

THIS PRINT COVERS CALENDAR ITEM NO: 10.2

**SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY**

DIVISION: Streets

BRIEF DESCRIPTION:

Approving a Roadway Shared Spaces street closure of Fulton Street between Hyde and Larkin streets, Sunday, September 1, 2024, through Tuesday, August 31, 2027, 24-hours daily; and making environmental review findings.

SUMMARY:

- Roadway Shared Spaces closures which significantly interfere with or delay a public transit service, exceed ten consecutive hours per day over four consecutive days per week, or exceed a total period of time more than two years are considered to be a Longer-Term Closure and therefore require approval from this Board.
- The proposed Roadway Shared Spaces closures would close Fulton Street between Hyde and Larkin streets to vehicular traffic for a period of three years.
- This SFMTA Board of Directors meeting will serve as the public hearing forum for the proposed Roadway Shared Spaces street closure.
- The proposed Roadway Shared Spaces street closure has been reviewed pursuant to the California Environmental Quality Act (CEQA).

ENCLOSURES:

1. SFMTAB Resolution
2. Memorandum of Understanding Regarding Recreation-Related Activities on Fulton Plaza (Fulton Between Larkin and Hyde)
3. Better Streets Plan Mitigated Negative Declaration
http://sfmea.sfplanning.org/2007.1238E_FMND.pdf
4. Better Streets Plan CEQA Findings, Planning Commission Resolution
https://sfplanning.s3.amazonaws.com/default/files/meetingarchive/planning_dept/sfplanning.org/ftp/files/Commission/cpcpackets/2007.1238emrtu.pdf
5. Better Streets Plan Mitigated Negative Declaration Shared Spaces Addendum
<https://citypln-mextnl.sfgov.org/SharedLinks.aspx?accesskey=bc61363c7effb77e5715d781677a071ae265f0cdf27c18bd9d91b3402e0900a&VaultGUID=A4A7DACD-B0DC-4322-BD29-F6F07103C6E0>

APPROVALS:

		DATE
DIRECTOR		July 10, 2024
SECRETARY		July 10, 2024

ASSIGNED SFMTAB CALENDAR DATE: July 16, 2024

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PURPOSE

Approving a Roadway Shared Spaces street closure of Fulton Street between Hyde and Larkin street, Sunday, September 1, 2024, through Tuesday, August 31, 2027, 24-hours daily; and making environmental review findings.

STRATEGIC PLAN GOALS AND TRANSIT FIRST POLICY PRINCIPLES

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

Goal 6: Eliminate pollution and greenhouse gas emissions by increasing use of transit, walking and bicycling.

Goal 7: Build stronger relationships with stakeholders.

This item will support the following Transit First Policy Principles:

1. To ensure quality of life and economic health in San Francisco, the primary objective of the transportation system must be the safe and efficient movement of people and goods.
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.

DISCUSSION

Fulton Plaza Roadway Shared Spaces Closure

Fulton Street between Hyde and Larkin Street, commonly known as Fulton Plaza, is a two-lane, two-way roadway located in the Civic Center area. The subject segment of Fulton Street is continuous for one block in length only and is bordered by UN Plaza to the east and Civic Center Plaza to the west.

Fulton Plaza has been continuously closed to vehicular traffic since Spring 2020, originally under the authority of the Mayor's COVID emergency declaration and later through the Roadway Shared Spaces program. During this time Fulton Plaza has served a number of uses, initially serving as a Safe Sleeping site, then a recreational space including a roller-skating rink, and later a carnival. Since September 2023 Fulton Plaza has hosted the Heart of the City Farmers Market as well as other vendor markets, temporary art installations, a concert series, and other events.

Activation of Fulton Plaza is consistent with the recommendations of the Civic Center Public Realm Plan, a community-driven effort lead by the Planning Department which provided recommendations for an enhanced public realm in the Civic Center area.

On June 17, 2024, the SFMTA entered into a Memorandum of Understanding with San Francisco Public Works and the San Francisco Recreation and Park Department memorializing

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an agreement between all three City agencies to authorize the Recreation and Park Department to continue providing, coordinating, and permitting the activation of Fulton Plaza so long as Fulton Street remains closed by SFMTA.

The SFMTA Board of Directors most recently approved a roadway shared spaces closure of the area and permit to the Civic Center Community Benefit District on October 2, 2023, to provide space for the Heart of The City farmers market, Gift Gallery, and for other retail, entertainment, recreation, and community services. This item would extend the existing Roadway Shared Spaces closure of Fulton Street between Hyde Street and Larkin streets, 24-hours daily, for an additional three-year period, and grant a permit to the Recreation and Park Department to activate the space, consistent with the Memorandum of Understanding. No changes are proposed to the closure footprint or schedule from the closure previously approved by the SFMTA Board of Directors at their meeting on October 3, 2023.

The request is to close the following areas to vehicular traffic:

- Fulton Street between Hyde and Larkin streets, Sunday, September 1, 2024, through Tuesday, August 31, 2027, 24-hours daily.

The SFMTA Board of Directors is asked to consider the approval of a Longer-Term Closure of the above areas under the authority granted by California Vehicle Code section 21101 and Div. II, section 206 of the Transportation Code. In doing so the Board would find based upon a determination of public convenience and necessity that the subject portion of Fulton Street is no longer needed for vehicular traffic during the proposed closure hours, and that the street closures are necessary for the safety and protection of the public who will use the street during the closure.

ITEMS

This SFMTA Board of Directors meeting will serve as the public hearing forum for the following item:

- ESTABLISH –ROAD CLOSURE – Fulton Street from Hyde Street to Larkin Street, Sunday, September 1, 2024, through Tuesday, August 31, 2027, 24-hours daily.

This item would extend the Roadway Shared Spaces closure of Fulton Street to allow for continued activation of Fulton Plaza coordinated and permitted by the Recreation and Park Department.

STAKEHOLDER ENGAGEMENT

This SFMTA Board of Directors meeting will serve as the public hearing forum for the proposed Roadway Shared Spaces closure. Staff will post public notices detailing the proposed closure in the vicinity of Fulton Plaza in advance of this SFMTAB hearing.

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ALTERNATIVES CONSIDERED

The details of the proposed closure presented in this item is as agreed upon in the Memorandum of understanding entered into with San Francisco Public Works and the San Francisco Recreation and Park Department.

FUNDING IMPACT

This item has no financial impact.

ENVIRONMENTAL REVIEW

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

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

OTHER APPROVALS RECEIVED OR STILL REQUIRED

Pursuant to section 206 of the Transportation Code, the decision of the SFMTA Board of Directors with respect to any proposed Longer-Term Closure of a Traffic Lane shall be final.

The City Attorney has reviewed this item.

RECOMMENDATION

Staff recommends the Board approve the Roadway Shared Spaces street closure of Fulton Street between Hyde and Larkin streets, Sunday, September 1, 2024, through Tuesday, August 31, 2027, 24-hours daily; and make environmental review findings.

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. _____

WHEREAS, On June 17, 2024, the SFMTA entered into a Memorandum of Understanding with San Francisco Public Works and the San Francisco Recreation and Park Department memorializing an agreement between all three City agencies to authorize the Recreation and Park Department to continue providing, coordinating, and permitting the activation of Fulton Plaza so long as Fulton Street remains closed by SFMTA; and,

WHEREAS, The San Francisco Municipal Transportation Agency has received a request for a Roadway Shared Spaces street closure as follows:

- A. ESTABLISH – ROAD CLOSURE – Fulton Street between Hyde and Larkin streets, Sunday, September 1, 2024, through Tuesday, August 31, 2027, 24-hours daily; and,

WHEREAS, The subject portion of the above listed streets are no longer needed for vehicular traffic during the proposed closure hours and the street closure are necessary for the safety and protection of the public who will use those portions of the streets during the closure; and,

WHEREAS, On September 17, 2010, the San Francisco Planning Department published the Better Streets Plan Final Mitigated Negative Declaration (Better Streets Plan FMND, Case No. 2007.1238E), and under the California Environmental Quality Act (CEQA), the CEQA Guidelines, and Chapter 31 of the Administrative Code—the San Francisco Planning Commission adopted CEQA Findings, a Mitigation Monitoring and Reporting Program (MMRP) on October 28, 2010 under Motion 18211; and,

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

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

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

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

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

RESOLVED, That the San Francisco Municipal Transportation Agency approves the item above, and finds that the subject portion of the above listed street is no longer needed for vehicular traffic during the proposed closure hours and the street closure is necessary for the safety and protection of the public who will use that portion of the street during the closure.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of July 16, 2024.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency

**MEMORANDUM OF UNDERSTANDING
REGARDING RECREATION-RELATED ACTIVITIES
ON FULTON PLAZA
(FULTON BETWEEN LARKIN AND HYDE)**

This Memorandum of Understanding ("MOU"), dated June 17, 2024, is entered into by and between three Departments of the City and County of San Francisco ("City"), San Francisco Public Works ("Public Works"), San Francisco Municipal Transportation Agency ("MTA") and Recreation and Park Department ("RPD").

Recitals

- A. The purpose of this MOU is to memorialize the agreement between Public Works, MTA and RPD regarding the permitting of activities on Fulton Street between Larkin Street and Hyde Street ("Fulton Plaza").
- B. From 2017 to 2019, the Planning Department led an effort to re-envision the Civic Center Area in a collaborative, community-driven effort culminating in the Civic Center Public Realm Plan, which provided recommendations for an enhanced public realm in the Civic Center Area with neighborhood recreational uses on the eastern end by UN Plaza leading to the grand civic area with City Hall on the western end. The Public Realm Plan encouraged experimenting in this area to test ideas which would positively activate UN Plaza and Fulton Plaza.
- C. With the reduction of daily office workers, cultural visitors, students and others as a result of the COVID-19 Pandemic, systemic issues at UN Plaza and Fulton Plaza exacerbated.
- D. In September 2023, RPD working with the Civic Center Community Benefit District ("CCCBD") implemented plans to activate UN Plaza and Fulton Plaza with increased recreational activities, which have since made significant improvements to the sites. Since September 2023, Fulton Plaza has been closed to vehicles by installation of bollards which allow it to be used for a variety of recreational activities including the Heart of the City Farmers' Market, live music, temporary art installations and other events. ISCOTT has granted permits to facilitate those activities, but RPD has coordinated the recreational activities at Fulton as it does for UN Plaza and Civic Center Plaza.
- E. The parties believe that it would be beneficial and appropriate for RPD to assume direct responsibility for providing, coordinating and permitting all recreational activities on behalf of MTA and Public Works in Fulton Plaza to improve efficiency and coordination. RPD will continue to develop programming to provide activation elements for healthy, active recreation while maintaining visual and safe pedestrian access and emergency access along the civic spine running from UN Plaza to Civic Center Plaza.
- F. Currently RPD is responsible for maintaining Civic Center Plaza and Public Works is responsible for maintaining UN Plaza and Fulton Plaza. This MOU will not change maintenance responsibilities, although RPD and Public Works pledge to continue to work collaboratively in support of the public realm in all three spaces in partnership with the CCCBD.

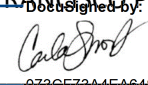
Agreement

- A. Public Works and SFMTA authorize RPD to continue providing, coordinating and permitting recreational activities on Fulton Plaza.
- B. RPD agrees to provide recreational activities on behalf of and in consultation with the other parties to this MOU. To the extent either Public Works or SFMTA have pending applications for permits for the use of Fulton Plaza or receive future permit requests, they shall consult and coordinate with RPD.
- C. This MOU may not be modified except by signed written agreement of the parties.
- D. This MOU shall remain in force until one party notifies the other parties in writing that it wishes to terminate the MOU. In that case, the MOU shall terminate 12 months after such written notice to amend this original MOU. In the event the MOU terminates, any existing permits issued by RPD shall remain in effect, and RPD will transfer to ISCOTT, SFMTA, or Public Works, as appropriate, any pending applications so that the appropriate agency can resume permitting.
- E. This MOU remains in effect when Fulton Street is officially closed by SFMTA.

IN WITNESS WHEREOF, the parties executed this Agreement in San Francisco as of the date first written above.

AGREED TO AS WRITTEN ABOVE:

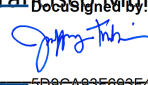
CITY AND COUNTY OF SAN FRANCISCO,
SAN FRANCISCO PUBLIC WORKS

DocuSigned by:

By: _____
CARLA SHORT
Director
Date: 6/17/2024

Authorized by
San Francisco Public Works

AGREED TO AS WRITTEN ABOVE:

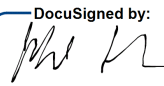
CITY AND COUNTY OF SAN FRANCISCO,
San Francisco Municipal Transportation Agency

DocuSigned by:

By: _____
JEFFREY TUMLIN
Director of Transportation
Date: 6/17/2024

Authorized by
San Francisco Municipal Transportation Agency

AGREED TO AS WRITTEN ABOVE:

CITY AND COUNTY OF SAN FRANCISCO,
SAN FRANCISCO RECREATION AND PARK DEPARTMENT

DocuSigned by:

By: _____
PHIL GINSBURG
General Manager
Date: 6/17/2024

Authorized by
San Francisco Recreation and Park Department