



Circulate San Diego
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April 26, 2017

Elizabeth Studebaker
Neighborhood Investment Manager
City of San Diego Economic Development Department
1200 Third Avenue
San Diego, CA 92101

RE: Amendments to San Diego's Municipal Code to Define and Introduce Placemaking

Dear Liz,

On behalf of Circulate San Diego, whose mission is to create excellent mobility choices and vibrant, healthy neighborhoods, I am writing to provide comments about San Diego's proposed Placemaking policy amendments to the Municipal Code. A groundswell of interest is happening in cities across the country to animate public spaces using art and creativity. At the forefront of the creative placemaking movement is an effort to encourage and support community volunteers and organizations to create amazing public spaces, and transform streets from places for cars to places for people.

Thank you to you and staff for working with Circulate San Diego to advance a placemaking policy in the City of San Diego. We are excited to see this work progress. As the policy moves forward for public input, we would like to reiterate our requests for a Placemaking policy framework that is **transparent, equitable, and inclusive** so as to facilitate and encourage more neighborhood placemaking projects in the City. With this in mind, we have the following comments and requests.

1. Institute a ministerial, or over the counter, permit process.

We have talked to numerous representatives of neighborhood organizations who pursued local placemaking project applications and documented the difficulties they encountered while seeking permits in our report [A Place for Placemaking](https://www.circulatesd.org/placeforplacemaking).¹ Two of the biggest challenges we documented were the difficulties navigating the complex permitting process, and paying high fees for permits. We request that the new placemaking regulations require a ministerial, over the counter, permitting process to reduce complexity and costs, and to truly encourage more community-driven placemaking projects.

¹ Kathleen Ferrier, A Place for Placemaking, Circulate San Diego (August 2017), available at <https://www.circulatesd.org/placeforplacemaking>.

2. Consider the following submittal requirements for the Public Right-of-Way Permit to maintain simplicity and accessibility.
 - a. Create a separate row for Placemaking in the [Public Right-of-Way Permit Submittal Requirements Matrix²](#) similar to what was created for Sidewalk Cafés.
 - b. Require a simple, streamlined set of submittals similar to what is required for *Minor Improvements in Public Right of Way*, and further simplify if possible keeping in mind that applicants will be neighborhood residents, not professionals.
3. Include “established community based organizations” in the list of recognized groups under *General Regulations for Placemaking (a)*.

Community based non-profit organizations such as City Heights Community Development Corporation, Bayside Community Development Corporation, Jacobs Center for Neighborhood Innovation, and the Urban Collaborative Project have demonstrated the value and commitment of these groups’ involvement to improve the quality of life of community residents. Each of these has already engaged in a placemaking project and would greatly benefit from being a recognized group to apply for placemaking projects in their neighborhoods.

4. Under *Regulations for Placemaking in the Public Right of Way*, create an EMRA specific to placemaking.

We understand the City’s desire to require an Encroachment Maintenance and Removal Agreement (EMRA) for projects proposed in the public right of way.³ The EMRA referenced requires official drawings and signatures from property owners in order to complete. These should not be required with an EMRA for placemaking projects because of project types anticipated may not involve property owners. As a result, we request that an EMRA specific to placemaking projects be created to allow for the project applicant to sign and submit. Specific EMRAs were created for [Pedestrian Plazas](#) and [Sidewalk Cafes](#).

5. Coordinate with San Diego’s Commission for Arts and Culture to ensure a seamless, transparent, timely process.

The Commission for Arts and Culture has asked for neighborhood groups interested in seeking intersection murals to process an application through the Commission. Specifically, they are requesting applicants to submit an Application for Temporary Exhibits of Artwork on City of San Diego Property.⁴ This standing process requires Commission approval of each proposed project *in addition to the approval required by Development Services* and is onerous for neighborhood organizations seeking community based art.

² Land Development Manual, Project Submittal Requirements, Construction Permits – Grading and Public Right-of-Way, Development Services Department, available at

<https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3237.pdf>

³ Encroachment Maintenance and Removal Agreement, City of San Diego Development Services Department, available at <https://www.sandiego.gov/sites/default/files/legacy/development-services/pdf/industry/forms/ds3237.pdf>.

⁴ Application for Temporary Exhibits of Artwork, Commission for Arts and Culture, available at <https://www.sandiego.gov/arts-culture/publicart/tempexhibits>.

Intersection murals are different from 'typical' Commission projects in that they are neighborhood driven projects where community members are the artists.

As a result, we recommend City staff to consider the following:

- Collapse the Commission's review of intersection murals into the Development Services proposed placemaking permit process,
- Route the intersection mural application to Commission staff for approval, or
- Route the intersection mural application to Commission staff for information only depending on project components.

6. For intersection murals, provide a clear description of intersection characteristics where murals will be allowed as part of the placemaking permit application.

In model cities where intersection murals are allowed, the application process outlines the intersection characteristics required in order for a mural to be approved. For example, streets that are classified as local streets, or streets that are not identified as public transit routes.⁵ We request that this information be included in the placemaking permit bulletin to be developed within Development Services so as to make the process more transparent and accessible for applicants.

Thank you for your consideration of these recommendations. We look forward to working with you and staff from Development Services to create and complete the placemaking policies in the Municipal Code. Feel free to contact me with questions at kferrier@circulatesd.org or 619-544-9255, x. 301.

Sincerely,



Kathleen Ferrier, Director of Advocacy

CC: David Graham, Deputy Chief Operating Officer Neighborhood Services, City of San Diego
Jonathan Herrera, Director of Public Safety and Neighborhood Services, Office of Mayor Kevin Faulconer
Chris Larson, Senior Project Manager, Development Services Department
Dana Springs, Executive Director, San Diego Commission for Arts and Culture
Christina Vincent, Business Expansion, Attraction and Retention Manager, San Diego Economic Development Department

⁵ Intersection Paintings General Provisions, City of Milwaukie, Oregon, Exemplary language, available at http://www.milwaukieoregon.gov/sites/default/files/fileattachments/engineering/page/43241/row_intersection_painting_general_provisions.pdf.