert their permit pursuant to Administrative Code Section 94A.12, occupancy fees for Parklets are currently waived, but shall be due and payable starting March 31, 2023, after which the following fees will apply:***

TIER	TYPE	OCCUPANCY FEES		
		Permit (one-time)		Annual License
1	Public Parklet	\$1,000	\$250	\$100
2	Movable Commercial Parklet	\$2,000	\$1,000	\$1,500
3	Commercial Parklet	\$3,000	\$1,500	\$2,000
		1st Parking Space	Each Additional Parking Space	Per Parking Space
		50% fee waiver for non-formula retail businesses with less than \$2 million in SF gross receipts.		
		Fees are subject to annual increase based on relevant Consumer Price Index		

VII. Permit Expiration, Extension, Revocability, and Enforcement:

- a. Any permittee that received a permit prior to the date of this Order, must comply with the provisions of this Order and applicable Program Requirements as a condition of receiving a new permit or converting their existing permit to a Shared Spaces permit.
- b. This permit requires annual renewals, which entail applicable fees and submittal materials including written permission for encroachments when applicable.
- c. Permit durations and renewal cycles may be tied to the Treasurer & Tax Collector's schedule for billing purposes.
- d. The permit shall be revocable at the discretion of the Director of Public Works, who may hold a public hearing prior to such revocation consistent with Public Works Code Section 793.4(c).
- e. The Department is authorized to enforce the provisions of this Order pursuant to the procedures in Administrative Code Chapter 94A, and Public Works Code Section 793 et seq.

VIII. Additional Responsibilities:

- a. Permittees must abide by all terms and conditions of their Shared Spaces permit, and any other requirements that Public Works deems necessary. Pursuant to SEC. 793.3.(a) of the [Shared Spaces legislation](#), the Director may also adopt such additional regulations as the Director deems appropriate and necessary for the proper management and use of a Curbside or Sidewalk Shared Space in the public right-of-way. The additional regulations may include but are not limited to: maintenance requirements; minimum required clearances from street corners, sidewalk bulb-outs, or protective bollards; appropriate clearances for paths of travel; applicable standards from the Americans with Disabilities Act; and appropriate clearances for stormwater and other hydrological concerns.
- b. **Signage:** Permittee is responsible for posting a public notice in English, Filipino, Spanish, Chinese, and any other languages required in a visible location on their Shared Space with the following information:
 - i. Instructions for members of the public on how to file complaints with San Francisco 311.
 - ii. Relevant information pertaining to required disability access within their Shared Space.
 - iii. Signage indicating that the minimum clearance for the path of travel on the sidewalk must be maintained at all times.
- c. **Self-Initiated Removal:** Permittee is responsible for the removal of their parklet and all other elements of their Shared Space following the cessation of use and for maintaining the condition of the public right-of-way, including proper restoration of affected sidewalk and curbside space up to City standards.
- d. **Failure to Maintain:** Permittees who fail to properly and sufficiently maintain the cleanliness, safety, and accessibility of their Shared Spaces, including their parklet, may be subject to violations and fines. If maintenance issues are not resolved, permittee may be required by Public Works to remove the Shared Space at their own expense.

- e. Pursuant to SEC. 793.2.(d)(2), Permittees are responsible for removing any installed elements due to either permit expiration, non-operation, or non-compliance. All Sidewalk and Curbside Shared Space permits shall be conditioned upon the obligation to remove or modify the Shared Space at any time, as necessary for any City project or maintenance work, which necessity shall be determined solely by the City Agency that issued the Shared Space Permit. In the event of an emergency, the City Agency may provide 24-hours notice. It shall be the Permittee's obligation to remove or modify the Sidewalk or Curbside Shared Space at their own cost and return the right-of-way to a condition that the Director of Public Works deems appropriate. In no event shall the City be liable for reimbursing the Permittee for the costs of or restoring the Shared Space installation.
- f. Pursuant to SEC. 94A.4.(d)(1)(E), the Permittee shall be obligated to remove or modify the Curbside Shared Space at the Permittee's cost and return the right-of-way to a condition that the Director of Public Works deems appropriate within 15 days of receiving notice from the City, although the Director of Public Works or applicable Core Agency may require removal of the Shared Space in a shorter time period where the Director of Public Works determines that an emergency or other threat to public health or safety exists, or finds that any delay would result in extraordinary cost to the City.
- g. Permittee shall be responsible for ensuring the space occupied and services offered under the permit comply with applicable health orders and directives, and other applicable requirements, as well as with all laws requiring accessibility for people with disabilities and that the space and services do not interfere with emergency responders' access.
- h. Permittees must maintain the quiet, safety, and cleanliness of the sidewalk and parking lane space and its adjacent area (100-foot radius), in accordance with standards set forth in the [Public Works Good Neighbor Policy](#).
- i. **Emergency Clause:** All terms of the Shared Spaces permit are voided in the event of an emergency or unforeseen catastrophic event.

IX. Possessory Interest Taxes:

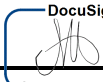
- a. Permittee recognizes and understands that this Agreement may create a possessory interest subject to property taxation with respect to privately-owned or occupied property in the public right of way ("PROW"), and that Permittee may be subject to the payment of property taxes levied on such interest under applicable law. Permittee agrees to pay taxes of any kind, including any possessory interest tax, if any, that may be lawfully assessed on Permittee's interest under this Agreement or use of the PROW pursuant hereto and to pay any other taxes, excises, licenses, permit charges, or assessments based on Permittee's usage of the PROW that may be imposed upon Permittee by applicable law (collectively, a "Possessory Interest Tax"). Permittee shall pay all of such charges when they become due and payable and before delinquency.

X. Hold Harmless Clause:

- a. In consideration of the permittee taking advantage of sidewalk or curbside space, the permittee owner promises and agrees to comply with all applicable regulations.
- b. In addition, the permittee operator agrees on its behalf and that of any successor or assignee to hold harmless, defend, and indemnify the City and County of San Francisco, including, without limitation, each of its commissions, departments, officers, agents and employees (collectively referred to as the "City") from and against and all losses, liabilities, expenses, actions, claims, demands, injuries, damages, fines, penalties, suits, costs or judgements including, without limitation, attorneys' fees and costs (collectively, "claims") of any kind allegedly arising directly or indirectly from (i) any act by, omission by, or negligence of, Assignee or its subcontractors, or the officers, agents or employees of either, while engaged in the practices authorized by this Order, (ii) any accident, damage, death, or injury to any contractor or subcontractor, or any officer, agent, or employee of either of them, while engaged in the performance of the practices authorized by this Order, (iii) any accident, injuries or damages to any person(s) or accident, damage or injury to any real or personal property, good will, in, upon or in any way allegedly connected with the practices authorized by this Order from any cause or claims arising at any time, and potentially falls within this indemnity provision, even if the allegations are or may be groundless, false or fraudulent, which obligations arises at the time such claim is tendered to permittee operator by the City and continues at all times thereafter. The permittee operator agrees that the indemnification obligations assumed under this Order shall survive expiration of the Order or completion of practices authorized by this order. The permittee operator shall assume all maintenance and liability associated with the items allowed to be placed in the public right-of-way under this Order.

X

DocuSigned by:



Huff, Nicolas C0A758C115B741C...
Bureau Manager

X

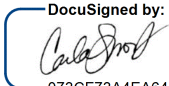
DocuSigned by:



Ko, Albert J 281DC30E04CF41A...
City Engineer

X

DocuSigned by:



073CF73A4EA6486...

Short, Carla
Interim Director of Public Works