

THIS PRINT COVERS CALENDAR ITEM NO.: 17.3

**SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY**

DIVISION: Sustainable Streets

BRIEF DESCRIPTION:

Amending the Transportation Code, Division II, Section 905(e)(3) to authorize the Director of Transportation to issue additional permits for Educational Institutions in excess of the limitations of Section 905 during the time a declaration of the existence of a local emergency is in effect. Such additional permits would be valid until the end of the academic year for which they were issued or until the end of the emergency and would not be renewable.

SUMMARY:

- The SFMTA issues permits to Educational Institutions located within Residential Permit Parking (RPP) Areas for classroom teachers. The number of permits issued is based on the amount of unrestricted on-street parking but is limited to no more than 15 with a provision for an additional five on request and subject to meeting certain conditions.
- On February 25, 2020, the Mayor issued a proclamation Declaring the Existence of a Local Emergency (COVID-19 Emergency). On March 16, 2020, San Francisco's Health Officer issued a Public Health Order in response to the COVID-19 Emergency, requiring that residents shelter in place. This resulted in the closure of all public and private schools.
- In April, in response to the COVID-19 emergency, the SFMTA temporarily reduced Muni service in order to prioritize limited resources on the most-used lines. Many schools located within Residential Permit Parking Areas are no longer served by transit.
- Schools are requesting additional permits to accommodate teachers they are hiring to conform to public health department directives to lower class or cohort size, to accommodate the teachers who are high-risk individuals and who are advised to not take transit, and to accommodate teachers affected by the suspension of transit service to their schools.

ENCLOSURES:

1. SFMTAB Resolution
2. Transportation Code Amendment

APPROVALS:

DATE

DIRECTOR  _____

September 30, 2020

SECRETARY  _____

September 29, 2020

ASSIGNED SFMTAB CALENDAR DATE: October 6, 2020

PAGE 2.

PURPOSE

Amending the Transportation Code, Division II, Section 905(e)(3) to authorize the Director of Transportation to issue additional permits for Educational Institutions in excess of the limitations of Section 905 during the time a declaration of the existence of a local emergency is in effect. Such additional permits would be valid until the end of the academic year for which they were issued or until the end of the emergency and would not be renewable.

STRATEGIC PLAN GOALS AND TRANSIT FIRST POLICY PRINCIPLES

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

Goal 1: Create a safer transportation experience for everyone

Objective 1.1: Improve security for transportation system users.

Goal 2: Make transit and other sustainable modes of transportation the most attractive and preferred means of travel

Objective 2.3: Manage congestion and parking demand to support the Transit First Policy.

Goal 3: Improve the quality of life and environment in San Francisco and the region.

Objective 3.1: Use agency programs and policies to advance San Francisco's commitment to equity.

Goal 4: Create a workplace that delivers outstanding service.

Objective 4.3: Enhance customer service, public outreach and engagement.

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.

7. Parking policies for areas well served by public transit shall be designed to encourage travel by public transit and alternative transportation.

DESCRIPTION

The SFMTA administers the Residential Parking Permit (RPP) program, which issues parking permits to residents, businesses and schools located within RPP Areas. There are 31 RPP areas which cover more than one-fourth of the City's land area, encompass more than 170,000 households and include nearly 80,000 parking spaces. The SFMTA issues approximately 90,000 resident, visitor and specialty permits annually under this program.

The SFMTA issues approximately 1,150 teacher permits annually to 130 public and private schools located within RPP Areas. The total number of permits issued to individual schools ranges from three to 20 permits. The number of permits issued to each school is based on the length of un-restricted curb abutting the school campus. Un-restricted curb is curb that is not legislated for meters or general time limits or for red, yellow, white, green or blue curb. The Transportation Code further limits the number

PAGE 3.

of permits issued per school to no more than 15. In those cases where un-restricted curb is available and there is parking availability in the neighborhood as measured by a parking occupancy survey, schools may request up to five additional permits. Regardless of parking availability on surrounding streets, an educational institution is entitled to up to five permits. Teacher permits are renewable annually and are valid for the entire academic year, from October 1st to September 30th.

On February 25, 2020, the Mayor issued a proclamation Declaring the Existence of a Local Emergency (COVID-19 Emergency). All public and private schools have been closed since the March 16, 2020 Health Order issued by the San Francisco Health Officer in response to the COVID-19 Emergency requiring that residents shelter in place. Child care centers and pre-schools providing care for essential workers remained partially or fully open.

The SFMTA's goals for the Transportation Recovery Plan are: 1) protect the health and safety of SFMTA employees and the public; 2) support a strong economic recovery; promoting sustainable alternatives such as walking and bicycling; 3) advance the Agency's equity, environmental sustainability and customer service goals; and 4) adapt transportation infrastructure and services to best serve San Francisco in the long term.

On August 10, 2020, the San Francisco Department of Public Health issued Preliminary Guidance for Reopening TK-12 Schools for In-Person, On-Site Instruction and schools have begun submitting applications for approval from the Health Officer to reopen for in-person instruction. With the imminent reopening of schools for classroom instruction, several schools have contacted the SFMTA to request additional teacher permits. Their reasons for requesting additional permits include:

- 1) directives from state and local public health departments to lower class or cohort size and the need to hire additional teachers;
- 2) to accommodate the more than one-fourth of teachers who are high-risk individuals and who are advised to not take transit; and,
- 3) to accommodate teachers who are affected by the suspension of transit service in their neighborhoods.

The number of additional permits requested over the maximum allowed by the Transportation Code is typically two or three.

In response to these requests, staff is recommending an amendment to the Transportation Code to allow the Director, during the COVID-19 emergency or any future declared local emergency, to issue permits in excess of the limitations in the Code in order to respond to the emergency. The additional permits would be limited until the end of the academic year for which they were issued or the end of the emergency and would not be renewable.

STAKEHOLDER ENGAGEMENT

This is an emergency measure requested by local schools concerned about the safety of their staff and

PAGE 4.

students. It is in response to the suspension of local transit services that once provided access to school campuses located in Residential Parking Permit Areas and to directives from the City and the State of California Public Health Departments to maintain social distancing with persons outside their households. Upon receiving requests for additional permits, staff worked closely with the San Francisco Unified School District Office of Sustainability to develop an application for purposes of requesting additional permits and a protocol for evaluating those requests.

ALTERNATIVES CONSIDERED

The alternative to not issue additional permits to schools during a declaration of local emergency was considered and deemed to not be consistent with the Agency’s goals to promote equity, enhance quality of life and ensure a safe and secure transportation system for everyone. The proposed action is consistent with the Agency’s Transportation Recovery Plan goals to protect the health and safety of SFMTA employees and the public and to support a strong economic recovery.

FUNDING IMPACT

RPP program revenue may not exceed the cost to administer the program. The FY 20-21 permit fee is \$144. The relatively small number of additional permits purchased by individual schools will have a negligible revenue impact.

ENVIRONMENTAL REVIEW

On September 11, 2020, the SFMTA, under authority delegated by the Planning Department, determined that the Transportation Code Amendment, 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’s Office has reviewed this calendar item.

RECOMMENDATION

Staff recommends that the San Francisco Municipal Transportation Agency Board of Directors amend the Transportation Code, Division II, Section 905(e)(3) to authorize the Director of Transportation to issue additional permits for Educational Institutions in excess of the limitations of Section 905 during the time a declaration of the existence of a local emergency is in effect. Such additional permits would be valid until the end of the academic year for which they were issued or until the end of the emergency and would not be renewable.

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. _____

WHEREAS, The Residential Parking Permit (RPP) program was established in 1976 to restrict unlimited parking by non-residents in designated residential areas, while providing the opportunity for residents to park near their home; and,

WHEREAS, The RPP program is administered by the San Francisco Municipal Transportation Agency; and,

WHEREAS, The SFMTA issues permits to Educational Institutions located within RPP Areas for staff regularly employed as classroom teachers and the number of permits is based on the amount of unrestricted on-street parking but is limited to no more than 15 with a provision for an additional five on request and subject to meeting certain conditions; and,

WHEREAS, On February 25, 2020, the Mayor issued a proclamation Declaring the Existence of a Local Emergency (COVID-19 Emergency) and on March 16, 2020, San Francisco's Health Officer issued a Public Health Order in response to the COVID-19 Emergency, requiring that residents shelter in place. This resulted in the closure of all public and private schools; and,

WHEREAS, In response to the COVID-19 Emergency, the SFMTA has adopted a Transportation Recovery Plan with the following goals: 1) protect the health and safety of SFMTA employees and the public; 2) support a strong economic recovery; promoting sustainable alternatives such as walking and bicycling; 3) advance the Agency's equity, environmental sustainability and customer service goals; and 4) adapt transportation infrastructure and services to best serve San Francisco in the long term; and,

WHEREAS, In April 2020, the SFMTA temporarily reduced Muni service in order to prioritize limited resources on the most-used lines. This allowed Muni to continue to serve medical facilities and ensure service for customers most reliant on transit. Many schools located within Residential Permit Parking Areas are no longer served by transit; and,

WHEREAS, On August 10, 2020, the San Francisco Department of Public Health issued Reopening TK-12 Schools for In-Person, On-Site Instruction: Preliminary Guidance for School Year 2020-2021 which provides guidance on re-opening schools safely; and,

WHEREAS, Schools are requesting additional permits to accommodate additional teachers they are hiring to conform to public health department directives to lower class or cohort size, to accommodate the teachers who are high-risk individuals and who are advised to not take transit, and to accommodate teachers affected by the suspension of transit service to their schools; and,

PAGE 6.

WHEREAS, On September 11, 2020, the SFMTA, under authority delegated by the Planning Department, determined that the Transportation Code Amendment, 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, therefore be it

RESOLVED, That the San Francisco Municipal Transportation Agency Board of Directors amends Transportation Code, Division II, Section 905(e)(3) to authorize the Director of Transportation to issue additional permits for Educational Institutions in excess of the limitations of Section 905 during the time a declaration of the existence of a local emergency is in effect in order to respond to the emergency; and be it further

RESOLVED, Such additional permits would be valid until the end of the academic year for which they were issued or until the end of the emergency and would not be renewable.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of October 6, 2020.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency

[Transportation Code – Residential Parking Permits for Educational Institutions]

Resolution amending the Transportation Code to authorize the Director of Transportation to issue additional parking permits under the Residential Parking Permit program to Educational Institutions in excess of the existing limitations during the time a declaration of a local emergency is in effect.

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 900 of Division II of the Transportation Code is hereby amended by revising Section 905, to read as follows:

Sec. 905. RESIDENTIAL PARKING PERMITS.

* * * *

(e) **Additional Residential Parking Permits.**

* * * *

(3) **Educational Institution Permits.**

(A) Upon written request, the Director of Transportation shall issue transferable Parking permits to the Transportation Broker of an Educational Institution with certificated employees or Persons regularly employed as classroom teachers and located within a Residential Parking Permit Area. The transferable Parking permits shall be valid during the days and times of parking enforcement in the Residential Parking Permit Area and for the use of persons employed as teachers at such Educational Institution who reside outside of the Residential Parking Permit Area.

(B) The Director of Transportation is authorized to issue a maximum of 15 annual permits per Educational Institution. The total number of permits issued to an Educational Institution under this Section 905 shall not exceed the number of unrestricted on-street Parking available between an extension of each property line of said Institution to the middle of the Street upon which the Institution directly abuts, as determined by survey of the City Traffic Engineer. Regardless of parking availability on surrounding Streets, a qualifying Educational Institution shall be entitled to at least five permits.

(C) Upon written request from the Educational Institution documenting the need for more than 15 permits, the Director of Transportation may issue up to an additional five permits if the total number may not exceed the limitation in subsection 905(e)(3)(B) above, and if Parking occupancy in the Residential Parking Permit Area surrounding the Educational Institution is low enough to accommodate the additional permits.

(D) Each Parking permit issued pursuant to this Section 905(e)(3) shall be valid for one year and may be renewed annually. In distributing permits for a particular Educational Institution, the Transportation Broker shall give consideration to those teachers who are regularly carpooling to work.

(E) In addition to permits issued under subsection 905(e)(3)(A), the Director of Transportation may issue City-wide permits for teachers and school administrators employed by the San Francisco Unified School District (SFUSD) whose duties require them to travel to more than one school site and who have been approved by the Superintendent of the SFUSD, or his or her designee. For purposes of this Section, “school administrators” shall be defined as those administrators who provide on-site, direct support to schools that have been identified as low-performing by SFUSD, the State of California, or the federal government. The permit shall exempt the holder from Residential Parking Permit Area regulations on

weekdays between the hours of 8 a.m. and 6 p.m. when performing official functions for the SFUSD, and shall be valid for one year.

(F) During the time a declaration of a local emergency in San Francisco is in effect, the Director of Transportation may issue permits in excess of the limitations of subsections (e)(3)(B) and (C) above in order to respond to the emergency. Any additional permits issued under this subsection (e)(3)(F) shall be valid until the end of the academic year for which they were issued or until the end of the emergency and shall not be renewable.

* * * *

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.

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

By: SUSAN CLEVELAND-KNOWLES
Deputy City Attorney

n:\legana\as2020\2100097\01476477.docx

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of October 6, 2020.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency