

**THIS PRINT COVERS CALENDAR ITEM NO.: 10.6**

**SAN FRANCISCO  
MUNICIPAL TRANSPORTATION AGENCY**

**DIVISION:** Streets

**BRIEF DESCRIPTION:**

Amending Transportation Code, Division II, Section 503 to add a commercial tour bus restriction on 8<sup>th</sup> Avenue between Cabrillo and Fulton Streets.

**SUMMARY:**

- The proposed tour bus restriction was requested by District 1 Supervisor Connie Chan and residents living on this block.
- The request comes from concerns of noise generated by open topped tour buses with loudspeakers, air pollution, and unnecessary heavy vehicle traffic compounded by the existing Safeway loading dock and Muni buses.
- The proposed action is the Approval Action as defined by the S. F. Administrative Code Chapter 31.

**ENCLOSURES:**

1. SFMTAB Resolution
2. Transportation Code Legislation

**APPROVALS:**

**DATE**

DIRECTOR		<u>July 31, 2024</u>
SECRETARY		<u>July 31, 2024</u>

**ASSIGNED SFMTAB CALENDAR DATE:** August 6, 2024

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## **PURPOSE**

Amending Transportation Code, Division II, Section 503 to include a restriction on commercial vehicles/tour buses with nine seats or more on one block of 8th Avenue, between Cabrillo Street and Fulton Street.

## **STRATEGIC PLAN GOALS AND TRANSIT FIRST POLICY PRINCIPLES**

The proposed amendment to the Transportation Code to add a commercial tour bus restriction on 8<sup>th</sup> Avenue between Cabrillo and Fulton streets supports the SFMTA Strategic Goals in addition to the Transit First Policy below:

Goal 4: Make streets safer for everyone.

The proposed amendment to the Transportation Code also supports the SFMTA Transit-First Policy principles indicated below:

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.

## **DESCRIPTION**

The Transportation Code restricts commercial vehicles with a passenger capacity of nine or more (including the driver) from travelling on a number of street segments. These street segments are typically residential streets near a tourist attraction that are not considered a commercial route nor suitable for large vehicles to operate on without endangering the safety of other users of the road.

This block of 8<sup>th</sup> Avenue is adjacent to one of the entrances to Golden Gate Park. Eighth Avenue also has a shared bike and vehicle use lane that many cyclists use to travel to the park. According to neighbors living on that block, numerous tour buses travel off the prescribed bus routes shown on the company's website and detour to this local residential street. Currently, there exists a Safeway loading dock and Muni 44 – O'Shaughnessy on this block of 8<sup>th</sup> Avenue. Additionally, Muni 5 – Fulton and 21 – Hayes use this block of 8<sup>th</sup> Avenue as a turnaround. Routing of tour buses has exacerbated existing traffic, noise, and pollution issues caused by heavy vehicles on this block. Residents and District 1 Supervisor have requested to restrict commercial vehicles/tour buses from travelling on this block of 8<sup>th</sup> Avenue.

The proposed commercial vehicle/tour bus restriction is as follows:

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- A. ESTABLISH – TOUR BUSES WITH NINE OR MORE SEATS– 8<sup>th</sup> Avenue, between Cabrillo Street and Fulton Street

### **STAKEHOLDER ENGAGEMENT**

In accordance with SFMTA procedures, on June 14, 2024, a public hearing was held to consider the proposed changes.

A notice indicating the public hearing date, time, location, and purpose was posted in the area affected by these tour bus restrictions at least one week in advance of the hearing date. Public comments were received predominantly in favor of the proposed restrictions at the public hearing.

### **ALTERNATIVES CONSIDERED**

The alternative would be not to approve these vehicle restrictions. All vehicles may continue to travel on these streets legally. This alternative would not address the traffic impact of commercial vehicles compounding with heavy vehicle loading activity and buses that utilize 8<sup>th</sup> Avenue, therefore this alternative was rejected.

### **FUNDING IMPACT**

There is no financial impact to the City. The installation and maintenance costs for signs are budgeted in the SFMTA's existing operating budget.

### **ENVIRONMENTAL REVIEW**

The proposed tour bus restriction is subject to the California Environmental Quality Act (CEQA). Title 14 of the California Code of Regulations Section 15301 provides an exemption from environmental review for operation, repair, maintenance, or minor alteration of existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities.

On June 5, 2024, the SFMTA, under authority delegated by the Planning Department, determined that the proposed tour bus restriction (Case No. 2024-005904ENV) are categorically exempt from CEQA pursuant to Title 14 of the California Code of Regulations Section 15301.

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 is incorporated herein by reference.

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**OTHER APPROVALS RECEIVED OR STILL REQUIRED (FOR CAT: PLEASE REVIEW)**

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

**RECOMMENDATION**

Staff recommends that the San Francisco Municipal Transportation Agency Board of Directors amends the Transportation Code, Division II, Section 503 to include a commercial vehicle/tour bus restriction on 8th Avenue between Cabrillo Street and Fulton Street.

SAN FRANCISCO  
MUNICIPAL TRANSPORTATION AGENCY  
BOARD OF DIRECTORS

RESOLUTION No. \_\_\_\_\_

WHEREAS, The SFMTA received several requests from residents and the District 1 Supervisor to establish a tour bus restriction on 8th Avenue between Cabrillo Street and Fulton Street; and,

WHEREAS, The block of 8th Avenue between Cabrillo Street and Fulton Street has numerous tour buses that detour off their prescribed routes, resulting in exacerbating traffic, pollution, and noise; and,

WHEREAS, The SFMTA proposes that the following restriction for the following location be added to the Transportation Code:

- A. ESTABLISH – TOUR BUSES WITH NINE OR MORE SEATS– 8th Avenue, between Cabrillo Street and Fulton Street; and,

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

WHEREAS, There is minimal funding impact to the City; and,

WHEREAS, On June 5, 2024, the SFMTA, under authority delegated by the Planning Department, determined that the proposed restriction is categorically exempt from CEQA pursuant to Title 14 of the California Code of Regulations Section 15301; 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 SFMTA’s determination is on file with the Secretary for the SFMTA Board of Directors; and now therefore be it

RESOLVED, that the San Francisco Municipal Transportation Agency Board of Directors amends the Transportation Code, Division II, Section 503 to add the street segment of 8th Avenue between Cabrillo Street and Fulton Street on which commercial vehicles with nine or more seats are restricted.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of August 6, 2024.

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Secretary to the Board of Directors  
San Francisco Municipal Transportation Agency

RESOLUTION NO.

[Transportation Code – Commercial Vehicle Street Restrictions]

**Resolution amending the Transportation Code, Division II, to prohibit commercial vehicles with seating capacity of nine or more persons (including the driver) from traveling on 8th Avenue between Cabrillo and Fulton Streets.**

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 500 of Division II of the Transportation Code is hereby amended by revising Section 503 to read as follows:

**SEC. 503. COMMERCIAL PASSENGER VEHICLES; RESTRICTED STREETS.**

(a) **Prohibition.** Operation of a commercial vehicle with seating capacity of nine or more persons (including the driver), used or maintained for the transportation of persons for profit, upon any Street listed in Section 503(b) is a violation of Division I, Section 7.2.87 (Commercial Passenger Vehicle Restrictions).

(b) **Restricted Streets.** Except as otherwise provided in this Code, no person shall operate a commercial vehicle with seating capacity of nine or more persons, including the driver, used or maintained for the transportation of persons for profit, upon the following Streets or within the following areas:

6th Avenue, between Lincoln Way and Kirkham Street.

8th Avenue, between Cabrillo Street and Fulton Street.

16th Avenue, between Lawton and Noriega Streets.

\* \* \* \*

Section 2. 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 3. 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 August 6, 2024.

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Secretary to the Board of Directors  
San Francisco Municipal Transportation Agency