

THIS PRINT COVERS CALENDAR ITEM NO.: 12

**SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY**

DIVISION: Streets

BRIEF DESCRIPTION:

This proposal would amend the Transportation Code, Division II to apply the restriction on parking Recreational Large Vehicles between 12:00am and 6:00am (Transportation Code Division I Section 7.2.54) citywide where signs are posted, make a violation of the restriction towable, and delegate to the Director of Transportation the authority to issue rules and regulations to determine where to install signage.

SUMMARY:

- The Mayor seeks to abate long-term parking of Recreational Large Vehicles (defined as camp trailers, fifth-wheel travel trailers, house cars, trailer coaches, mobilehomes, and recreational vehicles), including those used as lodging. Recreational Large Vehicles on city streets impact traffic and circulation and often present public health and safety hazards, which are particularly acute when parked long-term.
- The City has and will continue to offer shelter to people who are using Recreational Large Vehicles as lodging.
- This proposal will establish the restriction on parking Recreational Large Vehicles between 12 a.m. and 6 a.m. citywide where signs are posted and make violation of the restriction towable. It will grant the Director of Transportation the authority to install signage effectuating this restriction where written findings related to traffic and circulation, public health and safety, or both, are met. Vehicles left in those locations in violation of the posted signs may then be cited and towed by the San Francisco Municipal Transportation Agency (SFMTA) or the San Francisco Police Department (SFPD). At locations where vehicles are used as lodging, vehicles will not be towed unless City homeless outreach teams or any successor agency, has extended offers of shelter to occupants of those vehicles.
- Key stakeholders include owners of Recreational Large Vehicles and people using these vehicles for lodging.
- With approval, to the extent that other SFMTA towing policies regarding Recreational Large Vehicles conflict with this resolution, this Resolution takes precedence.
- The Planning Department has determined that the proposed Overnight Large Vehicle Parking Citation and Removal project is statutorily exempt from the California Environmental Quality Act (CEQA). The proposed action is the Approval Action as defined by the S. F. Administrative Code Chapter 31.

ENCLOSURES:



1. SFMTAB Resolution

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2. Transportation Code Amendment
3. Oversize Vehicle Policy Guidelines Memo December 18, 2018
4. SFMTA Tow Policy October 1, 2021
5. Overnight Recreational Large Vehicle Parking Citation and Removal Criteria and Process Guidelines

APPROVALS:

DATE

DIRECTOR	 _____	<u>September 26, 2024</u>
SECRETARY	 _____	<u>September 26, 2024</u>

ASSIGNED SFMTAB CALENDAR DATE: October 1, 2024

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PURPOSE

This proposal would amend the Transportation Code, Division II to apply the restriction on parking Recreational Large Vehicles between 12:00am and 6:00am (Transportation Code Division I Section 7.2.54) citywide where signs are posted, make a violation of the restriction towable, and delegate to the Director of Transportation the authority to issue rules and regulations to determine where to install signage.

STRATEGIC PLAN GOALS AND TRANSIT FIRST POLICY PRINCIPLES

SFMTA Strategic Plan

Goal 4: Make streets safer for everyone.

Transit First Principles

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.

DESCRIPTION

Issues around on-street parking of large vehicles, including trailers, semi-trailers, motorhomes, and recreational vehicles, have long been observed and reported by San Francisco Municipal Transportation Agency parking control officers, the SFPD, and residents, businesses, and institutions throughout the city. Large vehicles parked on city streets can present a variety of public safety and public health problems, from impaired sight lines for road users, blocked sidewalks, fires, localized air pollution, and illegal dumping of garbage and waste matter on sidewalks and streets. In some districts, limited available on-street parking is diminished further due to large vehicles being stored on streets.

In 2012, the Board of Supervisors asked the SFMTA to develop a policy proposal to support and inform discussion on ways to address these issues. Based on field surveys, the Board of Supervisors adopted San Francisco Transportation Code Division I, Section 7.2.54 in September 2012. The restriction, as approved in 2012, reads as follows:

SEC. 7.2.54. LARGE VEHICLE PARKING RESTRICTIONS.

To Park a vehicle over 22 feet in length or over 7 feet in height, or camp trailers, fifth-wheel travel trailers, house cars, trailer coaches, mobile homes, recreational vehicles, or semi-trailers as defined by the California Vehicle Code and Health and Safety Code, between the hours of 12 a.m. and 6 a.m. when Municipal Transportation Agency signs are posted giving notice.

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In 2013, the SFMTA Board of Directors approved posting of the restriction in an initial set of locations. At the request of the Board of Supervisors, SFMTA staff gathered data and prepared the *Oversize Vehicle Parking Restriction Pilot – Evaluation and Recommendations*¹ report in November 2013 and presented the findings of that report to the Board of Supervisors and SFMTA Board of Directors.

The pilot showed that the oversize vehicle overnight parking restriction was effective in pilot locations where it was posted. After three months of active enforcement, all locations signed with the restriction had greatly reduced numbers of oversize vehicles parked overnight; in most pilot locations oversize vehicle parking was nearly eliminated. While the restriction was effective, there were concerns about displacement of oversize vehicles to other locations, as well as concerns about the displacement of people living in vehicles. In light of these findings, after legislating a second round of restricted locations in 2014, the SFMTA Board effectively adopted a moratorium on further postings of the restriction.

As a result, from 2014 to the present, only a few locations have been approved for posting of the restriction, in each case at the request of a District Supervisor following lengthy and contentious community discussions.

- 2018
 - District 11 Supervisor requested the restriction on De Wolf Street
 - SFMTA Board called on staff to develop guidelines for when large vehicle restrictions would be adopted
 - Those guidelines and legislation for De Wolf Street were approved by the SFMTA Board in December 2018
- 2019
 - Following two years of community meetings and discussions, SFMTA Board approved the restriction on the perimeter of the University Mound Reservoir

The large vehicle overnight parking restriction continues to be in effect on approximately 47 miles of street frontage. Enforcement of Section 7.2.54 is typically carried out by the SFPD, per a Memorandum of Understanding with the SFMTA. Over the past five years, an average of three citations² per month were issued for violations of Section 7.2.54.

¹ Oversize Vehicle Parking Restriction Pilot – Evaluation and Recommendations. November 2013. URL for the report is https://www.sfmta.com/sites/default/files/reports-and-documents/2017/12/ov_pilot_evaluation_fall_2013_0.pdf

² Violations of Section 7.2.54 carry a fine of \$108.

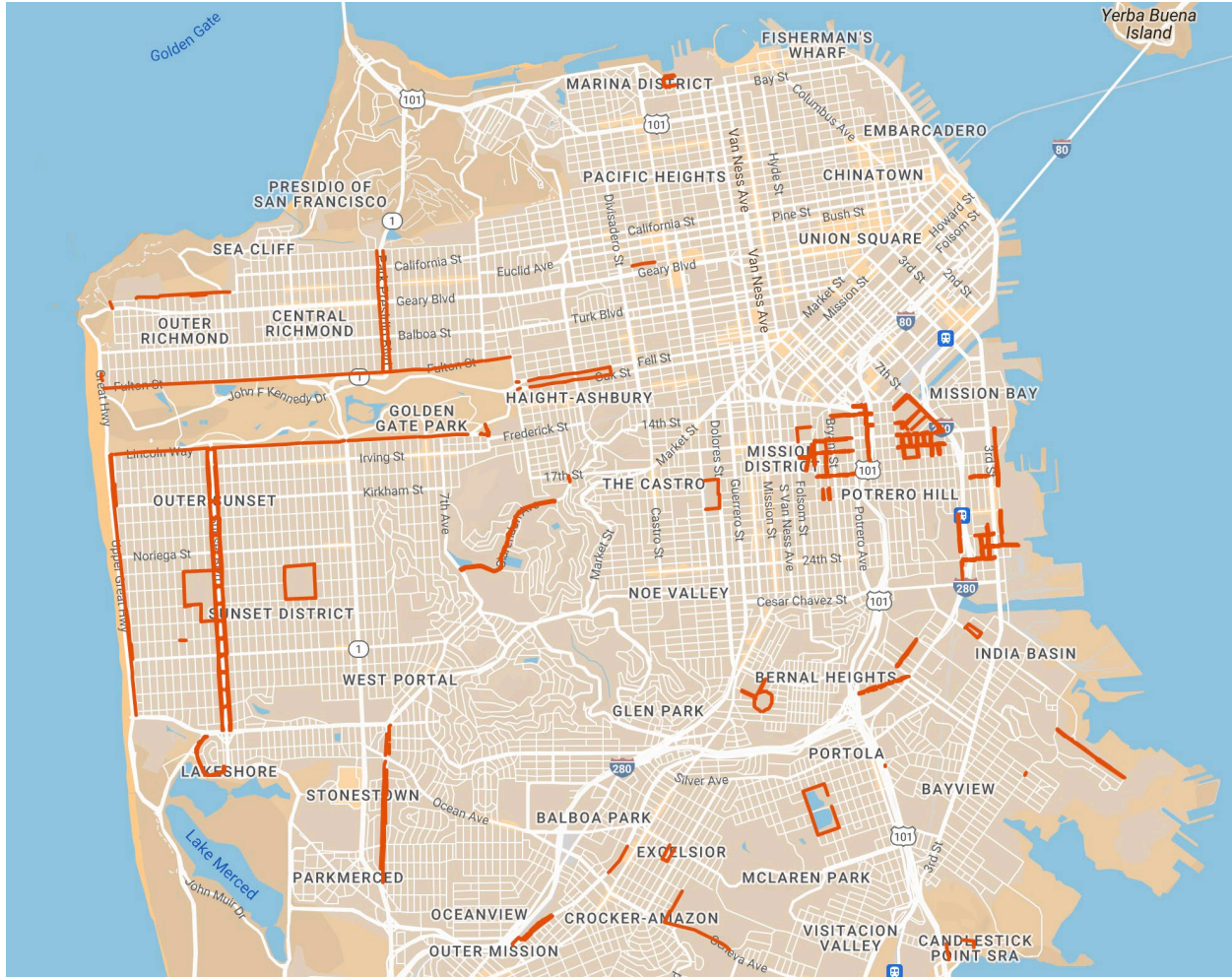


Fig 1: Locations where the large vehicle overnight parking restriction (TC 7.2.54) is currently posted

The City has assisted, and continues to assist, people who are using vehicles as lodging on city streets but managing long-term parking of large vehicles on San Francisco streets continues to be challenging, particularly Recreational Large Vehicles. According to the July 2024 quarterly count, 361 large vehicles were being used for lodging in San Francisco.³

Lack of housing affordability in San Francisco has led to people dwelling in vehicles. Most people using a vehicle for lodging adhere to “good-neighbor” practices, many are employed and/or have children who attend school in the city. However, others using Recreational Large Vehicles for lodging, particularly for extended time periods, may have more serious impacts to public health and safety as City streets do not contain the facilities for managing trash and human waste that are generated by long term vehicular lodging. San Francisco, like many other cities, is

³ Healthy streets data and information. <https://www.sf.gov/data/healthy-streets-data-and-information#data-and-information>

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balancing the needs of those using vehicles for lodging and the inherent conflicts of parking large vehicles on city streets which may pose public safety or health conflicts.

Vehicular habitation is illegal in San Francisco. It was established as a misdemeanor in Section 97 of the Police Code in 1971. Following the U.S. Supreme Court's decision in *Grants Pass v. Johnson*, 144 S.Ct. 2202 (2024), the SFPD issued Departmental Notice 24-126 on July 31, 2024, to provide updated guidance on Police Code Section 97 regarding enforcement options for any persons sitting, lying, sleeping, or lodging on public property, including in vehicles.

In light of these conditions, the Mayor has requested amendments to the large vehicle parking restriction. This proposal would make the restriction on Recreational Large Vehicles parking between 12 a.m. and 6 a.m. (Transportation Code Division I Section 7.2.54), citywide where signs are posted, a towable violation, and delegate to the Director of Transportation the authority to install this signage. In the event vehicles are occupied, offers of shelter will be made prior to enforcement.

The proposal would make the following amendments to the Division II of the Transportation Code:

- Amend Section 101 to create the definition of Recreational Large Vehicle to include camp trailers, fifth-wheel travel trailers, house cars, trailer coaches, mobilehomes, and recreational vehicles.
- Amend Section 201(c)(15) to authorize the Director of Transportation to install signage effectuating the Recreational Large Vehicle parking restriction, notwithstanding the MTA Board's authority to also designate areas for the restriction under Division I, section 7.2.54.
- Amend Section 204 to authorize the Director of Transportation to install signage effectuating this restriction citywide.
- Amend Section 204 to make the violation of the recreational large vehicle restriction a towable offense.
- Add Section 1010 to authorize the Director of Transportation to issue criteria and guidelines to determine where to post temporary or permanent signs to effectuate the restriction; requiring the Director to make written findings related to traffic and circulation, public health and safety, or both; requiring that enforcement will not commence if vehicles are occupied until an offer of shelter has been made by City homeless outreach teams, or a successor agency; and authorizing any police officer or

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parking control officer to remove or cause to have removed any vehicle parked in violation in accordance with the California Vehicle Code where signs are posted.

SFMTA Parking Enforcement and SFPD may tow any Large Recreational Vehicles found parked at locations where such signs are posted during the effective hours of the restriction. To minimize the amount of towing, San Francisco has a “Text Before Tow” program for certain violations. As part of enacting this legislation, the “Text Before Tow” program will be expanded to include this violation as well. This will mean that those registered with the program will receive a text message when their vehicle is at risk of being towed. To minimize financial burden in the event of a tow, San Francisco has established subsidy programs for those who need assistance. There are three key subsidies: first time tow, people who qualify for low-income⁴, and those who are experiencing homelessness.

STAKEHOLDER ENGAGEMENT

For this proposal, the Mayor’s Office has engaged key implementing agencies including SFMTA, SFPD, Department of Homelessness and Supportive Housing (HSH), San Francisco Homeless Outreach Team (SFHOT), Department of Emergency Management (DEM) and Healthy Streets Operation Center (HSOC). Understanding that people using vehicles for lodging may be largely impacted, it was important to engage these agencies given they routinely partner to work with people using vehicles for lodging.

Entities, namely SFHOT, have been engaging with people living in vehicles across the City for years. Prior to enforcement, offers of services and shelter are made including case management for employment, medical, housing, and other assistance. Assistance may also include connecting people with friends or family and in some instances, providing transportation to relocate when those contacts are outside of San Francisco. Off-street safe parking may also be an option. Safe parking provides stability and basic amenities while connecting people with services and housing opportunities. The Balboa Upper Yard Vehicle Triage Center was the City’s first off-street safe parking site in 2019, and has since been redeveloped for affordable housing. A site in Candlestick Point has been operating since 2021 and currently supports 39 vehicles, and Jerrold Commons will be opening in the Bayview in early 2025 to provide safe parking and “tiny homes.”

This proposal does not identify specific locations for implementation. The regulation may be implemented when offers of shelter during routine efforts by City homeless outreach teams are not accepted and if those locations are of particular concern per the considerations outlined in the *Overnight Recreational Large Vehicle Parking Citation Criteria and Process Guidelines*. Since

⁴ Income Requirements for Low Income Discounts: <https://www.sfmta.com/how-access-low-income-transit-fares-and-fee-waivers>

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this legislation requires posting of signs, offers of shelter and other operational considerations such as staffing levels and availability of space to store large vehicles, implementation will be gradual. Installations of the Recreational Large Vehicle restriction will include the same engagement and offers of shelter that City homeless outreach teams and other supporting agencies have made for years.

ALTERNATIVES CONSIDERED

The SFMTA considered several alternatives including:

1. Maintaining the status quo (no project alternative)
2. Continuing to designate specific streets under the existing authority contained in Section 201(c)(15) of the Transportation Code without making a violation of the restriction a towable offense
3. Designating all streets under the existing authority contained in Section 201(c)(15) of the Transportation Code without making a violation of the restriction a towable offense
4. Establishing areas where Large Recreational Vehicles are temporarily permitted to park on-street or establishing more off-street safe parking while the City identifies permanent housing locations or other solutions

The first alternative was rejected because the status quo is having negative impacts to health, safety, curb access and circulation. The second alternative was rejected because the current piecemeal approach is inefficient and often just moves large vehicles to nearby locations that have not been designated as restricted and because some vehicles simply accumulate tickets. The third alternative was rejected because the restriction has been difficult to enforce with citations as the only tool to deter violations. The fourth alternative requires more time to implement. Securing space and funding to operate an off-street safe parking site is challenging; at this time, there is one in Candlestick Point and another is scheduled to open in Bayview that in addition to parking, will also have “tiny homes.”

FUNDING IMPACT

Implementation of the approved proposal would incur costs including planning, installing signs, enforcement support for installation and enforcement of the restriction, and tow subsidies and storage. To provide a sense of scale, staff have estimated that with one installation of approximately 500 linear feet (approximately one block) per month, the SFMTA would incur a cost of approximately \$230,000 per year. These costs will be funded by the operating budget.

ENVIRONMENTAL REVIEW

The proposed Overnight Recreational Large Vehicle Parking Citation and Removal project is

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subject to the California Environmental Quality Act (CEQA). CEQA provides a statutory exemption from environmental review—as defined in Title 14 of the California Code of Regulations Section 21080.25(b)(9)—for the reduction or elimination of minimum parking requirements or institution of parking maximums, removal or restriction of parking, or implementation of transportation demand management requirements or programs.

On September 5, 2024, the Planning Department determined (Case Number 2024-007667ENV) that the proposed Overnight Recreational Large Vehicle Parking Citation and Removal project is statutorily exempt from environmental review under Title 14 of the California Code of Regulations Sections 21080.25(b)(9).

The proposed action is the Approval Action as defined by the S. F. Administrative Code Chapter 31.

A copy of the CEQA determination is 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.

OTHER APPROVALS RECEIVED OR STILL REQUIRED

The proposed action is the Final SFMTA Decision as defined by Ordinance 127-18. Final SFMTA Decisions can be reviewed by the Board of Supervisors.

The City Attorney’s Office has reviewed this calendar item.

RECOMMENDATION

Approve the proposal to amend the Transportation Code, Division II to apply the restriction on parking Recreational Large Vehicles between 12:00am and 6:00am (Transportation Code Division I Section 7.2.54) citywide where signs are posted, make a violation of the restriction towable, and delegate to the Director of Transportation the authority to issue rules and regulations to determine where to install signage.

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. _____

WHEREAS, The Mayor seeks to address and mitigate the acute public health and safety hazards associated with the long-term parking of Recreational Large Vehicles, defined to include camp trailers, fifth-wheel travel trailers, house cars, trailer coaches, mobilehomes, and recreational vehicles, on San Francisco's streets including fires, human waste, illegal dumping of trash, ADA complaints about blocked sidewalks and localized air pollution that have been widely documented; and,

WHEREAS, The San Francisco Municipal Transportation Agency Board of Directors has reviewed the Guidelines for Applying the Restriction on Overnight Parking by Recreational Large Vehicles; and,

WHEREAS, Long-term parking of Recreational Large Vehicles on city streets impacts traffic and circulation and often presents public health and safety hazards; and,

WHEREAS, The Mayor's Office engaged implementing agencies from the City and County of San Francisco, to vet and prepare the proposed action; and,

WHEREAS, The proposed Overnight Recreational Large Vehicle Parking Citation and Removal project is subject to the California Environmental Quality Act (CEQA); CEQA provides an exemption from environmental review for the reduction or elimination of minimum parking requirements or institution of parking maximums, removal or restriction of parking, or implementation of transportation demand management requirements or programs, as defined in Title 14 of the California Code of Regulations Section 21080.25(b)(9); and,

WHEREAS, On September 5, 2024, the Planning Department determined (Case Number 2024-007667ENV) that the proposed Overnight Recreational Large Vehicle Parking Citation and Removal project is statutorily exempt from environmental review under Title 14 of the California Code of Regulations Section 21080.25(b)(9); and,

WHEREAS, The proposed action is the Approval Action as defined by the S. F. Administrative Code Chapter 31; and,

WHEREAS, A copy of the CEQA determination is 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://sfplanning.org/environmental-review-documents> or 49 South Van Ness Avenue, Suite 1400 in San Francisco, and are incorporated herein by reference, therefore, be it

RESOLVED, That the San Francisco Municipal Transportation Agency Board of Directors approves the Resolution amending Transportation Code Division II to establish a new definition for Recreational Large Vehicle to include camp trailers, fifth-wheel travel trailers, house cars, trailer coaches, mobilehomes, and recreational vehicles; establish the existing Division I violation for overnight parking restrictions (12 a.m. to 6 a.m.) of Recreational Large

Vehicles citywide under certain conditions; remove the requirement that the San Francisco Municipal Transportation Agency Board of Directors designate each location where the restriction is established; authorize the Director of Transportation to install signage to effectuate the restriction and to permit removal of a Recreational Large Vehicle for a violation as authorized in Division I; authorize the Director of Transportation to issue rules and regulations to govern the location of signage authorizing removal; and make technical and clarifying corrections; and be it further

RESOLVED, That prior to posting signs to enforce the restriction in an area, the Director shall make a written finding that such vehicles parked in the area have resulted in, or are likely to result in, impacts to traffic and circulation, public health and safety, or both; and be it further

RESOLVED, That the San Francisco Municipal Transportation Agency Board of Directors directs staff to identify cases for exemptions and as necessary, create a permit program that would exempt Recreational Large Vehicles with valid permits from these restrictions for short durations; and be it further

RESOLVED, That with adoption, to the extent that other SFMTA towing policies regarding Recreational Large Vehicles conflict with this resolution, this Resolution takes precedence.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of October 1, 2024.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency

RESOLUTION NO.

[Transportation Code – Overnight Recreational Large Vehicles – Parking Citation and Removal]

Resolution amending Division II of the Transportation Code to establish a new definition for Recreational Large Vehicle to include camp trailers, fifth-wheel travel trailers, house cars, trailer coaches, mobilehomes, and recreational vehicles; establish the existing Division I violation for overnight parking restrictions (12 a.m. to 6 a.m.) of Recreational Large Vehicles citywide under certain conditions; remove the requirement that the San Francisco Municipal Transportation Agency Board of Directors designate each location where the restriction is established; authorize the Director of Transportation to install signage to effectuate the restriction and to permit removal of a Recreational Large Vehicle for a violation as authorized in Division I; authorize the Director of Transportation to issue rules and regulations to govern the location of signage authorizing removal; and make technical and clarifying corrections.

NOTE: **Additions** are in *single-underline italics Times New Roman font*.
Deletions are in *strike-through italics Times New Roman font*.
Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

The Municipal Transportation Agency Board of Directors of the City and County of San Francisco enacts the following regulations:

Section 1. Article 100 of Division II of the Transportation Code is hereby amended by revising section 101 to read as follows

SEC. 101. DEFINITIONS.

Any words or phrases that are not defined in the Vehicle Code or in Division I of this Code shall have the meanings set forth below.

* * * *

City Traffic Engineer. The City Traffic Engineer of the SFMTA or the City Traffic Engineer's ~~his or her~~ designee.

Director of Transportation. The Director of Transportation or the Director's designee.

Downtown Core. That area of San Francisco encompassed by the portion of the City and County of San Francisco not under the jurisdiction of the Port of San Francisco commencing at a point where the northerly line of Folsom Street intersects the westerly line of Fifth Street, thence westerly along the northerly line of Folsom Street to the westerly line of Tenth Street, thence northerly along the westerly line of Tenth Street to the southerly line of Mission Street, thence westerly along the southerly line of Mission Street to the westerly line of Twelfth Street, thence northerly along the westerly line of Twelfth Street to the northerly line of Market Street, thence westerly along the northerly line of Market Street to the westerly line of Franklin Street, thence northerly along the westerly line of Franklin Street to the northerly line of Eddy Street, thence easterly along the northerly line of Eddy Street to the westerly line of Jones Street, thence northerly along the westerly line of Jones Street to the northerly line of Bush Street, thence easterly along the northerly line of Bush Street to the westerly line of Stockton Street, thence northerly along the westerly line of Stockton Street to the southerly line of Broadway, thence easterly along the southerly line of Broadway to the easterly line of The Embarcadero, thence southerly along the easterly line of The Embarcadero to the southerly line of King Street, thence along the southerly line of King Street to the westerly line of Fifth Street, thence northerly along the westerly line Fifth Street to the point of commencement.

* * * *

Public Hearing (by City Traffic Engineer). When this Code requires the City Traffic Engineer to hold a public hearing, the City Traffic Engineer shall either hold an in-person or

teleconference hearing or designate a period of no less than 10 days to accept public comment through all of the following methods: mail, telephone, and online platforms.

Recreational Large Vehicle. Camp trailers, fifth-wheel travel trailers, house cars, trailer coaches, mobilehomes, and recreational vehicles as defined in the California Vehicle Code and Health and Safety Code.

Street. A roadway or alley, and all segments or portions of the surface thereof between curbs that is intended for the movement of motor vehicles, exclusive of transit platforms and traffic islands.

* * * *

Section 2. Article 200 of Division II of the Transportation Code is hereby amended by revising the title of Article 200, and revising Sections 201 and 204 to read as follows:

ARTICLE 200:

CITY TRAFFIC ENGINEER, AUTHORITY OVER PARKING AND TRAFFIC CONTROLS

SEC. 201. PROCEDURES FOR IMPLEMENTING PARKING AND TRAFFIC CONTROLS.

(a) **Office of City Traffic Engineer.** The position of City Traffic Engineer is established. The City Traffic Engineer shall be an employee of the SFMTA licensed with the State of California as a Civil or Traffic Engineer and designated by the Director of Transportation to exercise the powers and perform the duties of City Traffic Engineer established by this Code. The City Traffic Engineer shall have the authority to:

* * * *

(c) **SFMTA Board of Directors' Action Required.** The following Parking and traffic measures may not be implemented without prior approval of the SFMTA Board of Directors, taking into consideration the recommendation of the City Traffic Engineer:

* * * *

(15) In addition to the procedures in Sections 204(b) and 1010 of this Code, dDesignate locations where Parking by vehicles over twenty-two feet in length or seven feet in height, or camp trailers, fifth-wheel travel trailers, house cars, trailer coaches, mobile homes, recreational vehicles, or semi-trailers are prohibited from parking between the hours of midnight and 6 a.m.

* * * *

**SEC. 204. DELEGATION TO THE DIRECTOR OF TRANSPORTATION ~~OR~~
~~DESIGNEE~~ TO RESTRICT THE STOPPING, PARKING, OR STANDING OF VEHICLES ~~AND~~
~~CLOSE THE PARKING SPACE PORTION OF A STREET FOR CURBSIDE SHARED SPACES~~
~~ACTIVITIES.~~**

(a) **Shared Spaces Program.**

(1) **Authority to Restrict Parking and Close a Parking Space.** The Director of Transportation ~~or the Director's designee ("designee")~~ is authorized to issue rules and regulations to restrict parking and close Parking Spaces that are consistent with this subsection (a)(1)(a). Pursuant to California Vehicle Code Sections 21101 and 22507, the Director of Transportation ~~or designee~~ is authorized to restrict the stopping, parking, or standing of vehicles and close a Parking Space portion of any Street, based upon a determination of public convenience and necessity that includes, but is not limited to, meeting the following criteria following any required public hearing held prior to implementation of the closure:

(A)(1) does not occupy or significantly interfere with a traffic lane;

(B)(2) does not significantly interfere with or delay public transit service, or impede transit maintenance, operations, or access, including any specific requirements regarding the operation of Municipal Railway buses, light rail vehicles, historic streetcars, or

cable cars, based on whether vehicles are in revenue service, the type of transit stop involved, or other factors or considerations;

~~(C)(3)~~ does not displace a transit stop or a disabled ~~P~~Parking ~~S~~Space;

~~(D)(4)~~ does not significantly interfere with the movements of pedestrians or bicyclists, or create potentially hazardous conditions for pedestrians or bicyclists;

~~(E)(5)~~ does not significantly impact vehicular loading;

~~(F)(6)~~ does not significantly impact paratransit or ADA accessible loading or access;

~~(G)(7)~~ does not significantly impact existing infrastructure or installations near Parking Spaces including bikeshare stations, existing parklets, expanded sidewalks, and public showers; and

~~(H)(8)~~ is located on any Street, under the jurisdiction of the SFMTA, within any of the following zoning districts, as defined by the Planning Code: Neighborhood Commercial Districts, Neighborhood Commercial Transit Districts, Commercial Districts, Chinatown Mixed Use Districts, and Eastern Neighborhood Mixed Use Districts; Mixed Residential Districts, Residential-Commercial Combined Districts, Residential Transit Oriented Districts, and Downtown Residential Districts; Production, Distribution, and Repair (“PDR”) 1-B, PDR 1-D, and PDR 1-G.

~~(2)(b)~~ **Determination to Restrict Parking and Close a Parking Space.** In determining whether to restrict the stopping, parking, or standing of vehicles and close a Parking Space portion of any Street, the Director of Transportation ~~or designee~~ shall uphold the priorities identified in the agency’s Curb Management Strategy in order to optimize use, ensure public access, and support equitable allocation of Parking Spaces among users and businesses. In addition, the Director of Transportation ~~or designee~~ may consult with other relevant City departments, including, but not limited to, the Department of Public Works,

Police Department, Department of Public Health, the Public Utilities Commission, the Entertainment Commission, and the Fire Department. Further, the Director of Transportation ~~or designee~~ shall, after considering the impact of the street closure on transportation and on the security, health, and safety of the public as well as the values and commitments set forth in the Transit First Policy, Vision Zero Action Strategy, Climate Action Strategy, and Curb Management Strategy that have been adopted by the SFMTA Board, determine that the closure is necessary for the safety and protection of the public using the street during the closure and may impose additional requirements or conditions necessary to protect the public interest. If a determination is made not to restrict the stopping, parking, or standing of vehicles and close a Parking Space, neither Public Works nor any other City agency shall have the authority to issue a permit for occupancy of the Parking Space. The Director's ~~or designee's~~ determination to restrict and close a Parking Space shall not grant any rights to occupy the Parking Space. Consistent with the Shared Spaces program as set forth in Administrative Code Chapter 94A, Public Works may issue a Curbside Shared Space permit to occupy the Parking Space.

~~(3)(e)~~ **Posting and Public Hearing Requirements.** The posting and public hearing requirements set forth in ~~S~~sections 201 and 202 *of this Code* shall apply to any proposed Longer-Term Closure of a Parking Space for purposes of issuing a Curbside Shared Space permit; provided, however, that notices shall be posted for seven calendar days, instead of 10 calendar days, prior to the hearing ~~instead of ten~~.

~~(4)(d)~~ **Decision.** After any required public hearing is held as set forth in subsection ~~(a)(3e)~~, the Director of Transportation ~~or designee~~ may restrict the stopping, parking, or standing of vehicles in, and close, a Parking Space portion of any Street.

~~(A)(1)~~ The decision of the Director of Transportation ~~or designee~~ with respect to any proposed Parking restriction and Temporary Closure of a Parking Space shall be final.

~~(B)(2)~~ The decision of the Director of Transportation ~~or designee~~ with respect to any proposed Longer-Term Closure of a Parking Space shall be subject to the review process set forth in subsection ~~(a)(5)(e)~~.

~~(5)(e)~~ **Review Process.** The decision of the Director of Transportation ~~or designee~~ with respect to any proposed Longer-Term Closure of a Parking Space may be reviewed by the SFMTA Board of Directors.

~~(A)(1)~~ Such review shall be initiated by filing a request for review with the Secretary to the SFMTA Board of Directors on a form provided by the Secretary within five working days of the decision. The SFMTA Board of Directors may establish a fee to be imposed upon the filing of any such request for review.

~~(B)(2)~~ Upon receipt of the request for review, the Secretary shall set a time and place for hearing for the SFMTA Board of Directors' review, within 30 days, provided that all applicable public notice and environmental review requirements and standards are satisfied.

~~(C)(3)~~ At the review hearing, the appellant and the Director of Transportation ~~or designee~~ shall have the opportunity to present oral testimony and written materials in support of their positions.

~~(D)(4)~~ The SFMTA Board of Directors, in determining whether the request for a Longer-Term Closure of a Parking Space should be granted, shall conduct its review de novo using the same criteria set forth in subsections ~~(a)(1)(a)~~ and ~~(a)(2)(b)~~ and shall: ~~(i)(4)~~ consider the impact of the closure of a Parking Space on transportation and on the security, health, and safety of the public; ~~(ii)(B)~~ determine the transportation, security, health,

and safety requirements of the proposed closure; and ~~(iii)~~ evaluate the measures proposed by the appellant to satisfy those requirements.

~~(E)(5)~~ After the review hearing and any further investigation requested by the SFMTA Board of Directors, the SFMTA Board of Directors may uphold the Director of Transportation's decision, or modify or disapprove such decision, in whole or in part, and may impose additional conditions or requirements.

~~(F)(6)~~ The decision of the SFMTA Board of Directors shall be final, and the Secretary shall transmit copies of the decision to the appellant and the Director of Transportation ~~or designee~~.

~~(6)(f)~~ Upon the expiration or revocation of any Curbside Shared Space permit under the Shared Spaces Program as set forth in Administrative Code Chapter 94A, any restriction related to the stopping, parking, or standing of vehicles and to closure of a Parking Space shall be rescinded and the closed portion of the Street shall be reopened within seven days. If the closed portion of the Street is not reopened within seven days, the Curbside Shared Spaces permittee shall be subject to fines and administrative penalties, and any structures placed in the Parking Lane may be seized, removed, or demolished, as provided under Administrative Code Chapter 94A.

(b) Recreational Large Vehicle Parking Restriction. *The Director is authorized to install signage to effectuate the Recreational Large Vehicle parking restrictions contained in Division I, Section 7.2.54 of this Code citywide and to permit removal of such vehicles pursuant to Division I, Section 8.1(a)(7) of this Code and Section 22561(n) of the California Vehicle Code under the provisions of Section 1010 of this Code.*

Section 3. Article 1000 of Division II of the Transportation Code is hereby amended by adding Section 1010 to read as follows:

SEC. 1010. RECREATIONAL LARGE VEHICLE REMOVAL AND SIGNAGE.

(a) The large vehicle parking restriction on Recreational Large Vehicles contained in Division I, Section 7.2.54 of this Code shall apply citywide where signs are posted.

(b) The Director of Transportation is authorized to issue rules and regulations to determine where to post permanent or temporary on-street signs giving notice that Recreational Large Vehicles parked between the hours of 12 a.m. and 6 a.m. are in violation of Section 7.2.54 of this Code. Prior to posting signs to enforce the restriction in an area, the Director shall make a written finding that such vehicles parked in the area have resulted in, or are likely to result in, impacts to traffic and circulation, public health and safety, or both.

(c) If the street where signs are posted includes Recreational Large Vehicles that are used as lodging, enforcement will not commence until an offer of shelter by City acting through City homeless outreach teams or any successor entity has been made to occupants of the Recreational Large Vehicles.

(d) Any Police Officer or Parking Control Officer is authorized, in accordance with all applicable requirements of this Code and the California Vehicle Code, to remove or cause to have removed any vehicle that is parked in violation of Section 7.2.54 of this Code where permanent or temporary signs giving notice of the removal are posted pursuant to Section 22651(n) of the Vehicle Code.

Section 4. Effective Date. This resolution shall become effective 31 days after enactment. Enactment occurs when the San Francisco Municipal Transportation Agency Board of Directors approves this resolution.

Section 5. Scope of Resolution. In enacting this resolution, the San Francisco Municipal Transportation Agency Board of Directors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, letters, punctuation marks, charts, diagrams, or any other constituent parts of the Transportation Code that are explicitly

shown in this resolution as additions or deletions in accordance with the "Note" that appears under the official title of the resolution.

APPROVED AS TO FORM:
DAVID CHIU, City Attorney

By: _____
MISHA TSUKERMAN
Deputy City Attorney

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I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of October 1, 2024.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency

THIS PRINT COVERS CALENDAR ITEM NO.: 13

**SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY**

DIVISION: Sustainable Streets

BRIEF DESCRIPTION:

Approving Policy Guidelines for restricting overnight parking of oversized vehicles on San Francisco streets.


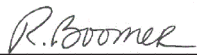
SUMMARY:

- The proposed Policy Guidelines articulate the roles and responsibilities of the various partners involved with developing, implementing and enforcing parking regulations along with the partners involved with homelessness and vehicular habitation.
- The proposed Policy Guidelines provide direction for opportunities within the purview of the SFMTA to address impacts related to oversized vehicles including the review process for requests for overnight parking restrictions for oversized vehicles as well as mitigation measures and a long-term commitment of working with key partners to establish a sustainable and equitable solution for vehicular habitation

ENCLOSURES:

1. SFMTAB Resolution
2. SFMTA Policy Guidelines for Oversized Vehicle Parking Restrictions

APPROVALS:

	DATE
DIRECTOR  _____	12/11/2018 _____
SECRETARY  _____	12/11/2018 _____

ASSIGNED SFMTAB CALENDAR DATE: December 18, 2018

PAGE 2.

PURPOSE

Approving Policy Guidelines for restricting overnight parking of oversized vehicles on San Francisco streets.

STRATEGIC PLAN GOALS AND TRANSIT FIRST POLICY PRINCIPLES

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

Goal 1: Create a safer transportation experience for everyone.

Objective 1.3: Improve security for transportation system users

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

Objective 3.1: Use Agency programs and policies to advance San Francisco's commitment to equity

This item will support the following Transit First Policy Principles:

- 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.
- Decisions regarding the use of 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.

DESCRIPTION

In 2004, the SF Board of Supervisors' (BOS) Finance and Audits Committee considered, but did not move forward, a proposed citywide parking restriction for oversized vehicles; instead, the BOS approved a street-by-street parking restriction, as determined by the SFMTA, for oversized vehicles in 2012. Pursuant to the San Francisco Charter and Transportation Code, the SFMTA Board of Directors regulates on-street parking in San Francisco and approves which streets oversized vehicles are prohibited from parking overnight. In exercising this authority, the SFMTA Board of Directors must balance real public health and safety concerns against providing compassion for vulnerable populations who must live in vehicles since they may otherwise live on the street or be forced to leave the City where they may be employed, have support services, or utilize other networks.

The parking of oversized vehicles (OV) (e.g. trailers, semi-trailers, motorhomes, and boats) on public streets has been a challenging issue for years, particularly when these vehicles are parked in the same location for extended periods of time, effectively using the public right-of-way (ROW) for human habitation and storage, and congesting the curb and prohibiting curb access for other needs (e.g. parking, loading). Further, when these vehicles are being used for housing, there are issues of public health, safety and quality of life—both for the people living in the vehicles and those who live or work in the area. Many people who, by choice or necessity, live in a vehicle follow the posted regulations and are mindful that they are parked in the public ROW which is to be shared by everyone. However, there are others who do not.

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The Policy Guidelines (Enclosure 2) outline how the City will regulate the ROW as it pertains to the parking of OVs and provide the following procedures:

- A process which prioritizes equity and determines where and under which conditions restricting overnight parking of oversized vehicles is appropriate.
- Mitigation measures within the purview of the SFMTA to avoid or alleviate the impacts of curb regulations for low income and/or vulnerable populations living in vehicles.
- A commitment by the SFMTA to continue working closely with the Vehicle Encampment Resolution Team (V-ERT) as well as district Supervisors and other key stakeholders to find long-term solutions for those who are vehicularly housed that are sustainable and equitable.

(V-ERT is led by the Department of Homelessness and Supportive Housing (DHS) and coordinates key partners (SFMTA, SF Police Department, Public Works, Homeless Outreach Team (HOT), Port, Recreation and Parks, Caltrans, California Highway Patrol, National Park Service/Golden Gate National Recreation Area, and the San Mateo County Sheriff) to engage with vehicle dwellers in the weeks leading up to and the day of efforts to dismantle vehicle encampments demonstrated to be a public health and safety issue, and works to connect people dwelling in vehicles with critical services)

STAKEHOLDER ENGAGEMENT

These policy guidelines were brought to the SFMTA Board (MTAB) on November 6, 2018 where members of the public and Directors of the Board offered feedback, largely with respect to the progression of the review and legislative process and how and when Healthy Streets Operations Center (HSOC) is involved but also other factors to consider such as degree of impact. Per this feedback, HSOC is involved earlier in the process and among factors such as proximity to schools and parking availability staff will also consider concentration of oversized vehicles; this input is reflected in the current version of the policy guidelines (Enclosure 2).

Prior to MTAB, stakeholder engagement was largely accomplished through the process of reviewing requests for OV parking restrictions and, in particular, the steps to substantiate a complaint with data collection and on-site visits with V-ERT and the key partners previously identified. The review process is a critical component identified in the Policy Guidelines to ensure that proper stakeholders are involved.

The Policy Guidelines have been shaped through requests for OV parking regulations made by members of the public and/or by members of the Board of Supervisors.

The SFMTA's policy guidance for the use of the OV restriction, has also been formulated by the agency's initial evaluation of the use of the OV parking restriction in 2013 and subsequent deliberations by, and presentations to, the SFMTA Board, most recently at their February 6, 2018 meeting. The policy guidance presented here is based in large part on a collation of that outreach and engagement.

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The development of the V-ERT and review process with the identified stakeholders, is relatively new; as such, the Policy Guidelines stipulate that they will be updated when any substantial changes in rules or programs are developed.

ALTERNATIVES CONSIDERED

Staff considered several options:

1. A citywide parking restriction for oversized vehicles on all public streets was contemplated several years ago. Staff is not pursuing this alternative because such a restriction would displace thousands of people who live in their vehicles as well as people who park large vehicles on the streets.
2. Removing all parking restrictions regarding oversized vehicles on City streets. Staff is not pursuing this option because consideration of the merits of restrictions on specific blocks should be considered by the SFMTA on a case-by-case basis depending upon whether the vehicle is a public health or safety concern, among other considerations.
3. Coordinating with the DSHS to develop a parking permit program for oversized vehicles. This alternative was explored but is not being pursued at this time due to the lack of success (operational and logistical issues) in other cities in the United States that have attempted such a program.

FUNDING IMPACT

No funding impact. Curb regulations are a fundamental element of the Agency's workplan.

ENVIRONMENTAL REVIEW

On October 12, 2018, the SFMTA, under authority delegated by the Planning Department, determined that the proposed action is not defined as a "project" under the California Environmental Quality Act (CEQA) pursuant to Title 14 of the California Code of Regulations Sections 15060(c) and 15378(b).

A copy of the CEQA determination is on file with the Secretary to the SFMTA Board of Directors and is incorporated herein by reference.

OTHER APPROVALS RECEIVED OR STILL REQUIRED

The City Attorney's Office has reviewed this report.

RECOMMENDATION

SFMTA staff recommend the SFMTA Board of Directors approve the Policy Guidelines for restricting overnight parking of oversized vehicles on San Francisco streets.

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. _____

WHEREAS, The SFMTA worked collaboratively with the Vehicle Encampment Resolution Team (V-ERT), led by Department of Homelessness and Supportive Housing, and with SF Police Department, Public Works, Homeless Outreach Team, Port, Recreation and Parks, Caltrans, California Highway Patrol, National Parks Service/Golden Gate National Recreation Area and San Mateo County Sheriff on the Policy Guidelines for restricting overnight parking of oversized vehicles on San Francisco streets; and,

WHEREAS, Staff presented policy guidelines to the SFMTA Board on November 6, 2018 and received feedback from the Directors and the public which has been integrated into the current version of the Policy Guidelines; and,

WHEREAS, Currently, requests for oversized vehicle parking restrictions are submitted by the public and in responding to each request, SFMTA staff initiate public outreach and engagement on the suitability and appropriateness of those requests; and,

WHEREAS, SFMTA staff have drafted the proposed the attached Policy Guidelines, within the purview of the SFMTA, to direct the process by which OV parking regulations may be considered and implemented, mitigate the impacts of such restrictions, and commit to continued partnership with key stakeholders to develop sustainable and equitable solutions for vehicular habitation; and,

WHEREAS, On October 12, 2018, the SFMTA, under authority delegated by the Planning Department, determined that the proposed action is not defined as a “project” under the California Environmental Quality Act (CEQA) pursuant Title 14 of the California Code of Regulations Sections 15060(c) and 15378(b); and,

WHEREAS, A copy of the CEQA determination is on file with the Secretary to the SFMTA Board of Directors, and is incorporated herein by reference; and, therefore be it

RESOLVED, The SFMTA Board of Directors approves the Policy Guidelines for restricting overnight parking of oversized vehicles on San Francisco streets.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of December 18, 2018.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency

SFMTA Policy Guidelines for Oversized Vehicle Overnight Parking Restriction

Section 7.2.54 of the Transportation Code

Policy guidelines to direct the application of the regulation to restrict overnight parking of oversized vehicles on San Francisco streets

Sustainable Streets
Parking and Curb Management

December 18, 2018



Summary

Parking of oversized vehicles (e.g. trailers, semi-trailers, motorhomes, and boats) on public streets has been a challenging issue for years, particularly when these vehicles are parked in the same location for extended periods of time, effectively using the public right-of-way (ROW) for storage, congesting the curb and prohibiting access for other needs (e.g. parking, loading). Further, when these vehicles are being used for housing, there are issues of public health, safety and quality of life—both for the people living in the vehicles and those who live or work in the area. Many people who by choice or necessity live in a vehicle follow the posted regulations and are mindful that they are parked in public ROW which is to be shared by everyone; unfortunately, there are others who do not.

Two of the San Francisco Municipal Transportation Agency's (SFMTA) chief goals are to create a safer transportation experience and to improve quality of life with equitable and sustainable solutions¹. While these policy guidelines address the regulation to restrict oversized vehicle parking overnight, they cannot be decoupled from the growing issue of vehicular habitation. The Agency must balance its responsibility to regulate the curb and be responsive to real public health and safety concerns yet demonstrate compassion for the vulnerable populations who must live in vehicles as they would otherwise live on the street or be forced to leave a city where they may be employed, and have support services or other networks. The policy guidelines offer a process which prioritizes equity and determines where and under which conditions restricting oversized vehicles at night is appropriate. These guidelines also identify mitigations within the purview of the agency to avoid or alleviate the impacts of curb regulations for low income and/or vulnerable populations living in vehicles, including a commitment by the SFMTA to continue to work closely with the Department of Homelessness and Supportive Housing (DHS), San Francisco Police Department (SFPD), district Supervisors and other key stakeholders to find long-term solutions that create a safer transportation experience and improve quality of life equitably and sustainably.

Background

Issues around on-street parking of oversized vehicles, including trailers, semi-trailers, motorhomes, and boats, have long been observed and reported by SFMTA parking control officers, the SFPD, and residents throughout the city. Oversized vehicles parked on city streets can present a variety of public

¹ SFMTA Strategic Plan, April 3, 2018. <https://www.sfmta.com/sfmta-strategic-plan>

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safety and public health problems, from impaired sight lines for road users to illegal dumping of garbage and waste matter on sidewalks and streets. Graffiti and tagging of oversized vehicles parked on city streets contributes blight to neighborhoods. And, with a finite supply of on-street parking, oversized vehicles (which take more curb space than smaller vehicles) can reduce availability of curb for other needs.

A single city agency is not responsible for resolving the impacts of homelessness and vehicular housing; rather, several key agencies have a role in establishing rules to prevent problems or programs to mitigate them:

SF Municipal Transportation Agency: develop, implement and enforce curb/parking regulations.

SF Police Department: enforcement of some curb/parking regulations; address illegal activity (e.g. drug use/distribution, violent behavior), activities or conditions which pose a public health or safety issue; respond to nuisance complaints.

SF Public Works: street sweeping and refuse collection on streets and sidewalks.

SF Department of Homelessness and Supportive Housing: combines key homeless serving programs and contracts from SF Department of Public Health (DPH), Human Services Agency (HSA), Mayor's Office of Housing and Community Development and Department of Children Youth and Their Families to provide coordinated, compassionate and high-quality services to address homelessness.

Healthy Streets Operations Center (HSOC): provides unified City services to unsheltered persons experiencing homelessness

SF Homeless Outreach Team (HOT): a collaboration with DPH, HSA, SF Public Library and the non-profit, Public Health Foundation Enterprises which engages and stabilizes vulnerable and at-risk homeless individuals. Through outreach, medical services, engagement and advocacy, HOT transitions individuals into stable living and healthcare environments with access to services.

Vehicle Encampment Resolution Team (V-ERT): led by DSHS; coordinates the groups above along with SF Port (which controls much of the real estate on the eastern edge of the city), SF Recreation and Parks, Caltrans (which manages land under freeways), California Highway Patrol, National Park Service/Golden Gate National Recreation Area, and San Mateo County Sheriff (which polices Caltrain ROW) to perform outreach and engage with vehicle dwellers in the weeks leading up to and the day of efforts to dismantle vehicle encampments demonstrated to be a public health and safety issue, and working to connect people dwelling in vehicles with critical services.

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Applicable curb/parking regulations can apply to all vehicles (such as time limits, parking meters, no parking restrictions) or can target specific vehicle types (such as the oversized vehicle overnight parking restriction). In 2004, the SF Board of Supervisors' (BOS) Finance and Audits Committee considered, but did not move forward, a citywide parking restriction for oversized vehicles; instead, the BOS approved parking restrictions on a street-by-street basis, as determined by the SFMTA, for oversized vehicles in 2012. A pilot, at select locations, found that active enforcement of the restricted blocks with signage reduced the number of oversized vehicles parked overnight. However, a street-by-street parking restriction tends to move oversized vehicles to other locations within the City, as well as displaces people who may be vehicularly housed. Consequently, the SFMTA Board has declined to implement parking restrictions on additional City streets since 2015 until a comprehensive solution is identified.

Existing Regulations

The long-term storage of private property (e.g. trailers, semi-trailers, motorhomes, and boats) in the public ROW is generally prohibited by law in San Francisco. Like any other vehicle, oversized vehicles are subject to all parking regulations including color curb requirements, time limits, parking meters, permit parking (e.g. Residential Parking Permit), no overnight parking (for all vehicles, not just oversized), street sweeping, and the 72 hour rule.² There are, however, additional regulatory tools to address inappropriate parking of oversized vehicles³:

- Commercial vehicles used for advertising cannot park on City streets
- Commercial vehicles over 10,000 pounds cannot park on residential streets between the hours of 2:00 a.m. and 6:00 a.m. or for more than one hour during any other time
- Vehicles of any type weighing more than 6,000 pounds (with the exception of transit, utility, and emergency vehicles) are prohibited from operating on dozens of San Francisco streets enumerated in the Transportation Code
- Vehicles six feet or more in height (including any load thereon) are prohibited from parking within 100 feet of an intersection on those streets or portions of streets if designated by appropriate signs

² San Francisco Transportation Code Article 7: Violations, Section 7.2.29: Parking Prohibited for more than 72 hours.

³ San Francisco Transportation Code Article 7: Violations, Section 7.2.81: Parking of vehicles for commercial advertising purposes; Section 7.2.84: Commercial vehicle parking in certain districts. Article 500: Size, weight, load restrictions, Section 502: Commercial vehicles; parking limited in certain districts. San Francisco Transportation Code Article 500: Size, weight, load restrictions, Section 501: Vehicle weight restrictions. Article 7: Violations, Section 7.2.36. Parking oversized vehicles within 100 feet of an intersection

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Further, the Police Code prohibits human habitation of a vehicle on any street, park, beach, square, avenue, alley or public way between 10:00 p.m. and 6:00 a.m.⁴

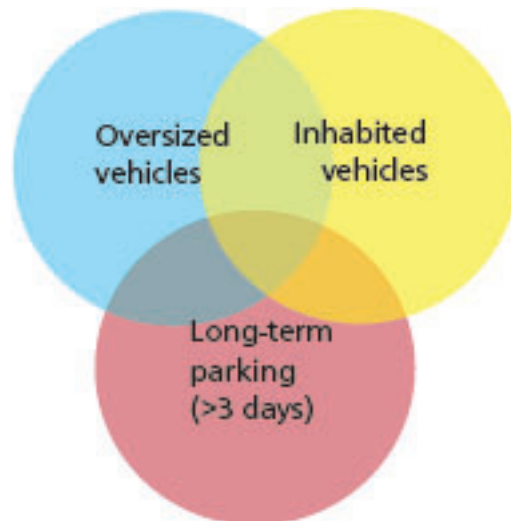
Restricting parking of oversized vehicles as defined by length and height during nighttime hours is another means to regulate what may be otherwise prohibited parking of oversized vehicles:

San Francisco Transportation Code, Sec. 7.2.54. OVERSIZED VEHICLE PARKING.

To Park a vehicle over 22 feet in length or over 7 feet in height, or camp trailers, fifth-wheel travel trailers, house cars, trailer coaches, mobile homes, recreational vehicles, or semi-trailers as defined by the California Vehicle Code and Health and Safety Code, between the hours of 12 a.m. and 6 a.m. when Municipal Transportation Agency signs are posted giving notice. This section shall be operative on March 31, 2013.

Challenges with Oversized Vehicle Regulations

Based on the 2017 Point-in-Time count led by DSHS, there are approximately 1,200 people—men, women and children—living in cars, vans, buses or RVs on the streets of San Francisco⁵; the number of oversized vehicles and oversized vehicles being stored or abandoned on the street is likely higher.



The diagram above illustrates that the issues attributed to on-street vehicular habitation do not rest solely with oversized vehicles. As such, some of the shortcomings of regulating oversized vehicles overnight include:

4 San Francisco Police Code Article 1.1: Regulating the use of vehicles for human habitation, Sections 96-99

5 2017 Point in Time Count, San Francisco DSHS

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- Does not address habitation of smaller vehicles (sedans, vans)
 - Restrictions are only during the nighttime hours
 - An oversized vehicle with an ADA placard is exempt from the restriction
 - Displaces the people who are living in vehicles
 - Moves the issue to other streets in the City
 - Signs may be illegally removed and the restriction cannot be enforced until those signs are replaced
- Restriction may be opposed by homeowners/tenants who park oversized vehicles (such as a boat) on the street near their home
- Does not address existing prohibition of vehicular habitation (that citation must be issued to an individual, not the vehicle)

For many people living in vehicles, the economic hardship of a citation or being towed can be devastating, particularly when the vehicle is someone's home and they no longer have access to their shelter and belongings⁶.

Mitigating the Impacts of Regulations

The following programs are within the purview of the SFMTA and have been initiated to avoid or alleviate the impacts of parking regulations effecting low income and/or vulnerable populations living in vehicles:

1. Low-Income Citation Payment Plans: The SFMTA provides customers the option to enroll outstanding parking citation fines into a monthly payment plan. Low Income Citation payment plans are available to customers with a gross annual income at or below 200% of the Federal Poverty level. Low Income Citation Payment Plans have a \$5 enrollment fee and allow up to 18 months to complete payments.
2. Low-Income Administrative Tow Fee Waiver: Low-income customers can have an administrative tow fee (the SFMTA's portion) waived to \$0. However, the Low Income Tow Fee Waiver does not waive the \$229 contractor (tow company) fee. Payment plans are not available for citations on vehicles that are booted or towed, so administrative tow fee forgiveness is often not enough for someone to recover a towed vehicle and its contents.

⁶ State of Washington Court of Appeals, October 11, 2017 and King County Superior Court, March 2, 2018. Despite the temporary nature of a tent or vehicle, it can be a home, so privacy rights should not be undermined and the government may not impound a vehicle. *Smith v. Reiskin*, October 10, 2018, preliminary injunction stating there is no justification for the seizure and retention of a vehicle if its owner cannot afford to pay the parking tickets.

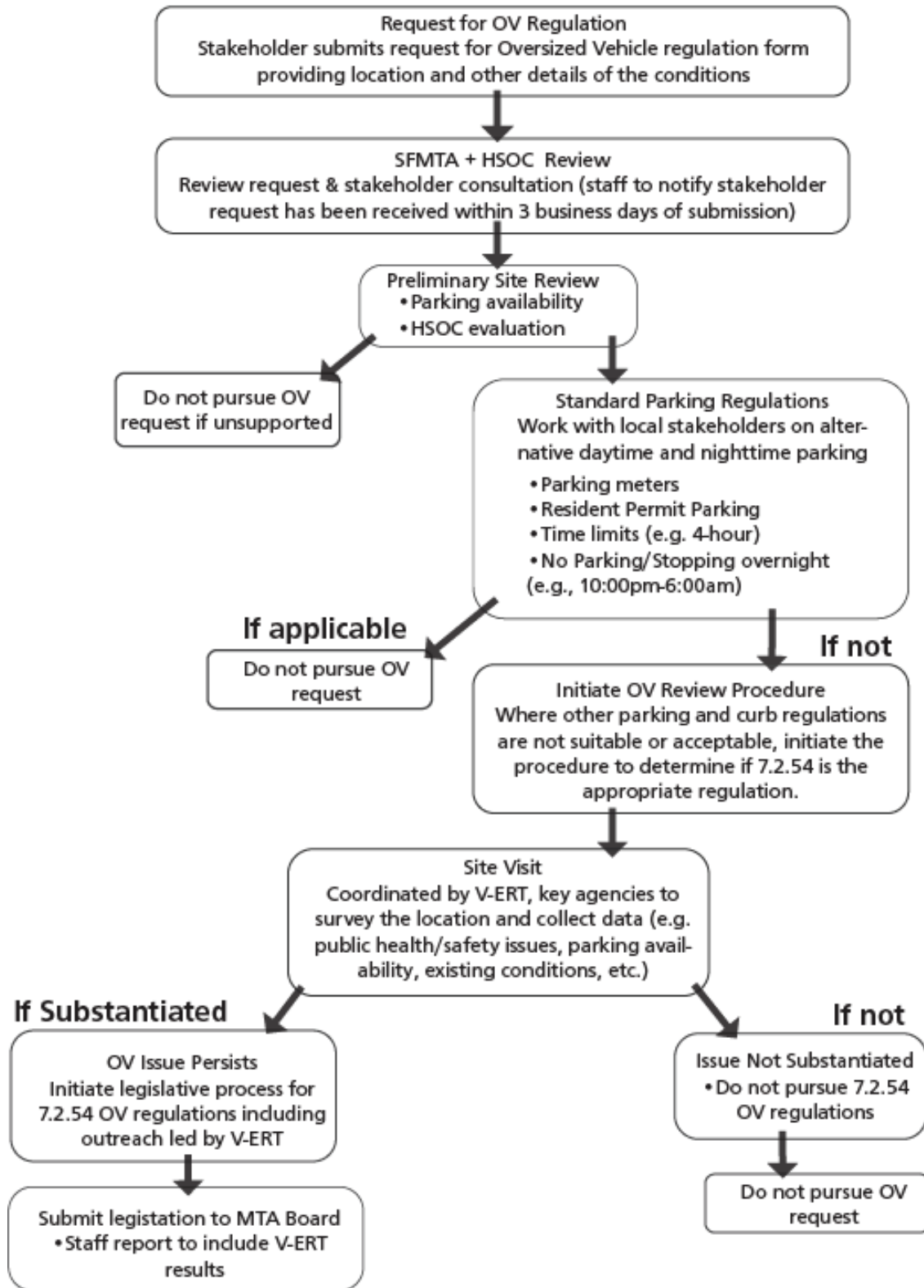
PAGE 12.

3. Towing Eligibility Notification: Vehicles with five or more delinquent citations are subject to booting and towing; citation payment status information is readily available for any vehicle via the SFMTA website. PCOs and others (Homeless Outreach Team, Coalition on Homelessness volunteers, etc.) can notify vehicles in jeopardy of towing with flyers placed on vehicles and/or handed to occupants; flyers would also include information on how to avoid towing and address previous citations.

While most individuals who are vehicularly housed are careful to follow regulations and avoid impacting the streets, others may pose a threat to health and safety of other residents, businesses, workers, and visitors by dumping, keeping aggressive animals, making/using/selling drugs, etc. The issue of vehicular habitation is as complex and challenging as the issue of homelessness in general, and requires coordination among SFMTA, SFPD, DSHS and other key stakeholders. The process and application of the oversized vehicle overnight parking restriction must be cognizant of the impacts of displacing vulnerable populations who may be employed, have support or health services, or other networks in the city.

In order to be respectful of the impacts of vehicular habitation for the residents of vehicles, nearby residents, employees, and visitors, the SFMTA uses the following process in evaluating and approving requests for OV parking restrictions:

Process for Regulating Oversized Vehicles



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For requests that continue to the Site Visit stage, which are coordinated by V-ERT, staff will also consider the following:

- Concentration of oversized vehicles: staff will prioritize locations most impacted by oversized vehicles to spend resources most efficiently.
- Perimeters of schoolyards, playgrounds, and community parks: locations for children and families to recreate should not be subject to the public safety or public health risks that may be generated by oversized vehicle encampments
- Streets with limited on-street parking: OV encampments should not be permitted to limit curb access for residents, employees or visitors
- Streets subject to graffiti and dumping: OV encampments should not be permitted to exacerbate these conditions.

If the request advances to the SFMTA Board for approval, the staff report will include information on the existing regulatory conditions, site visit, outreach efforts, and services provided. For requests which staff deem parking regulations unnecessary, staff will send a determination of final action to the requestor.

Commitment to Safer Transportation Experience and Improved Quality of Life with Equitable and Sustainable Solutions

It is important that people living in vehicles and who need critical services have information and access to those services to ensure the situation does not become a public health or safety issue. Similarly, the vehicles themselves need to be in good working condition. The following efforts aim to keep people living in vehicles, and their vehicles, healthy and safe.

Near-term:

SFMTA staff will continue to participate in the Healthy Streets Operation Center (HSOC) Vehicle Encampment Resolution Team (V-ERT); SFMTA representation to include staff from Curb Management and Enforcement. Under the leadership of the HSOC and building on the success of major sidewalk encampment resolution and service provision efforts, the V-ERT will identify major vehicular encampment locations and develop resolution protocols. SFMTA may need to establish temporary OV or other curb restrictions to post during interim period after encampment resolution to prevent re-encampment while permanent restrictions are approved and posted.

Mid/long-term:

Vehicular habitation is a profoundly challenging issue; just like San Francisco, other California and U.S. cities have struggled to respond effectively and compassionately. Despite many intriguing efforts, no other locality is known to have developed effective sustainable tools and methods. The V-

PAGE 15.

ERT approach is presently our best first step, however limited, with the largest encampments identified, prioritized, and engaged methodically with outreach and services (as well as safety checks and appropriate enforcement). As noted above, this approach will not eliminate the need for parking regulations and enforcement; indeed, a method of posting interim curb restrictions is likely to be called for to prevent re-encampment after resolution and before permanent restrictions can be established through standard processes. The SFMTA will continue to collaborate with City agencies and Supervisor district offices to identify and implement other equitable and sustainable solutions that are sensitive to the affordable housing situation and accommodate the needs of those vehicularly housed but also the concerns raised by other residents, businesses and visitors.

These policy guidelines will be updated when any substantial changes in rules or programs are developed.



To: SFMTA Board of Directors
Gwyneth Borden, Chair
Amanda Eaken, Vice Chair
Steve Heminger, Director
Fiona Hinze, Director
Sharon Lai, Director
Manny Yekutieli, Director

From: Jeffrey Tumlin, Director of Transportation *JT*

Through: Tom Maguire, Director Streets Division *TM*

Date: October 1, 2021

Subject: Parking Enforcement Update

This memorandum serves as a follow-up to the May 4, 2021 presentation outlining the plan to resume parking enforcement for vehicles with expired registered over six months, parking over 72 hours, and five or more overdue citations, in addition to proposals to expand fee discount and waiver programs to provide relief for people with low incomes and experiencing homelessness. In addition to providing an update on enforcement activities, the following specific requests for follow-up from Board Members are addressed:

1. What efforts are made to provide alternatives to towing vehicles?
2. How do we distinguish inhabited vehicles from others that are towed?
3. What is the fiscal impact of expanding citation waivers to 200% of poverty level?
4. How can we improve enrollment in discount and waiver programs?
5. Has the Office of Racial Equity & Inclusion evaluated towing policies?

Background

In March 2020, when the city-wide Shelter-in-Place order was issued, most parking enforcement activities were suspended, including towing of vehicles not considered a hazard. At the time, it was believed this would last only several weeks. In June 2020, parking enforcement resumed for most regulations, including street cleaning, meters, and residential parking, in order to support parking availability for businesses and institutions and improve conditions in residential neighborhoods.

Prior to resuming towing for unpaid citations, expired registration, and parking more than 72 hours, SFMTA staff engaged with a coalition of advocacy groups and developed a list of recommendations to expand fee waivers and discounts to provide additional relief to people with low-incomes and experiencing homelessness. These recommendations were implemented in early June and are discussed in more detail below. The SFMTA already had administered the most comprehensive payment alternative and fee discount programs in the country for parking-related fees and remains committed to these efforts to minimize impacts of towing on our most vulnerable citizens. These programs include Community Service and Payment Plan programs for parking citations available to the general public and reduced or waived

enrollment fees for low-income customers. The Agency also provides discounts for first-time vehicle tows, as well as ongoing discounts or waivers for booted or towed vehicles for people with low incomes or experiencing homelessness.

The suspension of parking enforcement was very specific to the initial Covid crisis. As we continue to recover and the economy reopens, we have resumed most services, and whether it be returning transit service or enforcing parking regulations, including towing, we are doing so in the most thoughtful way possible focusing on ways to minimize financial burdens during this challenging time. As with so much of what we do, we must balance competing needs and priorities to keep our City moving, our streets and sidewalks safe, our neighborhoods livable and preserving access to businesses. In doing so, however, we remain committed to collaborating with our City partners to address the needs of our vulnerable populations.

City-Wide Approach to Addressing Vehicularly Housed Residents

SFMTA Parking Enforcement works closely with the Department of Homelessness and Supportive Housing (DHS) and the Healthy Streets Operations Center (HSOC) to provide proactive outreach to people living in their vehicles. The primary goal of this work is to connect people living in their vehicles with health care, services, and alternative housing options. The population of people living in vehicles often has different needs than the population of people living in tents or otherwise on the streets. A large barrier for many of the people accessing services in the homelessness response system is figuring out where they would store their vehicle while accessing services. Others may not want to leave their vehicle for shelter, if such shelter is even available.

In November 2019, the City implemented a Vehicle Triage Center (VTC) pilot program located at SFMTA property in a parking lot near 2340 San Jose Avenue. Program participants, referred by the DHS's Homeless Outreach Team (HOT) Team, were able to store or reside in vehicles while accessing services. This program, managed by a non-profit, provided space for 29 recreational or passenger vehicles. Available services included bathrooms, showers, laundry, electricity, as well as 24/7 site monitoring, case management and medical treatment. The pilot program ended in March 2021, as the site was slated for development of affordable housing. Over the 18-month period, 78 clients were served with an average stay of 103 days.

The Fiscal Year 2022-2023 City budget includes funding for set-up and ongoing administration of two long-term VTC sites. The first site will be located in the Bayview and is slated to open in the Fall/Winter of 2021. The evaluation of a location for a second site on the west side of the City is ongoing.

The first VTC will be located at the Boat Launch Parking Lot at Candlestick Point Recreation Area. The location of this facility will prioritize support for the large encampment located on and around the Hunters Point Expressway, as well as in the surrounding neighborhoods. The site will provide a safe place to park and live in the vehicle and provide social services, hygiene facilities, potable water, electricity and 24/7 staff support. Prior to the opening of the Safe Parking Program, HSOC and HOT will conduct regular outreach to people living in vehicles in this area and facilitate the outreach and placement of people into the safe parking program.

As part of the commitment to the community, following this outreach process, HSOC will coordinate with City departments to resolve remaining encampments and address any reemergence of encampment activity. SFMTA staff will replace missing or damaged parking regulation signs and begin enforcing parking regulations in the area to prevent re-encampment.

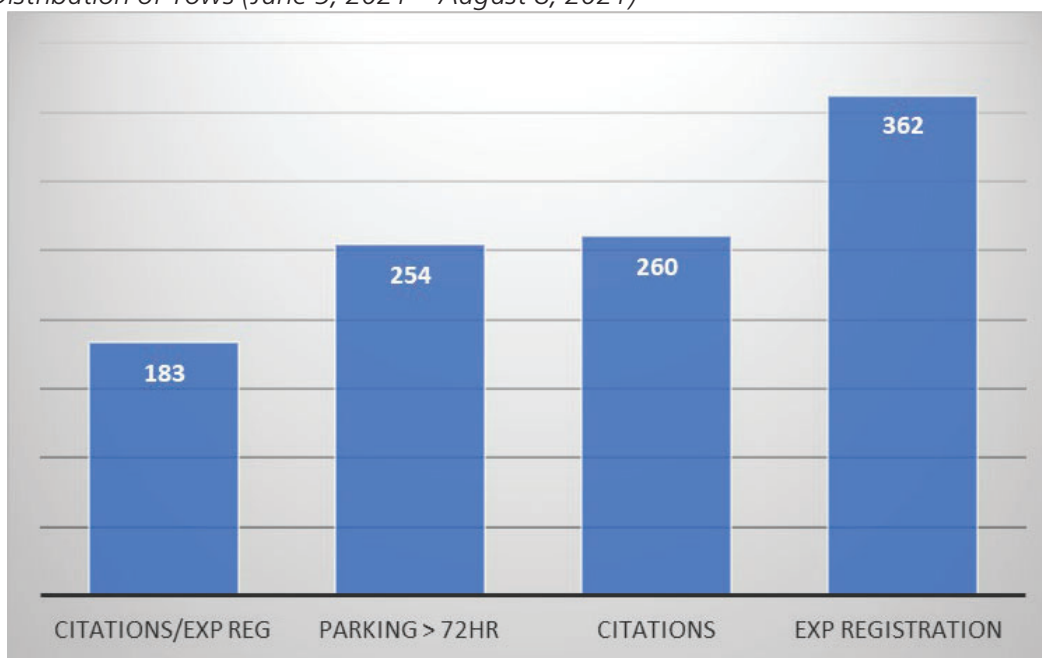
Update on Parking Enforcement Activities

In early June 2020, SFMTA resumed enforcement of parking longer than 72 hours, expired registration and towing and booting of vehicles with five or more overdue citations. This work commenced with special consideration for vehicles appearing to be used for shelter. Parking Control Officers (PCO) look to see if the vehicle is occupied or appears to be used for shelter. When a vehicle’s owner is present the officer attempts to contact them and advise them of programs offered by SFMTA related to their citations. In addition, whether officers make contact or not, officers on site for 72-hour complaints will mark the vehicle to confirm the vehicle is or is not in violation. Vehicles not in violation will have no further action taken.

A similar process is followed for vehicles found to have overdue citations or expired registration and appear to be inhabited. If contact can be made with a vehicle’s occupants they are advised of penalty relief programs offered by the SFMTA to get their vehicle out of tow jeopardy. In these cases, PCOs coordinate directly with the City’s HOT Team to request support to these residents, providing information on services and options to become compliant with parking regulations.

In the first 60 days of resuming enforcement, a total of 1,059 vehicles were towed. This compares to an average of 1,329 vehicles towed for a 60-day period prior to the pandemic.

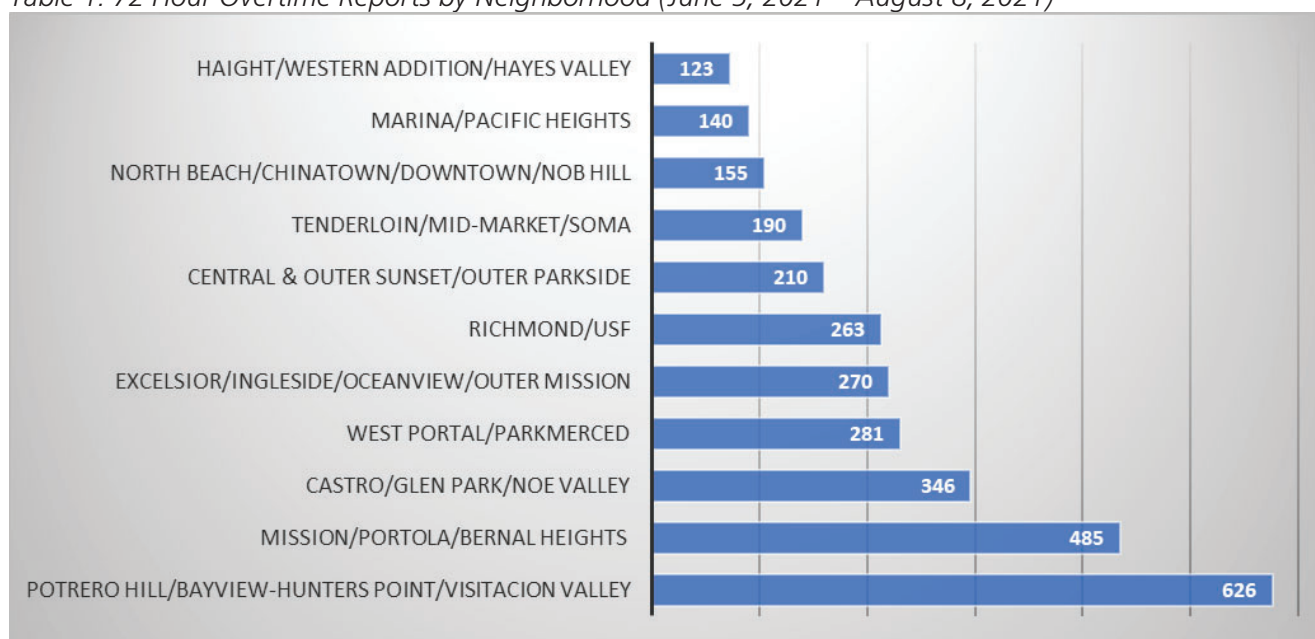
Table 1: Distribution of Tows (June 5, 2021 – August 8, 2021)



Response to Neighborhood Requests

The California Vehicle Code authorizes local jurisdictions to adopt regulations prohibiting the parking of vehicles on streets or highways for 72 hours. This regulation has been adopted locally in San Francisco Transportation Code Section 7.2.29. This regulation serves not only the purpose of preventing long-term storage of vehicles on City streets but is also used for recovery of stolen vehicles as well as the removal of vehicles that are simply abandoned by owners. Enforcement is generally limited to responding to resident reports. In the first 60 days of resuming enforcement, 3,089 reports were received, resulting in 254 vehicles towed (8.5%) The overwhelming majority of these reports originated from residents in the southeastern part of the City, consistent with historical trends. Many areas in these neighborhoods have no parking regulations, such as street cleaning, which serves as a mechanism to promote turnover. The table below provides the distribution of reports by district. A detailed map can be found in Attachment 1.

Table 1: 72-Hour Overtime Reports by Neighborhood (June 5, 2021 – August 8, 2021)



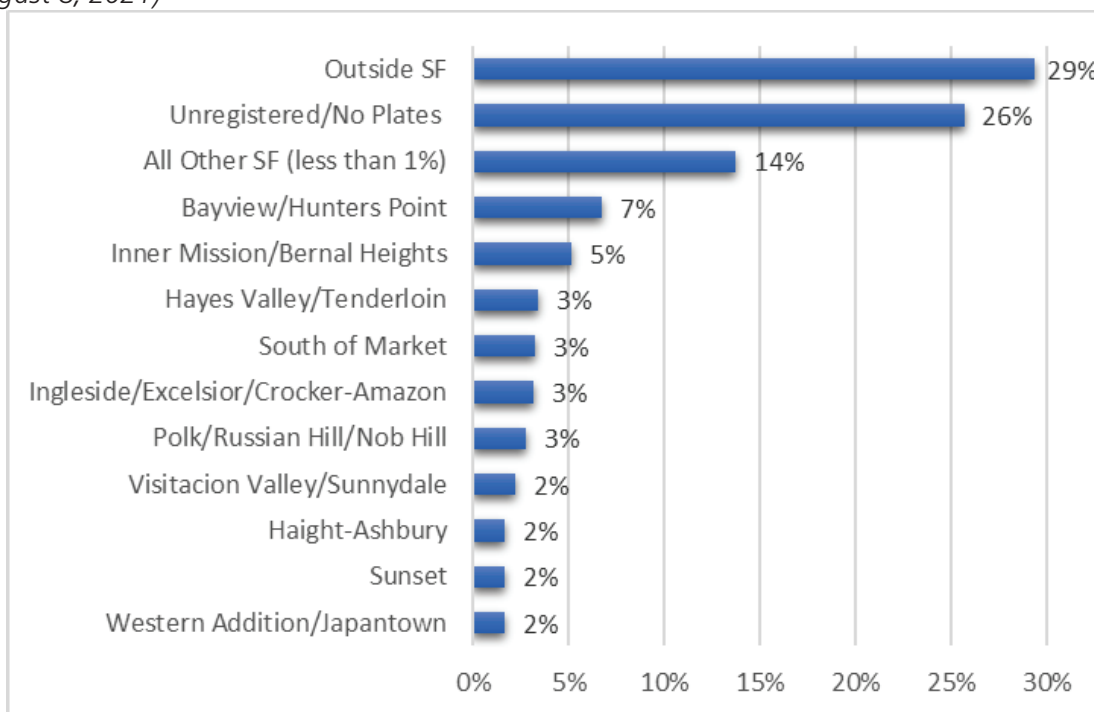
Enforcement during this time has prioritized the removal of vehicles that appear to be abandoned, with PCOs working closely with the HOT Team when coming across vehicles that appear to serve as shelter. A two-day grace period has also been added, bringing the total time to relocate the vehicle to five days, with the ability to request an additional five days if needed.

Availability of Demographic Data Associated with Towed Vehicles

Information related to the income or ethnicity of owners of vehicles that are towed is not available for parking enforcement. Vehicles are issued citations or towed without the owner being present and in locations that do not necessarily correspond to the owner's place of residence. Registered owner (RO) addresses can be used to determine whether residents in some neighborhoods have a higher proportion of

vehicles that are towed, however, in reviewing RO data for vehicles towed during this time, we found that 55% of these vehicles were unregistered or registered out-of-state, providing no information at all about the owners. The table below provides more detail on the analysis of the information available for vehicle towed for parking more than 72 hours, expired registration and five or more citations.

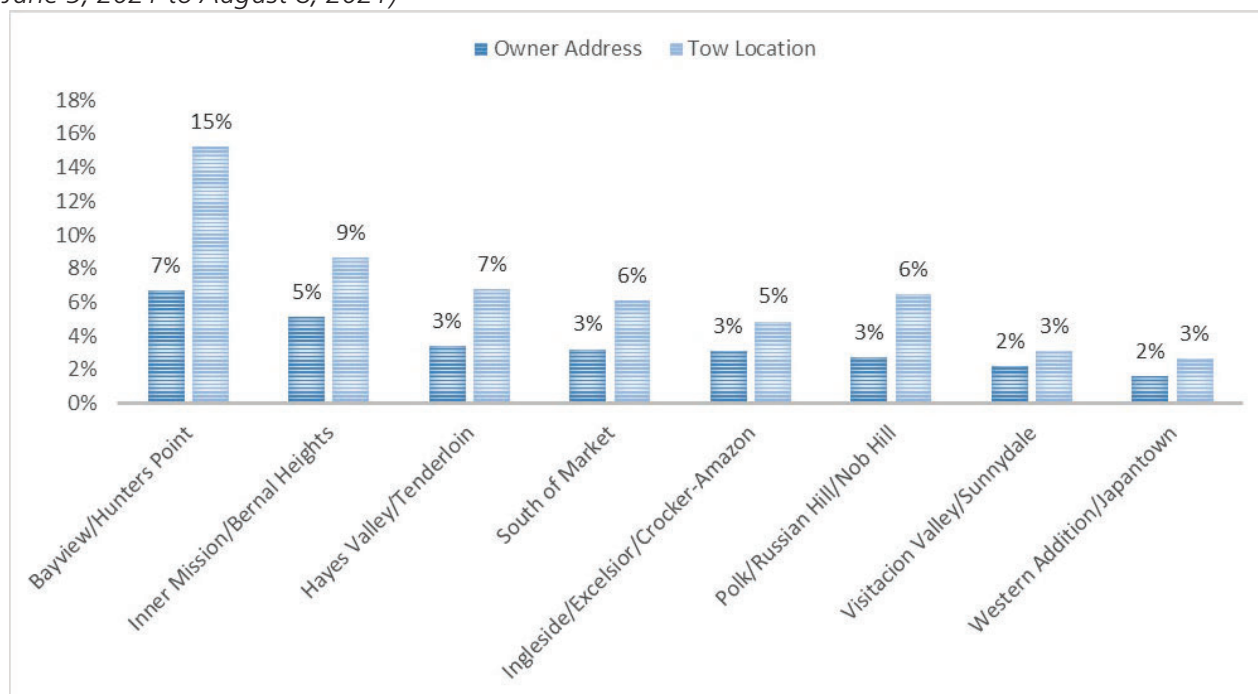
Table 3: Registered Owner Address of Towed Vehicles for 72 Hours/Registration/Citations (June 4, 2021 and August 8, 2021)



The table below provides a summary of the location of vehicles towed by neighborhood compared to the address of the RO of the vehicle. The overall number of vehicles towed is the highest in the Bayview/Hunters Point and Bernal Heights neighborhoods, consistent with the higher volume of neighborhood reports associated with abandoned vehicles. The lack of parking regulations in these areas lends itself to a higher likelihood of abandoned vehicles.

These areas also have higher rates of vehicles owned by residents being towed for these violations. SFMTA staff are in the process of developing a comprehensive outreach and education strategy to educate vehicle owners of their options to enroll in payment or community service or other programs to reduce the impact of towing in these areas.

Table 4: Location of Tow/Compared to RO Address for 72 Hours/Registration/Citations (June 5, 2021 to August 8, 2021)



Recent Actions to Provide Relief/ Reduce Towing

As noted above, the SFMTA offers the nation’s most comprehensive program to provide relief for the most vulnerable populations as it relates to parking citations and towing. As part of our engagement over the past year with stakeholder groups, these programs have been expanded with additional changes planned in the near future to minimize the impact of towing. A summary of these changes is detailed below.

Completed

- One-time waiver of all outstanding citations for people experiencing homelessness, and the removal of late penalties on subsequent violations
- Added a warning notice to citations at/or near eligibility for boot or tow due to outstanding citations
- Added a notice to all citations issued for expired registration of the potential for towing at six months or more
- Extended notification for vehicle parked in one location from 3 days to 5 days, with additional extension of 5 days upon request
- Waived late penalties with enrollment (and successful completion) of low-income community service plans – reducing the number of service hours required
- Increased the per-hour credit for Community Service to \$17

Planned

- Allow people experiencing homelessness receive credit for the Community Service program by receiving support services from participating providers
- Transitioning payment plan administration to Treasurer’s Office, leveraging their existing system to provide improved communication, including text message or e-mail reminders
- Evaluating a pilot program where vehicle owners can sign-up to receive a text message alert when their vehicle is subject to towing for certain violations
- Implementing a customer service portal to provide e-mail and text message notifications for parking citation issuance, payment deadlines, protest decisions, and notice when five or more citations have been issued

Expanding Citation Waivers

As part of the expanded relief program, the SFMTA is now offering a one-time waiver of all parking citations for people experiencing homelessness. We were asked to evaluate the potential fiscal impact of expanding this waiver to anyone at or below 200% of the Federal Poverty Level (FPL). The table below summarizes the outstanding citations within the five-year maximum statutory collection period.

Table 5: Outstanding Citations Eligible for Collection

Fiscal Year	Citations Issued	# Open	\$ Open
2017	1,325,256	149,729	29,500,688
2018	1,339,336	161,584	31,815,486
2019	1,306,501	167,728	33,629,999
2020	896,408	143,881	28,980,240
2021	1,085,352	340,764	52,316,742
TOTAL	5,952,853	963,686	176,243,154

According to census data, approximately 20% of San Francisco residents are below 200% of FPL. Assuming 20% of citations were issued to people with low incomes, the potential fiscal impact of expanding this waiver to all citations issued for the past five years would be \$35.2 million and \$16.3 million for the past two years. This estimate would be at the high end and does not consider what percentage of these citations would have gone unpaid regardless of a waiver. Budget reductions would be necessary in other SFMTA service areas to implement this expansion.

The SFMTA is committed to improving participation in the existing relief programs, partnering with community organizations and engaging the Office of Racial Equity and Inclusion to ensure that our strategies are culturally specific and reflect our racial equity strategies.

Next Steps

The SFMTA is taking additional steps to evaluate the overall efficacy of towing practices in San Francisco, including labor and operating costs and fees.

Tow Program Benchmark Study

The Controller's City Services Audit Division has been engaged to conduct an evaluation of towing practices in other municipalities, such as Los Angeles, Berkeley, Oakland, San Diego, New York, Chicago, etc. The study will look at the following:

- Volume/types of tows
- Contract/service approach
- Budget
- Fee structure model (cost recovery or limited)
- Availability of low-income/ waivers & other discount options

This study will help inform the structure and costs associated with the next Towing Services contract, as well as provide greater insight into the way jurisdictions structure their public fees for towing operations. This study is expected to be completed in early 2022.

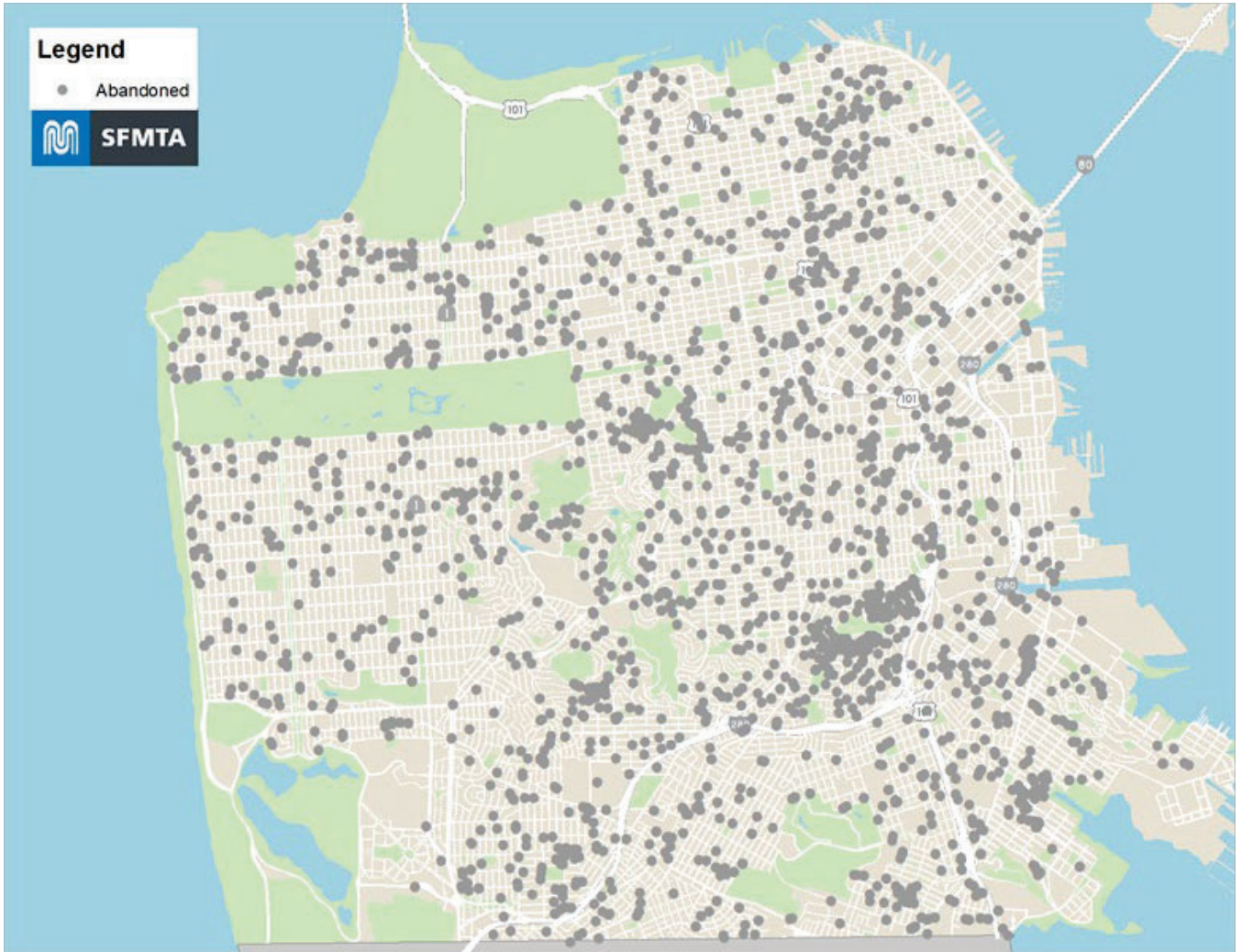
Towing Fee and Discount Program Eligibility Evaluation

In preparation for the Fiscal Year 2023 and 2024 budget process, staff will be updating all cost recovery models and assessing the impact of changes to the discount program thresholds. This information will be presented to the Board in the context of the overall budget to examine the trade-offs.

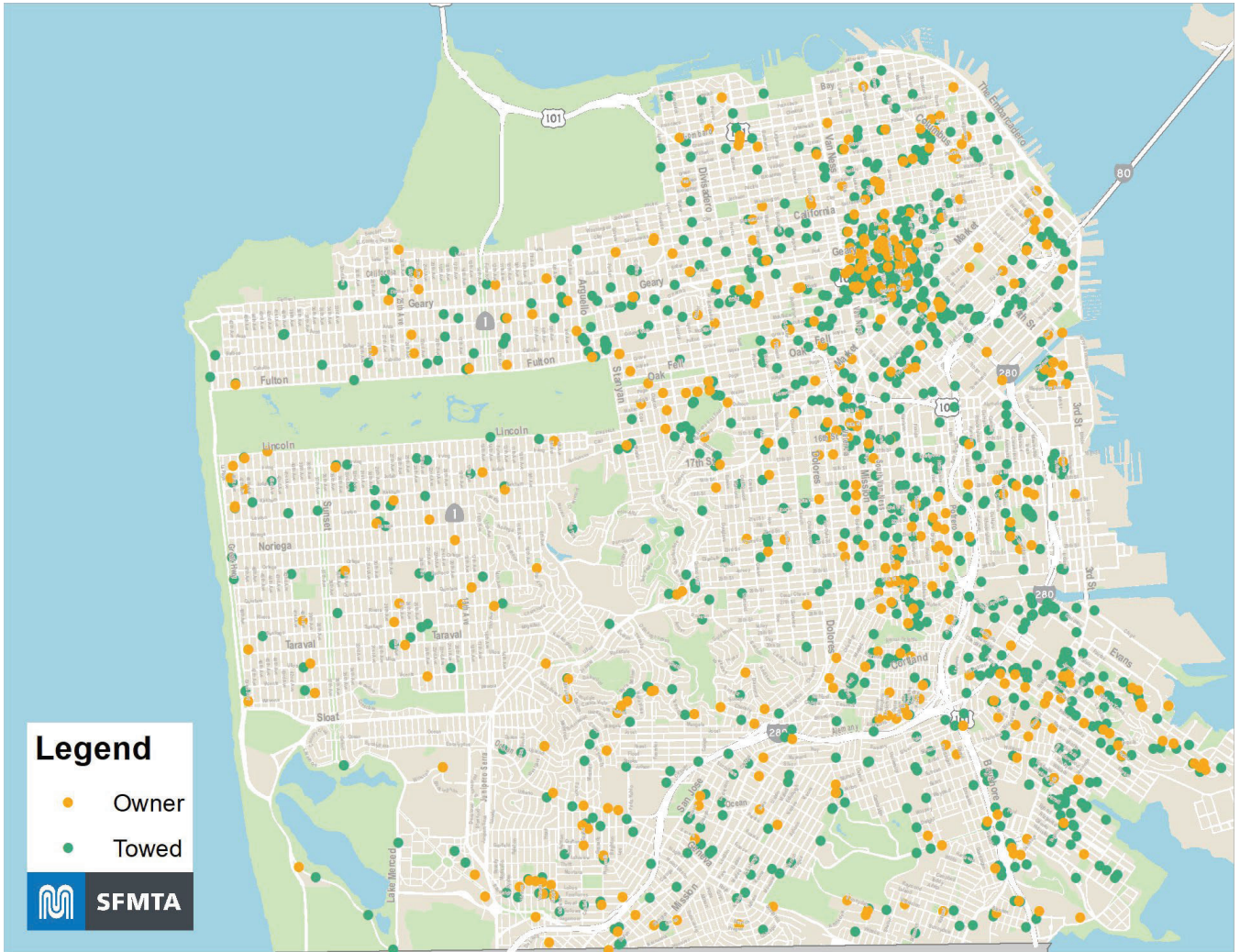
Summary

Parking enforcement plays a vital role in managing our streets and ensuring compliance with state and local regulations. At the same time, the SFMTA has demonstrated, through the ongoing implementation of new and expanded discount programs, its commitment to providing relief to vulnerable populations, while balancing the need to deter illegal parking behavior in our neighborhood and commercial districts. We look forward to continuing this dialogue with the Board of Directors and stakeholders on this important topic.

Attachment 1: 72-Hour Abandoned Vehicle Reports (June 4, 2021 – August 8, 2021)



Attachment 2: Distribution of Tow Locations/Vehicle Owner Address (June 4, 2021 – August 8, 2021)





London Breed, Mayor

Amanda Eaken, Chair
Stephanie Cajina, Vice Chair
Steve Heminger, Director

Dominica Henderson, Director
Fiona Hinze, Director
Janet Tarlov, Director

Jeffrey Tumlin, Director of Transportation

Streets Division Directive Order No. 6811

Guidelines for Applying the Restriction on Overnight Parking by Recreational Large Vehicles

San Francisco Transportation Code Division I Section 7.2.54 gives the San Francisco Municipal Transportation Agency (SFMTA) the authority to restrict overnight parking by oversized vehicles, including vehicles used for lodging. Transportation Code Division II Sections 204(b) and 1010 authorize the SFMTA's Director of Transportation ("Director") to restrict overnight parking of oversized vehicles used for lodging (labeled in Section 204(b) as "Recreational Large Vehicles") citywide where signs are posted. Under Section 1010, before designating the parking restriction, the Director shall make a written finding that Recreational Large Vehicles parked in the area have resulted in impacts, or are likely to result in impacts, to traffic and circulation, public health and safety, or both. The Director may consult with other relevant City departments, including but not limited to the Healthy Streets Operations Center, Department of Homelessness and Supportive Housing, the Department of Public Health, or any successor entities. The Director establishes the following guidelines to assist in making the findings required by Section 1010 prior to posting signage to effectuate the restriction and permit citation and towing.

Overnight parking restrictions on Recreational Large Vehicles generally are appropriate when they are parked:

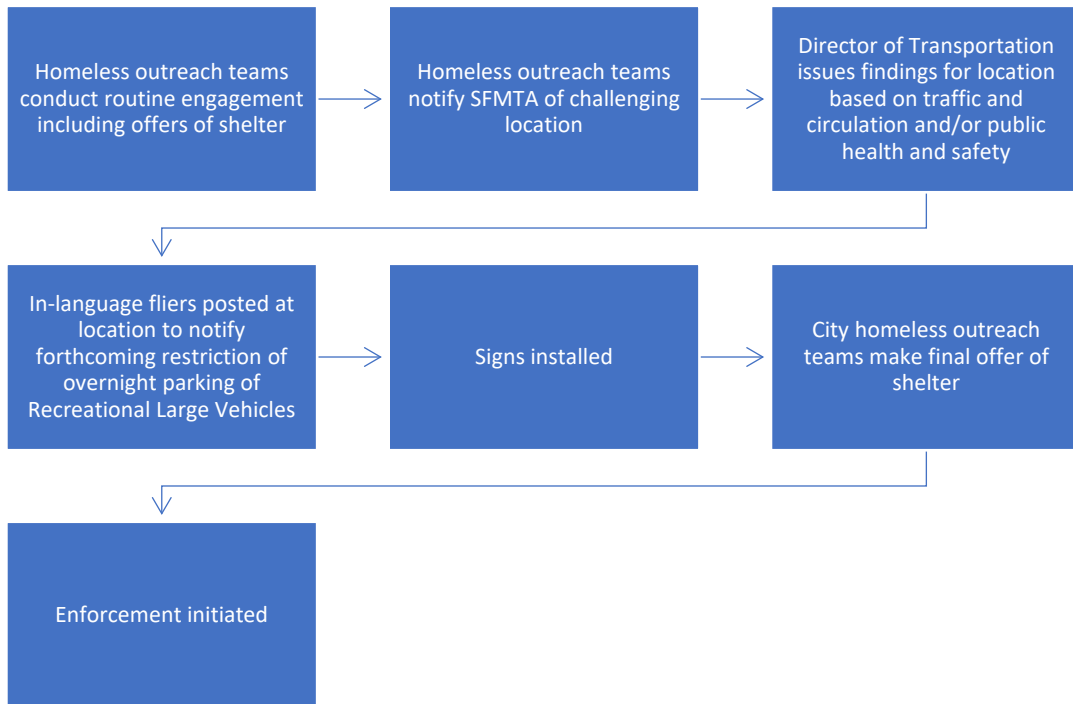
1. In violation of the restrictions contained in Article 500 of this Code.
2. In such a way that impacts, or is likely to impact, the execution of any construction project.
3. Along transit routes, including Municipal Railway, regional transit service, and local shuttle service stops.
4. On a street that contains Class II, III, or IV bicycle lanes.
5. On a street adjacent to a travel lane less than 11 feet wide.
6. On a Slow Street established pursuant to section 207 of this Code.
7. On a street within a Residential or Neighborhood Commercial zoning district.
8. Within 500 feet of a health care or education facility.
9. Within 100 feet of an entry point to a park.
10. In a Residential Parking Permit zone.
11. In a metered zone.
12. Within 100 feet of an intersection pursuant to California Vehicle Code 22507.
13. Where there are impacts, or potential impacts, to public health and safety.



Process for Posting and Enforcing a Recreational Large Vehicle Parking Restriction

As stated in Section 1010, if a street where Recreational Large Vehicle parking restriction signs are posted includes large vehicles that are occupied, enforcement will not commence until an offer of shelter by City homeless outreach teams or any successor entity has been made to occupants of the Recreational Large Vehicles. Further, regardless of occupation, prior to installation, in-language fliers will be posted to notify vehicle owners of the forthcoming regulations. Additionally, if owners have registered for the SFMTA's Text Before Tow program, they will receive a message if they have parked a vehicle in violation of Section 7.2.54 where signs are posted and the vehicle is at risk of being towed.

Process and Implementation:



Approved by:

Jeffrey Tumlin
Director of Transportation