

**SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY**

DIVISION: Sustainable Streets

BRIEF DESCRIPTION:

Amending Division II of the San Francisco Transportation Code by amending Section 503 to codify street restrictions approved by the San Francisco Municipal Transportation Agency (SFMTA) Board of Directors at its June 7, 2011 meeting, restricting commercial vehicles with a capacity of nine or more passengers (including the driver) from operating on Mason, Powell and Stockton streets between Lombard and Francisco streets, and on Lombard, Chestnut and Francisco streets between Mason and Stockton streets.

SUMMARY:

- Under Proposition A, the SFMTA Board of Directors has authority to adopt parking and traffic regulation changes.
- Under the California Vehicle Code, the SFMTA Board of Directors has the authority to act by resolution to prohibit the use of particular streets by certain vehicles.
- Existing street restrictions for commercial vehicles are codified in Section 503 of Division II of the San Francisco Transportation Code.
- At its June 7, 2011 meeting, the SFMTA Board of Directors approved a series of traffic modifications, including restricting commercial vehicles with nine or more seats from operating on portions of Mason, Powell, Stockton, Lombard, Chestnut and Francisco streets; however, these restrictions were not codified.
- Codification of the additional commercial vehicle street restrictions, approved at the June 7, 2011 meeting of the Board of Directors, requires a resolution amending Section 503 of the San Francisco Transportation Code.

ENCLOSURES:

1. SFMTAB Resolution
2. Resolution Amending Transportation Code Section 503

APPROVALS:

DATE

DIRECTOR OF DIVISION
PREPARING ITEM _____

FINANCE _____

DIRECTOR _____

SECRETARY _____

ADOPTED RESOLUTION

BE RETURNED TO Jerry Robbins

ASSIGNED SFMTAB CALENDAR DATE: _____

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PURPOSE

Requesting approval of a resolution amending Division II of the San Francisco Transportation Code by amending Section 503 to codify street restrictions approved by the SFMTA Board of Directors at its June 7, 2011 meeting, restricting commercial vehicles with a capacity of nine or more passengers (including the driver) from operating on Mason, Powell and Stockton streets between Lombard and Francisco streets, and on Lombard, Chestnut and Francisco streets between Mason and Stockton streets.

GOAL

This action is consistent with the SFMTA 2008-2012 Strategic Plan.

Goal 1: Customer Focus – To provide safe, accessible, reliable, clean and environmentally sustainable service and encourage the use of auto-alternative modes through the Transit First Policy.

Objective 1.1: Improve safety and security across all modes of transportation.

DESCRIPTION

Under Section 21101(c) of the California Vehicle Code and Section 8A.102(b)7 of the San Francisco Charter, the SFMTA Board of Directors has authority to adopt parking and traffic regulation changes, including the authority to prohibit the use of particular streets by certain vehicles. The SFMTA has established specific street restrictions for commercial vehicles with a capacity of nine or more passengers in Section 503 of Division II the San Francisco Transportation Code.

On May 6, 2011, the SFMTA held a public hearing on adding several street segments to the existing street restrictions applicable to commercial vehicles with a capacity of nine or more passengers. The proposed additional restricted street segments included Mason, Powell and Stockton streets between Lombard and Francisco streets, and Lombard, Chestnut and Francisco streets between Mason and Stockton streets. At its June 7, 2011 meeting, the SFMTA Board of Directors approved a series of traffic modifications, including these proposed street restrictions for commercial vehicles. The restrictions appeared on the Agenda at that meeting as item 10.2.V, and were approved by the Board. Unlike existing street restrictions; however, these additional restrictions were not codified in the Transportation Code.

The enclosed resolution would amend Section 503 of the San Francisco Transportation Code to include the additional commercial vehicle street restrictions approved by the SFMTA Board of Directors at the June 7, 2011 meeting.

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ALTERNATIVES CONSIDERED

If this action is not approved, the Transportation Code would not reflect the recently-adopted restrictions. The alternative would be to rescind the recently-approved restrictions.

FUNDING IMPACT

There is no cost to SFMTA to incorporate these commercial vehicle street restrictions into the San Francisco Transportation Code. These restrictions are enforced by the San Francisco Police Department, not the SFMTA Enforcement Division.

OTHER APPROVALS RECEIVED OR STILL REQUIRED

The proposed modifications to the San Francisco Transportation Code are subject to environmental review under the California Environmental Quality Act (CEQA). The Planning Department determined that the proposed street restrictions were exempt from environmental review under Class 1 (Existing Facilities) prior to the SFMTA Board of Directors' action on June 7, 2011. A copy of the Planning Department's determination is on file in the office of the Secretary for the SFMTA Board of Directors. No other approvals are required.

The City Attorney has reviewed this report and the proposed Transportation Code amendment.

RECOMMENDATION

SFMTA staff recommends that the SFMTA Board of Directors approve and adopt the attached amendment to Section 503 of the San Francisco Transportation Code, codifying street restrictions approved by the SFMTA Board of Directors at its June 7, 2011 meeting, to restrict commercial vehicles with a capacity of nine or more passengers (including the driver) from operating on Mason, Powell and Stockton streets between Lombard and Francisco streets, and on Lombard, Chestnut and Francisco streets between Mason and Stockton streets.

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. _____

WHEREAS, Under Section 21101(c) of the California Vehicle Code and Section 8A.102(b)7 of the San Francisco Charter, the SFMTA Board of Directors has authority to restrict the use of particular streets by certain types of vehicles; and,

WHEREAS, Section 503 of Division II of the San Francisco Transportation Code restricts the use of certain streets by commercial vehicles with nine or more seats (including the driver); and,

WHEREAS, On May 6, 2011, SFMTA held a public hearing on proposed traffic restrictions, including restricting commercial vehicles with nine or more seats (including the driver) from Mason, Powell and Stockton streets between Lombard and Francisco streets, and from Lombard, Chestnut and Francisco streets between Mason and Stockton streets; and,

WHEREAS, The Department of City Planning has determined that the proposed restrictions on commercial vehicles with nine or more seats (including the driver) from Mason, Powell and Stockton streets between Lombard and Francisco streets, and from Lombard, Chestnut and Francisco streets between Mason and Stockton streets are categorically exempt from environmental review under Class 1 (Existing Facilities); and,

WHEREAS, At the June 7, 2011 meeting of the SFMTA Board of Directors, the Board approved Agenda item 10.2.V, establishing restrictions on commercial vehicles with nine or more seats (including the driver) from Mason, Powell and Stockton streets between Lombard and Francisco streets, and from Lombard, Chestnut and Francisco streets between Mason and Stockton streets; and,

WHEREAS, These restrictions have not been codified in the San Francisco Transportation Code; now, therefore, be it

RESOLVED, That the San Francisco Municipal Transportation Agency Board of Directors amends Section 503 of the San Francisco Transportation Code to codify street restrictions approved by the SFMTA Board of Directors at its June 7, 2011 meeting to restrict commercial vehicles with a capacity of nine or more passengers (including the driver) from operating on Mason, Powell and Stockton streets between Lombard and Francisco streets, and on Lombard, Chestnut and Francisco streets between Mason and Stockton streets.

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

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency

[Transportation Code - Commercial Passenger Vehicle Street Restrictions]

Resolution amending Transportation Code Section 503 (Commercial Passenger Vehicles; Restricted Streets) to add Mason, Powell and Stockton Streets between Lombard and Francisco Streets, and Lombard, Chestnut and Francisco Streets between Mason and Stockton Streets to the street segments on which commercial passenger vehicles with a capacity of nine or more passengers (including the driver) are restricted.

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 1. Article 5 of Division II of the Transportation Code is hereby amended by amending 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:

- (1) 6th Avenue, between Lincoln Way and Kirkham Street.

- (2) 16th Avenue, between Lawton and Noriega Streets.
- (3) 15th Avenue, between 14th Avenue and Ortega Street.
- (4) 18th Street, between Church and Market Streets.
- (5) 25th Avenue between Lake Street and El Camino Del Mar.
- (6) 26th Avenue, between Geary Boulevard and California Street, except that tour buses of 6,000 pounds or less in weight may operate in this location.
- (7) Area bounded by Chestnut Street to Baker Street, to Marina Boulevard to Laguna Street, to Bay Street, to Franklin Street and returning to Chestnut Street, and including the boundary streets of the area.
- (8) Area bounded by southerly line of Bay Street and Columbus Avenue, westerly line of Taylor Street, northerly line of Union Street and easterly line of Polk Street.
- (9) Baker Street between Richardson Avenue and Union Street.
- (10) Bay Street between Baker and Lyon Streets.
- (11) Beaumont Avenue between Anza and Turk Streets.
- (12) Broderick Street between O'Farrell and Turk Streets.
- (13) Broderick Street between Richardson Avenue and Union Street.
- (14) Chestnut Street between Lyon Street and Richardson Avenue.
- (15) Chestnut Street between Mason and Stockton Streets.
- ~~(16)~~ Corbett Avenue between 17th and 24th Streets.
- ~~(16)~~17) Eddy Street between Divisadero Street and St. Joseph's Avenue.
- ~~(17)~~18) El Camino Del Mar between 25th Avenue and Legion of Honor Drive.
- ~~(18)~~19) El Camino Del Mar between the Presidio (approximately 290 feet east of 25th Avenue) and 25th Avenue.
- ~~(19)~~20) Ellis Street between Divisadero Street and St. Joseph's Avenue.
- ~~(20)~~21) Filbert Street between Lyon and Divisadero Streets.

- (22) Francisco Street between Mason and Stockton Streets
- (~~21~~23) Franklin Street between California and Lombard Streets.
- (~~22~~24) Green Street between Grant Avenue and Montgomery Street.
- (~~23~~25) Green Street between Polk and Mason Streets.
- (~~24~~26) Greenwich Street between Lyon and Divisadero Streets.
- (~~25~~27) Jones Street between Union Street and Pacific Avenue.
- (~~26~~28) Larkin Street between Union Street and Pacific Avenue.
- (~~27~~29) Leavenworth Street between Union Street and Pacific Avenue.
- (~~28~~30) Lombard Street between ~~Stockton~~Mason and Kearny Streets.
- (~~29~~31) Lombard Street between Van Ness Avenue and Polk Street.
- (~~30~~32) Lomita Avenue between 16th Avenue and Aloha Street.
- (~~31~~33) Lyon Street between Francisco and Green Streets.
- (34) Mason Street between Lombard and Francisco Streets.
- (~~32~~35) Montgomery Street between Green Street and Broadway.
- (~~33~~36) Moraga Street between 16th and 17th Avenues.
- (~~34~~37) Noriega Street between 14th Avenue and 16th Avenue.
- (~~35~~38) Olympia Way between Clarendon Avenue and Panorama Drive.
- (~~36~~39) Panorama Drive between Clarendon Avenue and Twin Peaks Boulevard.
- (~~37~~40) Parker Avenue between Anza and Turk Streets.
- (41) Powell Street between Lombard and Francisco Streets.
- (~~38~~42) Rossi Avenue between Anza and Turk Streets.
- (~~39~~43) Seal Rock Drive between 45th Avenue and El Camino Del Mr.
- (~~40~~44) St. Joseph's Avenue, between O'Farrell Street and Turk Street.
- (~~41~~45) Stanyan Street between Anza and Turk Streets.
- (46) Stockton Street between Lombard and Francisco Streets.

(~~42~~47) Taylor Street between Columbus Avenue and Pacific Avenue.

(~~43~~48) Telegraph Hill Boulevard between Kearny Street and Coit Tower parking lot.

(~~44~~49) Twin Peaks Boulevard between Clayton Street and Burnett Drive.

(~~45~~50) Union Street between Steiner and Lyon Streets.

(~~46~~51) Vallejo Street between Montgomery and Sansome Streets.

(~~47~~52) Vallejo Street between Polk and Mason Streets.

(c) Exceptions. The requirements of this Section shall not be applicable to:

(1) Any vehicle which is subject to the provisions of Sections 1031 to 1036, inclusive, of the California Public Utilities Code and which has received a certificate from the CPUC pursuant to those Sections declaring that the public necessity and convenience require the operation of the vehicle, provided that the certificate authorizes that vehicle to be operated within the City, and the vehicle is being operated for the purpose authorized in, and consistent with the terms of, the certificate. This exemption shall not apply to vehicles operated as round-trip sightseeing tour service as defined by the CPUC;

(2) Any commercial vehicle coming from an unrestricted Street having ingress and egress by direct route to and from that portion of the restricted Streets set forth below, when necessary for the purpose of making pickups or deliveries of passengers, goods, wares and merchandise from or to any building or structure located on such restricted Street;

(3) Any vehicle owned by a public utility while in use in the construction, installation or repair of any public utility;

(4) Transit vehicles operated by the SFMTA along a regularly scheduled route;

(5) School buses when operated for the transportation of school pupils;

(6) Any jitney bus operating pursuant to authority granted by a City permit;

(7) Any vehicle owned by the City while being used in the course of official business;

(8) Any private vehicle that is operating pursuant to a contract with the City of San Francisco for the purpose of providing services to the public; or

(9) Emergency vehicles;

(10) Through September 30, 2011, School Pupil Activity Buses operating on Lyon Street between Francisco and Lombard Streets or Chestnut Street between Lyon Street and Richardson Avenue. This exemption shall sunset and be of no further effect after September 30, 2011, except that the Director of Transportation is authorized to terminate the exemption authorized by this paragraph prior to that date if he or she determines that due to completion of construction activity, this exemption is no longer required.

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

By: _____
DAVID A. GREENBURG
Deputy City Attorney

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of _____, 2011.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency