

THIS PRINT COVERS CALENDAR ITEM NO: 10.5

**SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY**

DIVISION: Streets

BRIEF DESCRIPTION:

Approving a reduced Roadway Shared Spaces Closure of Hayes Street between Gough and Octavia streets, 4 pm to 10 pm each Friday and 1 pm to 10 pm each Saturday from November 10, 2023, through Saturday, October 19, 2024, consistent with the SFMTA Board of Director's recommendation given at the October 17, 2023 Board meeting (application from the Hayes Valley Merchant's Council for a Roadway Shared Spaces permit is to close Hayes Street between Gough and Octavia streets Fridays from 4 pm to 10 pm, and Saturdays and Sundays from 10 am to 10 pm); and making environmental review findings.

SUMMARY:

- Since August 2020 the Hayes Valley Merchants Council has operated a weekly recurring closure of Hayes Street under the pandemic era Roadway Shared Spaces program.
- In February 2023, the Hayes Valley Merchants Council filed an application under the permanent Roadway Shared Spaces program to continue closing Hayes Street three days per week, Fridays from 4 pm to 10 pm, and Saturdays and Sundays from 10 am to 10 pm.
- The proposed Roadway Shared Spaces closure was considered at Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT) public meeting on March 23, 2023.
- Staff presented a reduced closure permit, consisting of only Saturdays from 1 pm to 10 pm, to the SFMTA Board of Directors on October 17, 2023. Staff recommended this reduced closure duration in reaction to challenges resulting from the closure as observed by SFMTA and other City staff as well as public feedback and results of a survey conducted by the Office of Small Business indicating mixed support from merchants along the corridor for the three-day closure.
- The SFMTA Board of Directors voted at their October 17, 2023 meeting to amend the staff recommendation to include a Friday and Saturday closure, which has been reflected in the attached resolution.

ENCLOSURES:

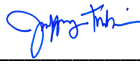
1. SFMTAB Resolution
2. Better Streets Plan Mitigated Negative Declaration
http://sfmea.sfplanning.org/2007.1238E_FMND.pdf
3. Better Streets Plan CEQA Findings, Planning Commission Resolution
https://sfplanning.s3.amazonaws.com/default/files/meetingarchive/planning_dept/sf-planning.org/ftp/files/Commission/cpcpackets/2007.1238emrtu.pdf
4. Better Streets Plan Mitigated Negative Declaration Shared Spaces Addendum
<https://citypln-m-extnl.sfgov.org/SharedLinks.aspx?accesskey=bc61363c7effb77e5715d781677a071ae265f0c>

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APPROVALS:

DATE

DIRECTOR 

November 2, 2023

SECRETARY 

November 2, 2023

ASSIGNED SFMTAB CALENDAR DATE: November 7, 2023

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PURPOSE

Approving a reduced Roadway Shared Spaces Closure of Hayes Street between Gough and Octavia streets, 4 pm to 10 pm each Friday and 1 pm to 10 pm each Saturday from November 10, 2023, through Saturday, October 19, 2024, consistent with the SFMTA Board of Director's recommendation given at the October 17, 2023 Board meeting (application from the Hayes Valley Merchant's Council for a Roadway Shared Spaces permit is to close Hayes Street between Gough and Octavia streets Fridays from 4 pm to 10 pm, and Saturdays and Sundays from 10 am to 10 pm); and making environmental review findings..

STRATEGIC PLAN GOALS AND TRANSIT FIRST POLICY PRINCIPLES:

The item will support the following goals and objectives of the SFMTA Strategic Plan:

Goal 3: Improve the quality of life and environment in San Francisco and the region.

This item will support the following Transit First Policy Principles:

1. To ensure quality of life and economic health in San Francisco, the primary objective of the transportation system must be the safe and efficient movement of people and goods.
2. Decisions regarding the use of limited public street and sidewalk space shall encourage the use of public rights of way by pedestrians, bicyclists, and public transit, and shall strive to reduce traffic and improve public health and safety.

DISCUSSION

Since August 2020, the Hayes Valley Merchant's Council and Hayes Valley Neighborhood Association have operated a weekly recurring Roadway Shared Spaces closure of Hayes Street. This street closure was initially permitted under the Shared Spaces program authorized by the pandemic State of Emergency and Mayor Breed's supplemental emergency proclamations and was intended to support local businesses by repurposing street space for outdoor cultural events, arts activities, entertainment, dining, retail, services and general recreation.

After their first Roadway Shared Spaces permit expired in December 2020, the sponsor applied to renew their temporary, pandemic-era Roadway Shared Spaces permit on multiple occasions. Across multiple permit cycles, the permit footprint and days of operation have been refined to strike a balance between the benefits afforded by the provision of additional outdoor space for retail and recreation with the associated impacts to neighborhood traffic and local access that best serves the Hayes Valley community.

Building off the success of the temporary, pandemic-era Shared Spaces program, in July 2021 the Board of Supervisors voted unanimously to pass an ordinance approved by Mayor Breed creating the permanent Shared Spaces program. Companion legislation was heard and approved by the SFMTA Board of Directors in May 2021 establishing a procedure by which this Board

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may approve the Longer-Term Closure of a street for the purposes of issuing a Roadway Shared Spaces permit.

In February 2023, the Hayes Valley Merchant's Council filed an application with the SFMTA for the closure of Hayes Street under the permanent Roadway Shared Spaces program. The applicant requested a closure of Hayes Street, between Gough and Octavia streets, on Fridays from 4 pm to 10 pm, and Saturdays and Sundays from 10 am to 10 pm. Planned recurring activation of the closure would include rotating entertainment, vendors, artists, food, and outdoor dining. Occasional themed activations would include the October Halloween Walk, December Holiday Stroll, and July Carnival.

Upon conducting an initial review of the application, staff identified that the proposed closure would continue to require a reroute of the Muni 21-Hayes route around the closure area which the SFMTA has had to implement during the closure period. This reroute, however, poses logistical and operator challenges and constitutes an impact to transit. Therefore, the proposed closure falls outside of the authority delegated to the Interdepartmental Staff Committee on Traffic and Transportation under Section 6.16 of the San Francisco Transportation Code to permit the issuance of a Temporary Closure permit for the proposed Roadway Shared Space but instead requires approval from the SFMTA Board of Directors.

The SFMTA Board of Directors is asked to consider the approval of a Longer-Term Closure under the authority granted by Section 206 of the San Francisco Transportation Code for the purpose of issuing a Roadway Shared Spaces permit to close Hayes Street as requested by the applicant. In doing so the Board would find based upon a determination of public convenience and necessity that the subject portion of Hayes Street is no longer needed for vehicle traffic, and that the street closure is necessary for the safety and protection of the public while using the street during the closure.

Staff presented a reduced closure permit, consisting of only Saturdays from 1 pm to 10 pm, to the SFMTA Board of Directors on October 17, 2023. Staff recommended this reduced closure duration in reaction to challenges resulting from the closure as observed by SFMTA and other City staff, as well as public feedback and results of a survey conducted by the Office of Small Business indicating mixed support from merchants along the corridor for the three-day closure requested by the applicant. In addition to the challenges posed by the reroute of the 21 Hayes, some of the challenges that staff observed were a lack of activation of the closure area, inconsistent placement barricades and monitoring of intersections, traffic congestion on nearby blocks, and double parking at intersection barricades. In response to these challenges, staff also recommended additional wayfinding, regular activation, an updated barricade setup at both ends of the closure area, intersection monitors, and additional loading spaces as conditions of the permit.

After considering the staff recommendation to permit a closure for only one day per week on Saturdays, the SFMTA Board voted at their October 17, 2023 meeting to amend the staff recommendation to also include Fridays from 4 pm to 10 pm in support of the community indicating Friday's are the most active day of the weekend. Consistent with this direction, staff

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recommend that the Board approve a recurring two-day closure, encompassing Fridays from 4 pm to 10 pm, and Saturdays from 1 pm to 10 pm, subject to the permit conditions recommended by staff, including those noted above.

ITEMS

The SFMTA recommend that the SFMTA Board of Director's approve the following Roadway Shared Spaces closure:

- A. ESTABLISH – SHARED SPACES ROAD CLOSURE – Hayes Street between Gough and Octavia streets, Friday, November 10, 2023, through Saturday, October 19, 2024, 4 pm to 10 pm each Friday and 1 pm to 10 pm each Saturday

Item A would grant a permit for a Shared Spaces Road Closure to the Hayes Valley Merchants Council to provide outdoor seating, dining, retail, and entertainment space for customers of nearby businesses.

FUNDING IMPACT

The cost of this program to the SFMTA is the staff time required to review the street closure permit. On behalf of the applicant, the Office of Economic and Workforce Development has paid the application fee of \$2,100 to cover staff's time and effort to review the subject application.

ENVIRONMENTAL REVIEW

On April 19, 2021, the San Francisco Planning Department determined that the Shared Spaces Program (Case No. 2021-003010ENV), inclusive of Item A, is within the scope of the Better Streets Plan Final Mitigated Negative Declaration (FMND, Case No. 2007.1238E, September 17, 2010), and that the proposal would not require the preparation of a subsequent negative declaration under CEQA Guidelines section 15162. On October 28, 2010, the Planning Commission in Resolution No. 18211, adopted findings under the California Environmental Quality Act (CEQA), the CEQA Guidelines, and Chapter 31 of the Administrative Code (CEQA Findings), and a Mitigation Monitoring and Reporting Program (MMRP), associated with the Better Streets Plan.

Copies of the CEQA determination are on file with the Secretary to the SFMTA Board of Directors, and may be found in the records of the Planning Department by Case Number at <https://sfplanninggis.org/pim/> or 49 South Van Ness Avenue, Suite 1400 in San Francisco, and are incorporated herein by reference.

RECOMMENDATION

Approve a reduced Roadway Shared Spaces Closure of Hayes Street between Gough and

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Octavia streets, 4 pm to 10 pm each Friday and 1 pm to 10 pm each Saturday from November 10, 2023, through Saturday, October 19, 2024, consistent with the SFMTA Board of Director's recommendation given at the October 17, 2023 Board meeting (application from the Hayes Valley Merchant's Council for a Roadway Shared Spaces permit is to close Hayes Street between Gough and Octavia streets Fridays from 4 pm to 10 pm, and Saturdays and Sundays from 10 am to 10 pm); and make environmental review findings.

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. _____

WHEREAS, The Hayes Valley Merchants Council has operated a recurring three day per week closure of Hayes Street between Gough and Octavia streets since August 2020 under the pandemic era Roadway Shared Spaces program; and

WHEREAS, The San Francisco Municipal Transportation Agency has received an application from the Hayes Valley Merchants Council to the permanent Roadway Shared Spaces program to continue the closure of Hayes Street between Gough and Octavia streets three days per week, Fridays from 4 pm to 10 pm, and Saturdays and Sundays from 10 am to 10 pm; and

WHEREAS, In reaction to challenges observed by staff resulting from the three day per week closure, and based on results of a survey conducted by the Office of Small Business, which indicated mixed support from merchants along the corridor for a three day per week closure, staff recommended at the October 17, 2023 SFMTA Board of Director's meeting that the permit duration be reduced to one day per week, to include only Saturdays from 1 pm to 10 pm; and

WHEREAS, The SFMTA Board of Directors at their October 17, 2023 meeting voted to amend the staff recommendation to include both a Friday closure from 4 pm to 10 pm and a Saturday closure from 1 pm to 10 pm; and

WHEREAS, The SFMTA Board of Directors at their October 17, 2023 directed staff to study a potential permanent street closure of Hayes Street and report back to the Board within six months; and

WHEREAS, The San Francisco Municipal Transportation Agency has identified a need for parking and traffic modifications as follows:

- A. ESTABLISH – SHARED SPACES ROAD CLOSURE – Hayes Street between Gough and Octavia streets, Friday, November 10, 2023, through Saturday, October 19, 2024, 4 pm to 10 pm each Friday and 1 pm to 10 pm each Saturday.

WHEREAS, The proposed closure would be subject to the permit conditions recommended by staff, including additional wayfinding, regular activation, an updated barricade setup at both ends of the closure area, intersection monitors, and additional loading spaces; and

WHEREAS, The subject portion of Hayes Street is no longer needed for vehicle traffic during the proposed closure hours and the street closure is necessary for the safety and protection of the public who are using that portion of the street during the closure; and

WHEREAS, On September 17, 2010, the San Francisco Planning Department published the Better Streets Plan Final Mitigated Negative Declaration (Better Streets Plan FMND, Case No. 2007.1238E), and under the California Environmental Quality Act (CEQA), the CEQA Guidelines, and Chapter 31 of the Administrative Code—the San Francisco Planning

Commission adopted CEQA Findings, a Mitigation Monitoring and Reporting Program (MMRP) on October 28, 2010 under Motion 18211; and

WHEREAS, On April 19, 2021, the San Francisco Planning Department determined that the Shared Spaces Program (Case No. 2021-003010ENV), inclusive of Item A, is within the scope of the Better Streets Plan FMND and that it would not require the preparation of a subsequent negative declaration under CEQA Guidelines Sections 15162; and

WHEREAS, The SFMTA Board of Directors has reviewed the Better Streets Plan Final Mitigated Negative Declaration (FMND) and Addendum and finds that since adoption of the FMND, no changes have occurred in the proposed project or in the circumstances under which the project would be implemented that would cause new significant impacts or a substantial increase in the severity of impacts identified and analyzed in the FMND, and that no new information has emerged that would materially change the analysis or conclusions set forth in the FMND; The actions approved herein would not necessitate implementation or additional or considerably different mitigation measures that those identified in the FMND; and

WHEREAS, Copies of the CEQA determinations are on file with the Secretary to the SFMTA Board of Directors, and may be found in the records of the Planning Department by Case Number at <https://sfplanninggis.org/pim/> or 49 South Van Ness Avenue, Suite 1400 in San Francisco, and are incorporated herein by reference; and

WHEREAS, The public has been notified about the proposed modifications and has been given the opportunity to comment on those modifications through the public hearing process; now, therefore, be it

RESOLVED, The San Francisco Municipal Transportation Agency Board of Directors adopts these CEQA findings as its own; a copy of the Planning Commission Resolution, the CEQA findings, and the CEQA determinations are on file with the Secretary to the SFMTA Board of Directors, and may be found in the records of the Planning Department at <https://sfplanning.org/> and 49 South Van Ness Avenue, Suite 1400 in San Francisco, and is incorporated herein by reference; and be it further

RESOLVED, that the San Francisco Municipal Transportation Agency Board of Directors approves Item A above, and finds that the subject portion of Hayes Street is no longer needed for vehicle traffic during the proposed closure hours and the street closure is necessary for the safety and protection of the public who are using that portion of the street during the closure; and be it further

RESOLVED, The SFMTA Board of Directors directs staff to study a potential permanent street closure of Hayes Street and report back to the Board within six months.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of November 7, 2023.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency