

THIS PRINT COVERS CALENDAR ITEM NO.: 10.3

**SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY**

DIVISION: Sustainable Streets

BRIEF DESCRIPTION:

Amending Transportation Code, Division II, Sections 201 and 203 to: (1) authorize the City Traffic Engineer to install signs prohibiting parking for street cleaning on the dates and times requested by the Department of Public Works; (2) revise signage or red curb marking requirements for parking restrictions near fire hydrants; (3) require SFMTA Board of Directors approval to close a street to vehicular traffic for other than ISCOTT permitted events; and (4) revise the procedure for a Final SFMTA Decision that is subject to San Francisco Board of Supervisors review.

SUMMARY:

- The proposed Transportation Code amendments to Section 201 codify existing SFMTA practices and are considered ‘clean-up’ revisions. These amendments include: (1) authorizing the City Traffic Engineer to install signs prohibiting parking for street cleaning on the dates and times requested by the Department of Public Works; (2) clarifying the past and present fire hydrant painting procedures that were previously codified in the Traffic Code; and (3) requiring SFMTA Board of Directors approval to close a street to vehicular traffic for other than ISCOTT-permitted events.
- The proposed Transportation Code amendments to Section 203 align Division II with the recent amendments to Section 10.1 of Division I. The amendments include: (1) specifying the types of decisions that are subject to BOS review; and (2) revising the review process for instances when a City Traffic Engineer declines a request from a member of the public to implement a parking or traffic modification.

ENCLOSURES:

1. SFMTAB Resolution

APPROVALS:

DATE

DIRECTOR



January 8, 2019

SECRETARY



January 8, 2019

ASSIGNED SFMTAB CALENDAR DATE: January 15, 2019

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PURPOSE

Amending Transportation Code, Division II, Sections 201 and 203 to: (1) authorize the City Traffic Engineer to install signs prohibiting parking for street cleaning on the dates and times requested by the Department of Public Works; (2) revise signage or red curb marking requirements for parking restrictions near fire hydrants; (3) require SFMTA Board of Directors approval to close a street to vehicular traffic for other than ISCOTT permitted events; and (4) revise the procedure for a Final SFMTA Decision that is subject to San Francisco Board of Supervisors review.

STRATEGIC PLAN GOALS AND TRANSIT FIRST POLICY PRINCIPLES

This action supports the following SFMTA Strategic Plan Goal and Objectives:

Goal 4: Create a workplace that delivers outstanding service

Objective 4.5: Increase the efficiency and effectiveness of business processes and project delivery through the implementation of best practices.

The Transportation Code amendments support Objective 4.5 because they improve administrative operations, including allowing the City Traffic Engineer to approve simple changes such as installation of street cleaning signs and streamlining the public review process when the SFMTA decides not to implement a requested traffic modification.

This action generally supports the Transit First Policy in that it codifies and makes clear existing practices and aims to streamline public review processes to allow for more efficient project delivery.

DESCRIPTION

The proposed amendments to Division II, Sections 201 and 203 of the Transportation Code are as follows:

Division II, Section 201

The amendments to Section 201 are considered ‘clean-up’ revisions to codify existing practices. Specifically, the following amendments are being proposed:

- Section 201(a)(13) - clarifies how much red curb should be allocated on either side of a fire hydrant. This language was included in former Traffic Code Section 38.M but was not added when Division II of the Transportation Code was enacted by the SFMTA Board in 2008. It codifies the existing SFMTA’s practice and provides an added level of specificity regarding red curb parking restrictions for a low-pressure versus a high-pressure fire hydrant.

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- Sections 201(a)(15) and 201(c)(13) – authorizes the City Traffic Engineer’s approval for the installation of street cleaning signs giving notice of the days and hours that parking is prohibited as requested by San Francisco Public Works. This change codifies the SFMTA’s existing practice that is not currently listed in Sections 201(a)(15) and 201(c)(13)
- The addition Section 201(c)(23) would clarify that SFMTA Board approval is required to close a street to vehicular traffic when the street closure is for a non-ISCOTT permitted event. This change codifies the SFMTA’s existing practice that is not currently listed in Section 201(c). Streets will continue to be temporarily closed for construction or other emergencies without SFMTA Board approval consistent with state and local law.

Division II, Section 203

San Francisco’s Charter provides that the Board of Supervisors may establish, by ordinance, procedures that allow the public to seek Board of Supervisors review of certain SFMTA decisions [Charter Sections 8A.102(b)(7)(i) and 8A.102(b)(8)(i)]. In 2018, the Board of Supervisors exercised its authority to review certain SFMTA decision by enacting Transportation Code, Division I, Section 10.1.

Amendments to Section 203 are precipitated by the recent enactment of Section 10.1 in Division I of the Transportation Code. Section 10.1 sets forth the types of SFMTA decisions that can be reviewed by the Board of Supervisors following a final SFMTA decision and the procedures for that review.

- Section 203(a) cross-references the definition of a “Final SFMTA Decision” that is reviewable by the Board of Supervisors as set forth in Section 10.1. Subject to some exceptions, these SFMTA decisions include the:
 - (1) installation or removal of a stop sign; (2) creation or elimination of a preferential parking zone (e.g., Residential Parking Permit areas); (3) creation or elimination of a parking meter zone; (4) adoption of a limitation on the time period for which a vehicle may be parked (e.g., color curbs, taxi stands, shuttle zones, time-limited parking); (5) creation or elimination a Class III bikeway or bike route; (6) creation, continuation or substantial modification of a pilot or temporary program involving any of (1) through (5) above; and (7) creation or substantial modification of a “Private Transportation Program” that may create or eliminate a preferential parking zone, or that may limit the time period for which a vehicle may be parked, including providing access to the curb, in order to regulate or accommodate private transportation services.

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- Section 203(b) makes explicit that notice shall be provided either by mail or email to the requestor of a parking or traffic modification, which may be reviewed by the Board of Supervisors, whenever the City Traffic Engineer either declines the request or declines to advance the request to the SFMTA Board. It also requires that the notice include the date and action taken by the City Traffic Engineer in order to provide a clear demarcation when the 30-day appeal period begins.
- Section 203(c) adjusts the procedures by which a member of the public can request an internal SFMTA review of a City Traffic Engineer decision to decline installation of a parking or traffic modification (e.g., STOP signs) by the Director of Transportation or his/her designee. The SFMTA intends that the Sustainable Streets Director will serve as the Director of Transportation's designee for this purpose.
- Section 203(d) contains the most substantive change. Currently, if the Director of Transportation chooses to reverse the City Traffic Engineer's decision, that decision is referred to the SFMTA Board. As a result, it would be up to the SFMTA Board to decide whether or not to approve the proposed traffic or parking modification. Under the proposed change, the Director of Transportation (or his/her designee) will either reverse or affirm the City Traffic Engineer's decision and that decision will become the Final SFMTA Decision with no further review by the SFMTA Board. This change is being proposed because, with the enactment of Section 10.1, the Board of Supervisors can now review Final SFMTA Decisions and, as a result, this review procedure allows an opportunity for members of the public to share their rationale for wanting a particular parking or traffic modification with elected officials. The proposed change provides for a more streamlined review process by providing for only one public hearing - as opposed to two - which will result in a more timely resolution of a parking or traffic modification appeal.

As of this date, the SFMTA has not received any request for review of a Final SFMTA Decision - either by the SFMTA Board or the City Traffic Engineer - submitted by a member of the public.

STAKEHOLDER ENGAGEMENT

An overview of the Board of Supervisors review procedures as well as the proposed Transportation Code amendments were presented to the SFMTA Citizens' Advisory Council (CAC) on November 1, 2018. The CAC asked questions to gain a better understanding of what parking and traffic modifications are subject to Board of Supervisors review and the associated review process. The CAC did not make any recommendations on the item.

A draft of the proposed Transportation Code amendments was shared with the District 3

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Supervisor because he previously expressed an interest in reviewing these amendments.

ALTERNATIVES CONSIDERED

The alternative would be not to make the amendments. This would mean taking street cleaning time limits signs to the SFMTA Board for approval, not codifying existing procedures around red zones for fire hydrants, and not harmonizing the Transportation Code Division II with Division I provisions.

FUNDING IMPACT

There is no funding impact.

ENVIRONMENTAL REVIEW

On December 14, 2018, the SFMTA, under authority delegated by the Planning Department, determined that the Transportation Code Sections 201 and 203 amendments are 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 calendar item.

Certain final SFMTA Decisions, whether made by the City Traffic Engineer or the SFMTA Board, can be reviewed by the Board of Supervisors pursuant to Ordinance 127-18. Information about the review process can be found at:

https://sfbos.org/sites/default/files/SFMTA_Action_Review_Info_Sheet.pdf.

This calendar item is not subject to BOS review because it is not proposing any parking and traffic modifications.

RECOMMENDATION

Staff recommend that the SFMTA Board approve the proposed amendments to Transportation Code, Division II, Sections 201 and 203 to: (1) authorize the City Traffic Engineer to install signs prohibiting parking for street cleaning on the dates and times requested by the Department of Public Works; (2) revise signage or red curb marking requirements for parking restrictions near fire hydrants; (3) require SFMTA Board of Directors approval to close a street to vehicular traffic for other than ISCOTT permitted events; and (4) revise the procedure for a Final SFMTA Decision that is subject to San Francisco Board of Supervisors review.

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. _____

WHEREAS, Staff has identified a number of amendments to Transportation Code, Division II, Section 201 to authorize the City Traffic Engineer to install signs prohibiting parking for street cleaning on the dates and times requested by the Department of Public Works, revise signage or red curb marking requirements for parking restrictions near fire hydrants, and require SFMTA Board of Directors approval to close a street to vehicular traffic for other than ISCOTT permitted events to codify existing SFMTA's current practices; and

WHEREAS, Staff has identified various amendments to Transportation Code, Division II, Section 203 to revise the procedure for a Final SFMTA Decision that is subject to San Francisco Board of Supervisors review to bring it into conformity with the recently enacted Section 10.1 in Division I of the Transportation Code; and

WHEREAS, Staff has identified an opportunity to streamline the review process for when a City Traffic Engineer declines to implement a parking or traffic modification; and

WHEREAS, The proposed amendments to the Transportation Code, Division II, Sections 201 and 203 would: (1) authorize the City Traffic Engineer to install signs prohibiting parking for street cleaning on the dates and times requested by the Department of Public Works; (2) revise signage or red curb marking requirements for parking restrictions near fire hydrants; (3) require SFMTA Board of Directors approval to close a street to vehicular traffic for other than ISCOTT permitted events; and (4) revise the procedure for a Final SFMTA Decision that is subject to San Francisco Board of Supervisors review; and

WHEREAS, On December 14, 2018, the SFMTA, under authority delegated by the Planning Department, determined that the proposed Transportation Code amendments are not a "project" pursuant to the California Environmental Quality Act (CEQA) and 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; now, therefore, be it

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RESOLVED, That the San Francisco Municipal Transportation Agency Board of Directors amends Transportation Code, Division II, Sections 201 and 203 to: (1) authorize the City Traffic Engineer to install signs prohibiting parking for street cleaning on the dates and times requested by the Department of Public Works, (2) revise signage or red curb marking requirements for parking restrictions near fire hydrants, (3) require SFMTA Board of Directors approval to close a street to vehicular traffic for other than ISCOTT permitted events, and (4) revise the procedure for a Final SFMTA Decision that is subject to San Francisco Board of Supervisors review.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of January 15, 2019.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency

[Transportation Code – Procedures for Implementing Parking and Traffic Controls; Final SFMTA Decision]

Resolution amending Division II of the Transportation Code to: (1) authorize the City Traffic Engineer to install signs prohibiting Parking for street cleaning on the dates and times requested by the Department of Public Works, (2) revise signage or red curb marking requirements for Parking restrictions near fire hydrants, (3) require SFMTA Board of Directors approval to close a street to vehicular traffic for other than ISCOTT permitted events as provided in Division I, Article 6, and (4) revise the procedure for a Final SFMTA Decision that is subject to San Francisco Board of Supervisors review pursuant to Division I, Article 10.

NOTE: Additions are single-underline Times New Roman;
deletions are ~~strike-through Times New Roman~~.

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

Section 201. Article 200 of Division II of the Transportation Code is hereby amended by revising Sections 201 and 203, to read as follows:

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:

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(1) Identify, study and implement measures to improve traffic conditions and increase the safety of vehicles and pedestrians in furtherance of the City's Transit First Policy.

(2) Review and investigate requests to install, modify, or remove Traffic Control Devices.

(3) Install color curb markings, including painting red zones not to exceed 20 (continuous) feet in length where needed to ensure public safety, proper Parking Meter spacing, or vehicular access to private or public driveways and Streets.

(4) Design, install, operate, and maintain Traffic Control Devices as necessary to guide, warn, and control moving vehicular and pedestrian traffic.

(5) Install or remove any temporary Traffic Control Devices on any Street for the purpose of controlling Parking or traffic during emergencies, special conditions or events, construction work, short-term testing, or when necessary for the protection of public health and safety. Such temporary Traffic Control Devices shall be removed when they are no longer required following the emergency, condition, or event.

(6) Implement Parking and traffic control measures approved by the SFMTA Board of Directors.

(7) Determine the hours and days during which any Traffic Control Device shall be in operation except where such hours or days are established by law or by resolution of the SFMTA Board of Directors.

(8) Conduct engineering and traffic surveys necessary to establish and maintain appropriate speed limits.

(9) Regulate or prohibit obstructions on Streets and grant or deny Special Traffic Permits.

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(10) Mark center lines, lane lines, crosswalks, the boundaries of Parking Spaces associated with Parking Meters, and other distinctive markings upon the surface of any Street, or place any signs to indicate the course to be traveled by vehicles or pedestrians.

(11) Take other actions to regulate Parking and traffic or prohibit Obstructions to Traffic which do not require public hearing or approval of the SFMTA Board of Directors as described in subSections (b) and (c) of this Section 201.

(12) To remove without notice any unauthorized Traffic Control Device, including color curb markings or other markings that regulate Parking and traffic.

(13) Indicate by signs or red curb markings where Parking is prohibited by five within 15 feet on each side of any low pressure fire hydrant, and by seven and one-half feet on each side of any high pressure fire hydrant.

(14) Carry out all functions of the City Traffic Engineer consistent with all laws, regulations, generally accepted traffic engineering standards, and SFMTA policies.

(15) Install signs giving notice of the days and hours that Parking is prohibited in order to allow street cleaning as requested by the Department of Public Works.

(b) Public Hearings. The following Parking and traffic measures may be implemented following a public hearing:

(1) Locate and install Traffic Calming Devices.

(2) Designate the location of Stands, the types of vehicles authorized to use such Stands, and the days and hours in which Parking restrictions shall be enforced at any Stand.

(3) With the exception of blue zones for the exclusive use of persons with disabilities designated in accordance with Vehicle Code § 21458(a)(5), determine

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the locations for Parking restrictions designated by painted curb colors in accordance with Vehicle Code Section 21458 and the times that Parking is prohibited in such locations.

(4) Determine the locations of Truck Loading Zones and the times that Parking is prohibited in that Zone.

(5) Designate motorcycle Parking Spaces.

(6) Designate on-street bicycle Parking Spaces for the installation and use of Bicycle Racks and Bicycle Sharing Stations, or to grant a permit for a Stationless Bicycle Share Program. In the event that a temporary relocation of a bicycle parking space, bicycle rack, or bicycle sharing station is necessary to improve safety or traffic operations, or to accommodate construction or roadway maintenance, the Director of Transportation has the authority to temporarily relocate a bicycle parking space, bicycle rack, or bicycle sharing station prior to holding a public hearing. If the bicycle parking space, bicycle rack, or bicycle sharing station will be temporarily relocated for less than ninety days, no public hearing is required. If the temporary relocation is for ninety days or longer, a public hearing must be held within ninety days following the temporary relocation.

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

(1) Designate Parking Meter Zones and Streets on which Parking Meters are to be installed in each Parking Meter Zone.

(2) Designate blue zone Parking Spaces for the exclusive use of persons with disabilities in accordance with Vehicle Code § 21458(a)(5).

(3) Establish, modify, or eliminate preferential Parking programs in accordance with Vehicle Code §§ 22507 and 22507.1, including the applicable geographical area(s) and the days and hours of applicable Parking restrictions.

(4) Install or remove bicycle lanes.

(5) Implement the following changes within the bicycle route network, as defined in the most recent update of the Transportation Element of the San Francisco General Plan:

(A) The narrowing of right-hand travel lanes with Parking, including turn lanes to less than 22 feet or the narrowing of right-hand travel lanes without Parking, including turn lanes to less than 14 feet;

(B) The narrowing or elimination of any bicycle lanes, bicycle paths, or bicycle routes;

(C) The addition of traffic lanes, except where such lanes consist of left-turn or right-turn pockets.

(D) Subsections (c)(5)(A) through (c)(5)(C) shall not apply to construction zones involving temporary changes to lane widths or lane configurations.

(6) Designate intersections at which right, left, or U turns are prohibited.

(7) Designate intersections at which turns against a red or stop signal are prohibited.

(8) Establish multiple turn lanes where vehicles can make right or left turns from more than one lane.

(9) Designate one-way Streets.

(10) Designate intersections at which one direction of traffic shall be required to yield to the other.

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(11) Designate intersections at which traffic shall be required to stop, or where a required stop is eliminated.

(12) Designate the location of all bus zones for the use of public transit vehicles.

(13) Set time limits for, and the days and hours of enforcement of, any Parking restriction except for street cleaning Parking restrictions.

(14) Establish or close a crosswalk.

(15) Establish a tow-away zone.

(16) Designate the angle or direction in which vehicles are required to Park on the Street.

(17) Designate locations where Parking by vehicles over 6 feet high is restricted within 100 feet of an intersection.

(18) Establish bus, truck, and weight restrictions on Streets.

(19) Establish transit only lane regulations.

(20) Establish speed limits on Streets.

(21) Establish on-street Car Share Vehicle Parking Spaces.

(22) Designate 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.

(23) Close a street to vehicular traffic for non-ISCOTT permitted events authorized by Division I, Article 6.

SEC. 203. FINAL SFMTA DECISION; REQUEST FOR REVIEW.

(a) ~~Board of Directors~~ Final SFMTA Decisions. Any decision by (1) the SFMTA Board of Directors or Director of Transportation, or his or her designee, or (2) the City Traffic

~~Engineer approving a request for a parking or traffic modification, which may be reviewed by the Board of Supervisors as set forth in Division I, Section 10.1 of this Code of the SFMTA Board of Directors to install or remove a stop sign, to create or eliminate a bicycle lane, to create or eliminate a preferential Parking zone pursuant to Sections 22507 or 22507.1 of the Vehicle Code, create or eliminate a Parking Meter zone, adopt a short term Parking restriction, or establish or remove a blue zone shall, upon approval, be a Final MTA Decision.~~

(b) City Traffic Engineer Decisions. Whenever the City Traffic Engineer declines a request for a parking or traffic modification which may be reviewed by the Board of Supervisors as set forth in Division I, Section 10.1, or declines a public request from the public to recommend to the SFMTA Board a parking or traffic modification which may be reviewed by the Board of Supervisors as set forth in Division I, Section 10.1 ~~any of the actions identified in subsection (a)~~, notice of such decision shall be mailed or emailed to the requestor at the address or email address provided by the requestor and shall include the date and action taken by the City Traffic Engineer. If the request was made by petition, notice shall be mailed or emailed to the primary contact for the petition.

(c) Request for Review. Any person may submit by mail or email to an address indicated on the SFMTA's website, a written and signed request for review of any decision made by the City Traffic Engineer declining a request for a parking or traffic modification pursuant to subsection (b) to the Director of Transportation or his or her designee. The request for review shall specify the grounds for review of the decision and the name and mailing address, or email address, of the person submitting the request. Such request must be received by the SFMTA on or before the 30th day following the date that the notice of decision is posted on the SFMTA website or is mailed or emailed, whichever date is later.

(d) Director of Transportation's Determination. Within 30 calendar days of receiving a request for review, the Director of Transportation or his or her designee shall determine whether to affirm the decision of the City Traffic Engineer or reverse that decision ~~or refer the matter to the SFMTA Board of Directors. If~~ Whether the Director of Transportation or his or her designee affirms or reverses the determination of the City Traffic Engineer, ~~that the request for review is denied and the decision becomes a Final SFMTA Decision.~~ Notice of the Final SFMTA Decision shall be mailed or emailed to the requestor at the address provided by the requestor and shall include the date of the decision and describe the decision or action taken by the SFMTA. If the request was made by petition, notice shall be mailed or emailed to the primary contact for the petition.

~~(e) — SFMTA Board of Directors Hearing. If the request for review is referred to the SFMTA Board of Directors, notice of the time and place of such hearing shall be mailed to the requestor and posted in accordance with the requirements of Section 202.~~

Section 2. Effective Date. This ordinance shall become effective 31 days after enactment. Enactment occurs when the San Francisco Municipal Transportation Agency Board of Directors approves this ordinance.

Section 3. Scope of Ordinance. In enacting this ordinance, 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 ordinance as additions or deletions in accordance with the "Note" that appears under the official title of the ordinance.

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APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: _____
JOHN I. KENNEDY
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 January 15, 2019.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency