

THIS PRINT COVERS CALENDAR ITEM NO.: 10.3

**SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY**

DIVISION: Streets

BRIEF DESCRIPTION:

Applying sections of the California Vehicle Code (CVC) to West Access Road, a temporary, publicly accessible private street to be built as part of the HOPE SF Sunnydale housing development, to enable the SFMTA to enforce parking restrictions for red zones, street cleaning regulations, double parking, and other miscellaneous issues. This will support neighborhood circulation and Muni service while construction temporarily closes adjacent streets, as authorized by section 21107.5 of the CVC.

SUMMARY:

- HOPE SF Sunnydale is an existing 50-acre public housing site in the southeastern part of the city currently being redeveloped in phases, adding affordable and market-rate housing and improving transportation infrastructure in the area. Phased construction is required in order to mitigate and prevent the displacement of residents in the existing development.
- Before Phase 3 of the redevelopment can begin, a new street, West Access Road, is required to be built. This will maintain vehicular, pedestrian and Muni circulation in the neighborhood, as Phase 3 construction will temporarily close adjacent existing streets.
- West Access Road will be a temporary, privately-owned but publicly accessible street, designed to have a 10-year life span to support construction and Muni reroutes in the Sunnydale development area.
- The Mayor’s Office of Housing and Community Development (MOHCD) and Mercy Housing (the developer) have requested the SFMTA’s support in enforcing red zones, double parking, and street sweeping regulations. This is needed to keep the street clear for neighborhood circulation and Muni operations.
- Under California Vehicle Code 21107.5, a city or county, by ordinance or resolution, may apply the Vehicle Code to privately owned and maintained roads that function as public roads.
- The SFMTA will be reimbursed for enforcement of these parking regulations.

ENCLOSURES:

1. SFMTAB Resolution

APPROVALS:

DIRECTOR  _____

SECRETARY  _____

DATE

December 12, 2024

December 12, 2024

ASSIGNED SFMTAB CALENDAR DATE: December 17, 2024

PURPOSE

Applying sections of the California Vehicle Code (CVC) to West Access Road, a temporary, publicly accessible private street to be built as part of the HOPE SF Sunnydale housing development, to enable the SFMTA to enforce parking restrictions for red zones, street cleaning regulations, double parking, and other miscellaneous issues. This will support neighborhood circulation and Muni service while construction temporarily closes adjacent streets, as authorized by section 21107.5 of the CVC.

GOAL

This action is consistent with the goals of the SFMTA Strategic Plan:

- Goal 4: Make streets safer for everyone.
- Goal 5: Deliver reliable and equitable transportation services.
- Goal 6: Eliminate pollution and greenhouse gas emissions by increasing use of transit, walking, and bicycling.
- Goal 10: Position the agency for financial success.

This action is also consistent with the SFMTA's Transit-First Policy Principles:

3. 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.
4. Transit-priority improvements, such as designated transit lanes and streets and improved signalization, shall be made to expedite the movement of public transit vehicles (including taxis and vanpools) and to improve pedestrian safety.
7. Parking policies for areas well served by public transit shall be designed to encourage travel by public transit and alternative transportation.
10. The City and County shall encourage innovative solutions to meet public transportation needs wherever possible and where the provision of such service will not adversely affect the service provided by the Municipal Railway.

DESCRIPTION

Background

HOPE SF is a City and County of San Francisco initiative that seeks to revitalize four of San Francisco's most distressed public housing sites and transform them into vibrant, thriving communities. Numerous city departments, as well as community stakeholders, have been engaged in and contributed to the HOPE SF proposals; the HOPE SF Sunnydale development ("HOPE SF Sunnydale") is one of these projects. This initiative utilizes a public-private partnership to leverage resources to bring improved housing conditions to various San Francisco communities.

The HOPE SF Sunnydale site is an approximately 50-acre area in the southeastern corner of San Francisco bound generally by Velasco Avenue to the south, Hahn Street to the east, McLaren Park to the north, and Crocker Amazon Park to the west. This site contains existing public housing units owned and operated by the Housing Authority of the City and County of San Francisco ("SFHA") that will be vacated and demolished in phases and replaced with new housing as part of HOPE SF

Sunnydale. As part of the redevelopment, improvements to streets, utilities, transit infrastructure, and open spaces will be implemented through various stages of the project. Phased construction is required in order to mitigate and prevent displacement of residents in the current SFHA housing sites. The project plans to replace 775 existing apartments and create 1,700 homes in the future. To date, 222 new affordable homes have been completed and an additional 170 homes are currently under construction.

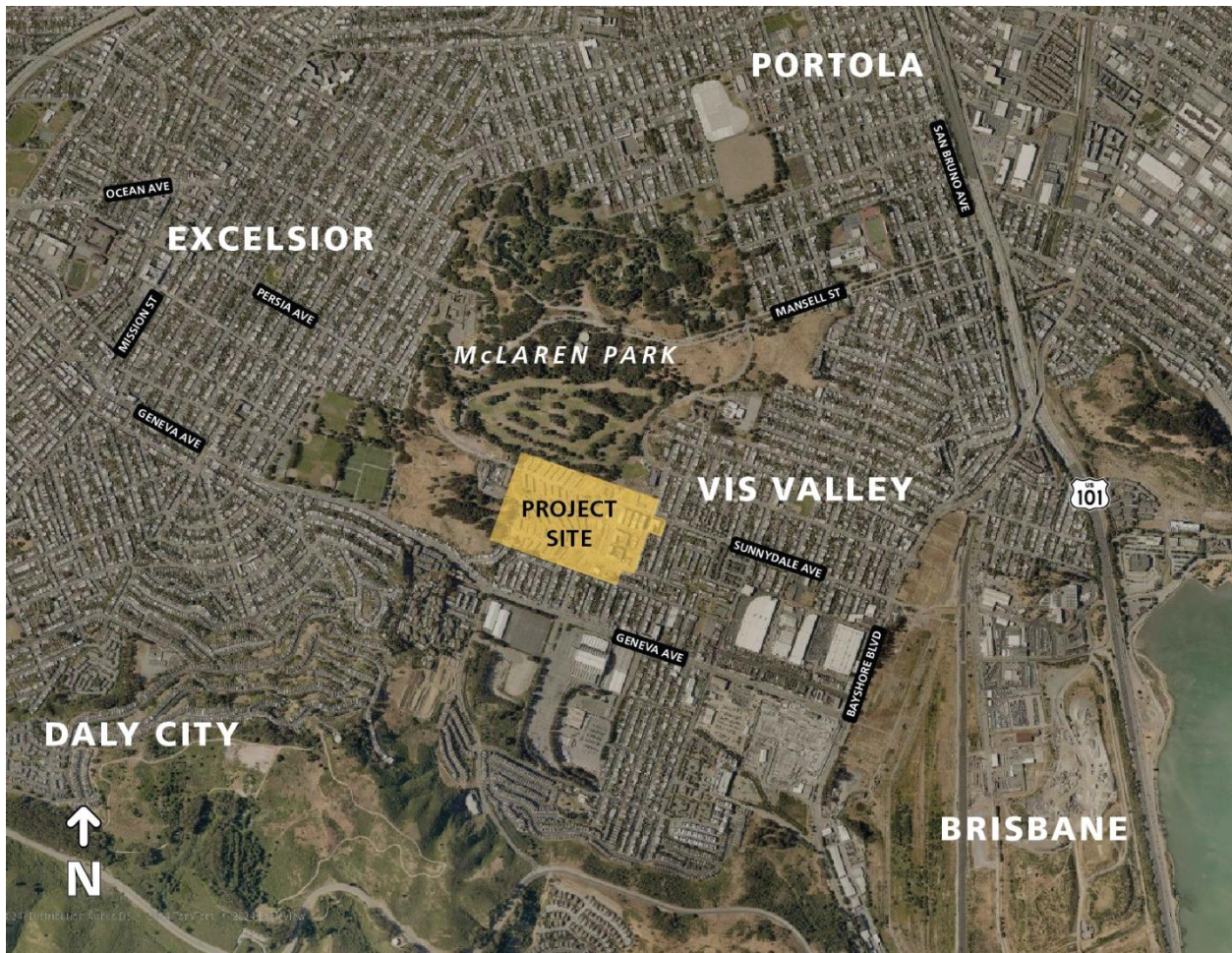


Figure 1 – HOPE SF Sunnydale project site in the southeastern corner of San Francisco

West Access Road

Construction of a new, temporary street, West Access Road, is required to be completed before the developer (Mercy Housing) can close portions of existing streets for the upcoming Phase 3 construction. This street, located on the western side of the HOPE SF Sunnydale development, connects Sunnydale Avenue to Brookdale Avenue and will maintain vehicular access and circulation in the neighborhood.

Additionally, Muni lines 9 San Bruno and 9R San Bruno Rapid will be temporarily rerouted onto West Access Road due to reconstruction of Santos Street in Phase 3.

West Access Road will be privately built and owned but publicly accessible. The City will have a Pedestrian and Vehicular Public Access and City Utility Easement for access rights. Due to its importance as a primary Muni corridor for the 9 and 9R, and for the benefit of the general public, San Francisco Public Works (“SFPW”) has also agreed to perform regular, weekly street sweeping for the lifespan of West Access Road, which is anticipated to be 10 years.



Figure 2 – West Access Road on the western periphery of the project site, connecting Sunnydale Avenue to Brookdale Avenue

The Mayor’s Office of Housing and Community Development (MOHCD) and the developer have requested that the SFMTA enforce red zones, double parking, and street sweeping regulations on West Access Road to support reliable Muni service and the street sweeping that SFPW will perform. Red zones and double parking will be enforced on an as-needed basis, while street sweeping rules will be enforced weekly.

California Vehicle Code

West Access Road is currently under construction and is anticipated to be complete by the end of December 2024. It is contemplated that West Access Road will remain in service for up to 10 years.

This Board of Directors approval will apply relevant sections of the CVC to this private street to enable SFMTA Parking Enforcement Officers to enforce no parking restrictions for Muni service and street cleaning.

Under CVC section 21107.5, a city or county, by ordinance or resolution, may apply the Vehicle Code to privately owned and maintained roads that function as public roads. Once the Vehicle Code is applied, the SFMTA, as an agency of the City and County of San Francisco, may enforce the provisions of the Vehicle Code, including those related to parking. Since West Access Road is private (and will remain so), in order to enforce the Vehicle Code, the SFMTA Board of Directors must act to apply the Vehicle Code to the street, and make the findings specified in CVC section 21107.5 (quoted below):

CVC 21107.5

(a) Any city or county may, by ordinance or resolution, find and declare that there are privately owned and maintained roads as described in the ordinance or resolution within the city or county that are generally held open for use by the public for vehicular travel and which so connect with highways that the public cannot determine that the roads are not highways. Upon enactment by a city or county of the ordinance or resolution, this code shall apply to the privately owned and maintained road, except as provided in subdivision (b).

The resolution allows the SFMTA to enforce parking restrictions on West Access Road. The SFMTA is not obligated to enforce every request that is received regarding West Access Road, as there may be other citywide priorities and needs. Depending on staffing and resources, the SFMTA will deploy Parking Enforcement Officers for red zone, street sweeping, and double-parking violations.

STAKEHOLDER ENGAGEMENT

The HOPE SF Initiative launched in 2010 and since then has included extensive community outreach with public housing residents at Sunnysdale to develop a set of core rebuild principles and to allow the community to assist in crafting the master plan. Mercy Housing has led the HOPE SF Sunnysdale site planning process with extensive resident and community engagement starting in 2008 and including 34 community meetings at which residents and community members reviewed and commented on the design concept plans, the resident relocation strategy, and the development phasing.

SFMTA has requested the developer to conduct informational outreach to residents prior to the completion of West Access Road and before enforcement begins. Once outreach has been satisfactorily conducted, the SFMTA Enforcement team will provide warnings for the initial two weeks and begin issuing citations thereafter. Because the HOPE SF Sunnysdale development site is located in an equity priority community, the developer will ensure that sufficient outreach is conducted before SFMTA begins enforcement.

ALTERNATIVES CONSIDERED

The SFMTA Board of Directors could decline to apply the Vehicle Code and to authorize the SFMTA to enforce parking regulations on West Access Road. However, this would potentially

delay Muni service and general vehicular circulation in and around the HOPE SF Sunnydale site as Phase 3 construction commences. With limited public funds and competing transportation needs citywide, longer travel times on Muni could result in increased delays and less service along the entirety of the 9 San Bruno and 9R San Bruno Rapid lines.

FUNDING IMPACT

If the Board acts to authorize enforcement of parking regulations on West Access Road, the agency will work with the MOHCD and the HOPE SF developer to develop a cost recovery strategy and reimbursement to the SFMTA for red zone and double-parking enforcement, and enforcement of other miscellaneous issues. The SFMTA Enforcement team has determined that street sweeping enforcement can be achieved with existing resources and will not require reimbursement.

Therefore, there would be no negative funding impact to the agency if this resolution were to pass.

ENVIRONMENTAL REVIEW

The temporary street, West Access Road, is part of a construction traffic control plan in compliance with Mitigation Measure M-TR-6 of the Sunnydale-Velasco HOPE SF Master Plan Project EIR/EIS, (Planning Department Case 2010.0305E), and Sunnydale HOPE SF Phase 3 Development (Planning Dept Case 2010.0305PHA-03).

On November 13, 2024, the SFMTA, under authority delegated by the Planning Department, determined that the action to enable the SFMTA to enforce parking restrictions for red zones, street cleaning regulations, and other miscellaneous issues for this street is not 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 has reviewed this report.

No additional approvals are required.

RECOMMENDATION

Staff recommends the Board of Directors apply sections of the California Vehicle Code (CVC) to West Access Road, a temporary, publicly accessible private street built as part of the HOPE SF Sunnydale housing development, to enable the SFMTA to enforce parking restrictions for red zones, double parking, street cleaning regulations, and other miscellaneous issues, as authorized by section 21107.5 of the CVC.

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. _____

WHEREAS, The HOPE SF Sunnydale project is constructing new affordable and market-rate housing in phases to mitigate and prevent displacement of residents in the current Housing Authority of the City and County of San Francisco housing sites; and,

WHEREAS, The HOPE SF initiative is a public-private partnership that leverages resources to bring affordable housing to San Francisco; and,

WHEREAS, Construction of a new, temporary, publicly accessible private street, West Access Road, is required to be completed before the developer can close portions of existing streets for the upcoming Phase 3 construction; and,

WHEREAS, This street, located on the western side of the HOPE SF Sunnydale development connecting Sunnydale Avenue to Brookdale Avenue, will be used to maintain neighborhood access for Muni lines 9 San Bruno and 9R San Bruno Rapid, as well as to maintain vehicular and pedestrian access in the area; and,

WHEREAS, The City will have a Pedestrian and Vehicular Public Access and City Utility Easement for access rights; and,

WHEREAS, The developer has requested that the SFMTA enforce red zones, double parking, and street sweeping regulations on West Access Road, for which the agency will be reimbursed; and,

WHEREAS, Under California Vehicle Code section 21107.5, a city or county, by ordinance or resolution, may apply the Vehicle Code to privately owned and maintained roads that are generally held open for use by the public for vehicular travel and which so connect with highways that the public cannot determine that the roads are not highways; and,

WHEREAS, Once the Vehicle Code is applied, the SFMTA may enforce the provisions of the Vehicle Code, including those related to parking; and,

WHEREAS, To enforce the Vehicle Code on West Access Road, a private street, the SFMTA Board of Directors must apply the Vehicle Code to the street, and make the findings specified in CVC section 21107.5; and,

WHEREAS, The SFMTA has requested the developer inform residents before ticketing begins, especially as the project is located an equity priority community; and,

WHEREAS, The temporary street, West Access Road, is part of a construction traffic control plan in compliance with Mitigation Measure M-TR-6 of the Sunnydale-Velasco HOPE SF Master Plan Project EIR/EIS, (Planning Department Case 2010.0305E), and Sunnydale HOPE SF Phase 3 Development (Planning Dept Case 2010.0305PHA-03); and,

WHEREAS, On November 13, 2024, the SFMTA, under authority delegated by the Planning Department, determined that the action to enable the SFMTA to enforce parking restrictions for red zones, street cleaning regulations, double parking, and other miscellaneous issues for this street is not 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).; 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, now, therefore, be it

RESOLVED, That the San Francisco Municipal Transportation Agency Board of Directors finds and declares that although West Access Road will be privately-owned and maintained by the Developer, the provisions of the California Vehicle Code, subject to the terms of the Pedestrian and Vehicular Public Access and City Utility Easement, shall apply to West Access Road, as the road will be held open for use by the public for vehicular travel and will connect with public highways in such a way that the public will not be able to determine that the roads are not public highways; and, be it further

RESOLVED, That the San Francisco Municipal Transportation Agency Board of Directors hereby authorizes the application of the California Vehicle Code to West Access Road, as authorized by Vehicle Code section 21107.5, to enable the SFMTA to enforce parking restrictions for red zones, double parking, street cleaning regulations, and other miscellaneous issues.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of December 17, 2024.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency