
Legislative Review: BOS File #230768 – Authorizing and Permitting Neighborhood Amenities
Name: Melgar
Date Introduced: 6/27/2023
Scheduled for BOS Committee: Land Use and Transportation Committee

Legislative Overview:

This ordinance would reduce encroachment permit fees through June 30, 2025 for neighborhood amenity projects and create a simplified application for Love Our Neighborhood projects. Neighborhood amenities would include front yard benches, little libraries, planter boxes, seasonal sidewalk lighting, and seasonal murals, etc.

Current fee rates are:

Minor Encroachment permits: \$938.39 permit fee, and, if applicable, the annual public right-of-way occupancy assessment fee; \$314 assessment fee.

Street Encroachment permits (major encroachment): \$3,643.66 permit fee and the annual public right-of-way occupancy assessment fee.

Amendments to Current Law

Neighborhood amenities would be broken into three tiers, with varying fee waivers:

Tier 1: a front yard bench, a front yard library, or a front yard planter. 75% of permit application fees shall be waived until June 30, 2025 for a permit applicant that is a community-based organization, nonprofit organization, community benefits district, or merchants association. Tier 1 projects must be registered with the City. No public right-of-way occupancy assessment fee shall be charged for a Tier 1 Project.

Tier 2: sidewalk mural drawn on or affixed to a sidewalk, a mural drawn on or affixed to a retaining wall or bridge within the right-of-way, or Seasonal Sidewalk Lighting suspended across a sidewalk. 75% of permit application fees shall be waived until June 30, 2025 for a permit applicant that is a community-based organization, nonprofit organization, community benefits district, or merchants association. Tier 2 projects require a minor encroachment permit, but do not require engineering review.

Tier 3: a sculpture, a tiled stairway, a fog catcher, an irrigation system, stringed lighting suspended across a roadway in a commercial corridor, and decorative street lighting. 35% of permit application

fees shall be waived until June 30, 2025 for a permit applicant that is a community-based organization, nonprofit organization, community benefits district, or merchants association.

Legislative Intent:

This ordinance would allow neighborhood groups, merchants, etc. to activate and enhance public spaces and the public right-of-way more efficiently and affordably.

Background, Issues, and Considerations

- Who benefits from or will be burdened by your proposal (geographically, ethnically, linguistically)? What are your strategies for advancing racial equity or mitigating unintended consequences?
 - Fee reductions would make neighborhood amenities more affordable, which is especially impactful to low-income communities.
- What was the development process of this proposal? Whose input have you sought out? What feedback did you hear and did you incorporate it into this proposal? If not, why not?
 - This legislation reflects the interest of neighborhood, merchant and community groups who wanted to do beautification projects starting during COVID-19 to support outdoor recreation.
- Is this proposal punitive or enforcement based? What are the other alternatives for proactive compliance?
 - This is not punitive.
- Given the diversity of San Francisco, how would this policy play out in different cultural settings? How does it accommodate cultural norms?
 - This allows neighborhood groups to install a variety of amenities to fit the needs of their community.