

THIS PRINT COVERS CALENDAR ITEM NO.: 11

**SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY**

DIVISION: Streets

BRIEF DESCRIPTION:

Approving amendments to Transportation Code, Division II, to delegate authority to the Director of Transportation or designee to issue a Curbside Shared Spaces permit; to delegate authority to the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT) to issue a temporary Roadway Shared Spaces closure permit; to establish a fine for violation of No Parking Zone parking restrictions; to revise color curb installation and renewal fees and add a new “General Loading” zone and fee; to rename the Parklet Installation fee to Shared Spaces application fees and revise the fee; to rescind the Places for People Application Fee.

SUMMARY:

The Shared Spaces Temporary Program was one of San Francisco’s emergency response programs to support local business during the COVID-19 State of Emergency. It repurposes on-street parking spaces and streets to support commercial uses.

- SFMTA legislation complements Board of Supervisors pending legislation amending Division I of the Transportation Code to establish a permanent Shared Spaces program.
- SFMTA Board legislation amending Division II of the Transportation Code addresses program elements related to the SFMTA Board’s, SFMTA’s Director’s or designee’s, and ISCOTT’s roles in permitting restrictions and closure of parking spaces and Shared Space traffic lane closures; and establishment of General Loading zone fees and fines.
- SFMTA’s Curbside and Roadway Shared Spaces Regulations articulate the process and criteria that will guide SFMTA’s decisions on closing parking spaces and traffic lanes.
- An Addendum to the Better Streets Plan Final Mitigated Negative Declaration concluded that the proposed changes would not cause new significant impacts or result in a substantial increase in the severity of previously identified significant impacts, with no new mitigation measures necessary.

ENCLOSURES:

1. SFMTAB Resolution
2. Transportation Code, Division II amendment
3. SFMTA Shared Spaces Curbside and Roadway Regulations
4. FMND: http://sfmea.sfplanning.org/2007.1238E_FMND.pdf
5. CEQA Findings, Planning Commission Resolution: https://default.sfplanning.org/meetingarchive/planning_dept/sf-planning.org/index.aspx-page=2528.html

APPROVALS:

	DATE
DIRECTOR 	<u>April 28, 2021</u>
SECRETARY 	<u>April 27, 2021</u>

ASSIGNED SFMTAB CALENDAR DATE: May 4, 2021

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PURPOSE

Approving amendments to Transportation Code, Division II, to delegate authority to the Director of Transportation or designee to restrict the stopping, parking, or standing of vehicles and close the parking space portion of any street, with some exceptions, for purposes of issuing a Curbside Shared Spaces permit; delegate authority to the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT) to temporarily close the traffic lane portion of any street, with some exceptions, for purposes of issuing a temporary closure for a Roadway Shared Spaces permit; establish a procedure for SFMTA Board of Directors approval of Longer-Term Closure for purposes of issuing a Roadway Shared Spaces; establish a fine amount for violation of No Parking Zone parking restrictions established in Division I; revise existing color curb installation and renewal fees and add a new fee for “General Loading” zones; rename the Parklet Installation fee to Shared Spaces application fees and revise the fees and fee amounts; rescind the Places for People Application Fee; and advance SFMTA regulations for both Curbside and Roadway Shared Spaces.

STRATEGIC PLAN GOALS AND TRANSIT FIRST POLICY PRINCIPLES

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

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

Objective 3.2: Advance policies and decisions in support of sustainable transportation and land use principles.

The proposed project will support the following Transit First policies:

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

Background

In June 2020, in response to the economic impacts of the State of Emergency, Mayor Breed’s supplemental emergency proclamations authorized a temporary Shared Spaces program, a coordinated multi-agency effort intended to support businesses by offering the following temporary emergency programs:

- Curbside pick-up zones: repurposed curb space that allows customers to stop for up to five (5) minutes to pick-up food or goods. Pick-up zones revert to the permanent, posted regulation when the pick-up zone is not active.
- Curbside dining/retail/personal services spaces: repurposed curb space allows businesses to set up

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barriers or install a structure for their business activities outdoors. These zones are occupied full-time.

- Street closures: restricted access to allow businesses along a block or corridor to activate a larger space for specific days and times.

The first issuance of Shared Spaces permits expired in December 2020, but, as a result of the State of Emergency restrictions on retail business operations, city staff authorized businesses to renew their permits through June 2021.

The temporary program has been popular with the business community, with over 1,000 approved dining/retail/personal services Shared Spaces; 300 approved pick-up zones, and 62 approved street closures, all assisting with economic recovery.

Permanent Shared Spaces Program

Building off the success of the temporary Shared Spaces program, the mayor's office has initiated legislation to create a permanent Shared Spaces program. The Planning Department would oversee the permanent program application intake and provide a streamlined permit process for San Francisco businesses, arts and culture organizations, and others to use parking spaces, sidewalk, traffic lane spaces, and open lots. The permanent program will enable businesses to apply for Shared Spaces permits, including space on a sidewalk, parking lane, roadway, or private property, or for pop-up entertainment through a single easy-to-use application portal. Public seating will be required in Shared Spaces dining/retail zones, and General Loading Zones would be open for anyone to use to load goods or passengers.

The permanent Shared Spaces Program which will be created as a result of both the pending Board of Supervisors legislation and companion legislation before the SFMTA Board include the following features:

- Curbside pickup zones: Same utilization as described above for the temporary program but reviewed and permitted by a new SFMTA General Loading Zone process further described below.
- Curbside dining/retail/personal services spaces: Same utilization as described above for temporary program, but the decision whether to restrict parking and close a parking space will be governed by the new framework guidelines set forth in the SFMTA's Curbside Regulations document summarized below. Public Works would continue to permit Curbside Shared Spaces permit applications as they have under the temporary program and will also issue revised guidelines as well. The permanent program would allow for three types of curbside spaces
 - Tier 1 Public Parklets: Similar to the city's existing pre-State of Emergency Parklets program; Public Parklets would become part of the permanent Shared Spaces parklet program.
 - Tier 2 Movable Commercial Parklets: Unlike the temporary program, the city would create a separate curbside permit category for zones that are occupied during limited business

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hours using movable fixtures.

- Tier 3 Commercial Parklets, similar to existing Shared Spaces, these would involve a fixed structure where the permittee operates the parklet for commercial activity during business hours with a structure and is otherwise open to the public during non-commercial hours.
- Roadway street closures: Same utilization as described above for the temporary program but reviewed by the SFMTA and subject to permitting by ISCOTT. Permanent roadway street closures would be approved under a procedure for SFMTA Board approval of longer-term closure of the traffic lane.
- Sidewalk Shared Spaces would be permitted by Public Works.
- Private property Shared Spaces would be permitted by Planning Department or the Port of San Francisco.
- Arts, Culture, and Entertainment Activities at Shared Spaces would be permitted by the Entertainment Commission.

To make the program more sustainable in the long-term, and to better support sponsors up-front with design quality, accessibility, and safety, the city will require approvals from city departments within 30 days of a business submitting an application. The Shared Spaces program legislation proposes to defer collection of permit fees until June 2022. The program would gradually start to rebalance curb uses as transportation needs increase along with a recovering economy, by incentivizing movable parklets and promoting space sharing among merchants on the block. These amendments to the existing Public Works and Administrative Code are currently pending before the Board of Supervisors for approval.

Proposed Transportation Code Amendments for SFMTA Board Approval

The Transportation Code amendments proposed herein will ensure the Shared Spaces program upholds the city's values and commitments to Transit First, Vision Zero and Climate Action while offering the ability to use curb space to support businesses and economic vitality. These amendments include:

- A delegation of the SFMTA Board's authority to restrict parking and close parking spaces to the Director of Transportation or designee with some exceptions listed in the legislation including interfering with a traffic lane or significantly interfering or delaying public transit service;
- A delegation of the SFMTA Board's authority to ISCOTT to consider temporary traffic lane closures for Shared Spaces purposes;
- Establishing a procedure for SFMTA Board approval of longer-term closure of the traffic lane;
- Establishing fees and fines for General Loading Zones;
- Renaming the parklet installation fee to Shared Spaces application fee;
- Revising applicable fee amounts; and
- Rescinding the Places for People Application fee.

Further, SFMTA's final draft administrative regulations (Enclosure 3) for Curbside Shared Spaces articulate how the agency will determine whether curb space applications may be accommodated. These regulations build off of the curb use priorities defined in SFMTA's adopted Curb Management Strategy.

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The final draft administrative regulations for Roadway Shared Space (Enclosure 3) would assess under what conditions a traffic lane should be permanently closed. The SFMTA Board is not taking action on the regulations, but they are attached here for reference.

General Loading Zones

Shared Spaces pick-up zones provide dedicated curbside spaces where drivers may stop for short periods of time to pick-up or drop-off goods. These zones are requested by businesses and have helped the city accommodate demand for curbside pickups, which increased dramatically during the pandemic as many businesses shifted to a curbside pickup or to-go model.

Existing loading-specific curb types, which may be initiated by a business, organization, or the SFMTA include:

- Passenger loading (white) zones: for passenger loading and unloading only, not exceeding 5 minutes.
- Commercial loading (yellow) zones: for loading or unloading of passengers or freight by commercial vehicles only and must have commercial license plates. Non-commercial vehicles may use yellow zones for up to three minutes, but the driver must remain with the vehicle.
- Short-term parking (green) zones: open to all vehicles and generally have time limits of 15 to 30 minutes to serve short trips. Under state law, vehicles displaying disabled placards are exempt from time limits at metered spaces, which often means these zones are unavailable for short-term parking or loading.

Many deliveries that San Franciscans and businesses have come to rely on use sedans or other non-commercial vehicles. In addition, many small business owners use personal vehicles for goods delivery. While this need existed before the pandemic, it has been amplified during the State of Emergency, with a necessary shift to a predominately pickup model. Given the on-going trend towards on-demand deliveries and a shift in behavior, it is anticipated that a need for pickup zones will continue after the emergency order is lifted.

The establishment of a new curb designation, General Loading Zone, or “No Parking Zone”, authorized pursuant to Vehicle Code 22507, is being proposed in the legislation currently before the Board of Supervisors to amend Division I of the Transportation Code and would allow both commercial and personal vehicles to stop and leave their vehicle for short periods to load or unload passengers or goods, serve these unmet needs, and help address the double parking created by significant demand for curbside pick-up and the lack of loading space for these types of deliveries that are likely to continue to exist after the pandemic.

The proposed amendments to Section 304 in Division II of the Transportation Code establish application, installation, and renewal fees for General Loading zones. The proposed fees for General Loading Zones are the same as current fees for other business-generated color curb requests. Similar to the existing process for requesting color curb markings, these zones may be initiated by businesses, organizations, or the SFMTA, and would generally be sited along busy commercial corridors to serve multiple business or in less dense areas where a business generates a high number of pickups per hour. As part of the Shared

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Spaces program, the Board of Supervisors is considering establishing the parking violation in Transportation Code, Division I.

STAKEHOLDER ENGAGEMENT

The following list summarizes the stakeholder engagement related to the permanent program legislation completed to date. Core city departments, including the SFMTA, participated in this engagement led by the Mayor's Office:

City Stakeholders

- Program Staff (interagency San Francisco Planning Department, Office of Economic and Workforce Development, SFMTA, Department of Public Works, Entertainment Commission, San Francisco Fire Department, Digital Service, and Mayor's Office of Disability).
- Department Directors (SF Planning Department, Office of Economic Workforce Development, SFMTA, Department of Public Works, Entertainment Commission, SF Fire Department, Digital Services).
- Economic Recovery Task Force Chairs + Department Directors
- Board of Supervisors

External Stakeholders

- Private Industry Cohort (Golden Gate Restaurant Association, Small Business Commission, Chamber, CDMA)
- CBDs and BIDs
- Merchants' Associations
- Public Space and Mobility Advocates (Livable City, SF Bicycle Coalition, Walk SF)

Commissions

- Small Business Commission: Jul 13, Jul 27, Aug 10, Aug 24 2020; Jan 11, April 12 2021.
- Planning Commission: Oct 8, Sep 9, Nov 19 2020; April 22, 2021
- MTA Board: Feb 2 and 3, 2021; May 4, 2021.
- Entertainment Commission: Aug 4, Oct 6, Dec 15 2020; April 20, 2021.
- Mayor's Disability Council: Nov 20, 2021; Mar 15, 2020; Friday April 16, 2021.

The following engagement efforts were led by the SFMTA:

General Loading Zone Survey (known as Shared Spaces Pick-up Zones during Temporary Program)

Staff surveyed business owners who applied for a Shared Spaces permit or who currently have Shared Spaces to gauge their interest in permanent general loading zones as well as their understanding of how the zones are intended to be used. Staff sent surveys to over 1,300 Shared Spaces applicants and permit holders and received 124 responses. There was overwhelming support of the Shared Spaces general loading zones among the respondents. Of the businesses surveyed, 86% of respondents said that Shared Spaces general loading zones were either "helpful" or "crucial" for their ability to operate during the State of Emergency and 86% said they would apply for a free permanent zone. When asked if they would apply

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if there was a fee for applying for and installing general loading zones, 46% of respondents said they would apply if the fee seemed affordable to them.

SFMTA Citizen Advisory Council

On April 1, 2021, the draft Board of Supervisors and SFMTA Board legislation were brought to the SFMTA's Citizen's Advisory Council (CAC). Some CAC members supported the proposal to make the Shared Spaces Program permanent and others did not. Most members of the CAC supported the idea of designating parking spaces for businesses to help them recover from the economic loss sustained in the pandemic, but expressed concerns about the potential for the proposed program to contribute to "privatizing the curb."

ALTERNATIVES CONSIDERED

The following alternatives were considered:

- Discontinue the temporary Shared Spaces program after State of Emergency ends: All permits for general loading zones and dining/retail Shared Spaces would cease to exist. ISCOTT could still continue to consider temporary street closures under their existing authority and application process and other uses could be permitted through the existing Places for People program. This alternative did not advance because of business and public support for creation of a permanent program by businesses and the public.
- Continue a temporary Shared Spaces program for two years after the end of the current state of emergency: All permits for general loading zones, dining/retails Shared Spaces and street closures could be permitted to continue if both the BOS and SFMTA legislation were amended to include a sunset provision. This alternative did not advance because of the desire for a long-term solution to retain the Shared Spaces program.

FUNDING IMPACT

The Shared Spaces Program provides the city with the opportunity to support local businesses as San Francisco reopens and expands economic activity. Throughout the temporary program costs have been monitored, including start-up costs, staff time to process permits and estimates of potential revenue loss due to the use of curb space and meter revenue loss.

The temporary program was estimated to cost SFMTA \$8.1M annually, in an analysis completed in the beginning of 2021 and reflected in the SFMTA's Official Financial Statement. This included \$3.6 million in annualized staff time, based on quarterly actuals, and an estimate of \$4.5 million in potential parking meter revenue losses. Parking meter revenue losses were based on the reduced meter rates during the pandemic and assumed the meters at the time that were out of service.

The proposed permanent program and legislation is estimated to cost the SFMTA approximately \$10.6 million annually. The new program reflects streamlining of processes and reduction of administrative costs in comparison to the temporary program. These efficiencies reduce the annual staff cost by \$1 million to \$2.6 million annually. Meter revenue losses due to use of the curb space is estimated at \$9.6

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million. This estimate assumes that all existing curb permits are maintained and pre-pandemic meter rates. This also includes a one-time incurment of \$100,000 for non-labor costs. These costs are offset by an estimate of \$1.7 million in permit revenues.

Financial impacts to the agency are estimates based on the data at hand. There remains a significant number of unknowns including the number of participants and the types of permits they chose to use under the proposed program. Permit revenue for example, could be as high as \$4 million, making the cost to the agency of the temporary and permanent programs roughly the same. Additionally, as the agency adjusts meter pricing in the areas to ensure availability, meter revenue will recover over time partially offsetting the costs of the program not recovered through permit fees.

PUBLISHED NOTICE

Pursuant to Charter Section 16.112 and the SFMTA Board of Directors Rules of Order, advertisements were placed in the City's official newspaper regarding this public hearing. The advertisements ran in the San Francisco Examiner the city's official newspaper, on April 25, 2021, April 28 – 30, 2021 and May 2, 2021, to provide notice that the SFMTA Board of Directors will hold a public hearing on May 4, 2021, to consider this program.

ENVIRONMENTAL REVIEW

The proposed Shared Spaces program is subject to the California Environmental Quality Act (CEQA). The Better Streets Plan Final Mitigated Negative Declaration (FMND, Case No. 2007.1238E) was adopted by the Planning Department on September 15, 2010. On October 28, 2010, the Planning Commission in Resolution No. 18211, adopted findings and a Mitigation Monitoring and Reporting Program (MMRP) associated with the Better Streets Plan under CEQA, the CEQA Guidelines, and Chapter 31 of the Administrative Code.

In April 2021, the Planning Department issued an Addendum to the Better Streets Plan FMND for the proposed Shared Spaces program which concluded that the proposed changes would not cause new significant impacts not identified in the FMND or result in a substantial increase in the severity of previously identified significant impacts, and no new mitigation measures would be necessary to reduce significant impacts.

The SFMTA Board of Directors adopts the CEQA findings as its own and to the extent the proposed actions are associated with any mitigation measures, the SFMTA Board of Directors adopts those measures as conditions of this approval. A copy of the FMND, Planning Commission Resolution, the CEQA findings, and the FMND Addendum 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 are incorporated herein by reference.

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OTHER APPROVALS RECEIVED OR STILL REQUIRED

The Board of Supervisors is considering amendments to the Public Works Code, Administrative Code, Division I of the Transportation Code for a permanent Shared Spaces program. As a result, the SFMTA Board legislation is operative upon the effective date of the BOS legislation.

The City Attorney has reviewed this report.

RECOMMENDATION

Staff recommends that the SFMTA Board of Directors approve amendments to Transportation Code, Division II, to delegate authority to the Director of Transportation or designee to restrict the stopping, parking, or standing of vehicles and close the parking space portion of any street, with some exceptions, for purposes of issuing a Curbside Shared Spaces permit; delegate authority to the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT) to temporarily close the traffic lane portion of any street, with some exceptions, for purposes of issuing a temporary closure for a Roadway Shared Spaces permit; establish a procedure for SFMTA Board of Directors approval of Longer-Term Closure for purposes of issuing a Roadway Shared Spaces; establish a fine amount for violation of No Parking Zone parking restrictions established in Division I; revise existing color curb installation and renewal fees and add a new fee for “General Loading” zones; rename the parklet installation fee to Shared Spaces application fees and revise the fees and fee amounts; and rescind the Places for People Application Fee; and advance SFMTA regulations for both Curbside and Roadway Shared Spaces which articulate how the agency will determine whether parking spaces or traffic lane should be closed while still upholding the City’s values and commitments of its Transit First policy, Vision Zero, and Climate Action Plan through the application of principles of the Curb Management Strategy.

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. _____

WHEREAS, In June 2020, in response to the economic impacts of the city's State of Emergency, Mayor Breed's supplemental emergency proclamations launched Shared Spaces; and,

WHEREAS, The temporary emergency Shared Spaces program is a coordinated multi agency effort which repurposed parking spaces for dining/retail/personal services zones and pick-up zones, and closed streets for large-scale use by the public and commercial purposes; and,

WHEREAS, Permits issued under the temporary Shared Spaces program, which expire on June 30, 2021, were issued to over 1,000 dining/retail/personal services zones, 300 pick-ups and 62 street closures; and,

WHEREAS, The pending Board of Supervisors' legislation which includes amendments to Division I of the Transportation Code would codify Shared Spaces as a permanent program; and,

WHEREAS, That the proposed Transportation Code, Division II legislation delegates authority to the Director of Transportation or designee to restrict the stopping, parking, or standing of vehicles and close the parking space portion of any street, with some exceptions, for purposes of issuing a Curbside Shared Spaces permit; delegates authority to the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT) to temporarily close the traffic lane portion of any street, with some exceptions, for purposes of issuing a temporary closure for a Roadway Shared Spaces permit; establishes a procedure for SFMTA Board of Directors approval of Longer-Term Closure for purposes of issuing a Roadway Shared Spaces; establishes a fine amount for violation of No Parking Zone parking restrictions established in Division I; revises existing color curb installation and renewal fees and add a new fee for "General Loading" zones; renames the parklet installation fee to Shared Spaces application fees and revise the fees and fee amounts; and rescinds the Places for People Application Fee; and,

WHEREAS, That proposed SFMTA regulations presented to the SFMTA Board that the Director of Transportation or designee will issue for both Curbside and Roadway Shared Spaces articulate how the agency will determine whether parking spaces or traffic lane should be closed while still upholding the city's values and commitments of its Transit First policy, Vision Zero, and Climate Action Plan through the application of principles of the Curb Management Strategy; and,

WHEREAS, The Better Streets Plan Final Mitigated Negative Declaration (FMND, Case No. 2007.1238E) was adopted by the Planning Department on September 15, 2010. On October 28, 2010, the Planning Commission in Resolution No. 18211, adopted findings and a Mitigation Monitoring and Reporting Program (MMRP) associated with the Better Streets Plan under the California Environmental Quality Act (CEQA), the CEQA Guidelines, and Chapter 31 of the Administrative Code; and,

WHEREAS, In April 2021, the Planning Department issued an Addendum to the Better Streets Plan FMND for the proposed Shared Spaces program which concluded that the proposed changes would not cause new significant impacts not identified in the FMND or result in a substantial increase in the severity of previously identified significant impacts, and no new mitigation measures would be necessary to reduce significant impacts; and,

WHEREAS, The SFMTA Board of Directors adopts the Better Streets Plan FMND CEQA findings as its own; a copy of the FMND, Planning Commission Resolution, the CEQA findings, and the FMND Addendum 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 are incorporated herein by reference; therefore, be it,

RESOLVED, That the SFMTA Board amends Transportation Code, Division II to delegate authority to the Director of Transportation or designee to restrict the stopping, parking, or standing of vehicles and close the parking space portion of any street, with some exceptions, for purposes of issuing a Curbside Shared Spaces permit; delegate authority to the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT) to temporarily close the traffic lane portion of any street, with some exceptions, for purposes of issuing a temporary closure for a Roadway Shared Spaces permit; establish a procedure for SFMTA Board of Directors approval of Longer-Term Closure for purposes of issuing a Roadway Shared Spaces; establish a fine amount for violation of No Parking Zone parking restrictions established in Division I; revise existing color curb installation and renewal fees and add a new fee for “General Loading” zones; rename the parklet installation fee to Shared Spaces application fees and revise the fees and fee amounts; and rescind the Places for People Application Fee; and be it further

RESOLVED, That the SFMTA Board of Directors supports the proposed SFMTA regulations presented to the SFMTA Board that the Director of Transportation or designee will issue for both Curbside and Roadway Shared Spaces which articulate how the agency will determine whether parking spaces or traffic lane should be closed while still upholding the City’s values and commitments of its Transit First policy, Vision Zero, and Climate Action Plan through the application of principles of the Curb Management Strategy.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of May 4, 2021.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency

RESOLUTION NO.

[Transportation Code - Street Closures Related to the Shared Spaces Program, Establishing a Fine Amount for Violation of No Parking Zone Parking Restrictions, Revising Existing Color Curb Installation and Renewal Fees and Adding a New Fee for “General Loading” Zones, Renaming the Parklet Installation Fee to Shared Spaces Application Fees, and Revising the Fees and Fee Amounts, and Rescinding the Places for People Application Fee]

Resolution amending Division II of the Transportation Code to delegate authority to the Director of Transportation or designee to restrict the stopping, parking, or standing of vehicles and close the Parking Space portion of any Street for purposes of issuing a Curbside Shared Spaces permit pursuant to the Shared Spaces Program as authorized by Administrative Code Chapter 94A as long as certain criteria are satisfied; delegate authority to the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT) to temporarily close the Traffic Lane portion of any Street for purposes of issuing a Temporary Closure for a Roadway Shared Spaces permit as long as certain criteria are satisfied; establish a procedure for SFMTA Board of Directors approval of Longer-Term Closure of a Traffic Lane portion of any Street for purposes of issuing a Roadway Shared Spaces permit pursuant to the Shared Spaces Program; define the terms “Longer-Term Closure,” “Temporary Closure,” and “Traffic Lane”; establish a fine amount for violation of No Parking Zone parking restrictions established in Division I; revise existing color curb installation and renewal fees and add a new fee for “General Loading” zones; rename the parklet installation fee to Shared Spaces application fees and revise the fees and fee amounts; and rescind the Places for People Application Fee.

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. Articles 100, 200, and 300 of Division II of the Transportation Code are hereby amended by revising Sections 101, 201, 202, 302, 304, and 313, adding Sections 204, 205, and 206, and deleting Section 326, to read as follows:

SEC. 101. DEFINITIONS.

Any words or phrases that are not defined in the Vehicle Code or in Division I of this Code shall have the meanings set forth below.

* * * *

Longer-Term Closure. The permanent closure of a Parking Space or Traffic Lane to vehicular traffic in accordance with a Curbside or Roadway Shared Space permit, pursuant to the Shared Spaces Program as authorized by Administrative Code Chapter 94A, following one or more Temporary Closures where the cumulative duration of permits authorized for the closure of the Parking Space or Traffic Lane exceeds more than two consecutive years during which the Parking Space or Traffic Lane was not open to vehicular traffic for six months or longer regardless of the number of permittees who previously obtained a permit for the Temporary Closure(s).

Private Bus. Any motor vehicle designed, used or maintained by or for a charter-party carrier of passengers, a passenger stage corporation, or any highway carrier of passengers required to register with the California Public Utilities Commission, or an employer-operated commute hour shuttle service for employees.

Street. A roadway or alley, and all segments or portions of the surface thereof between curbs that is intended for the movement of motor vehicles, exclusive of transit platforms and traffic islands.

Temporary Closure. The closure of a Parking Space or Traffic Lane to vehicular traffic in accordance with a Curbside or Roadway Shared Space permit, pursuant to the Shared Spaces Program as authorized by Administrative Code Chapter 94A, where the cumulative duration of the permits authorized for the closure of the Parking Space or Traffic Lane to vehicular traffic, is equal to or less

than two consecutive years during which the Parking Space or Traffic Lane was not open to vehicular traffic for six months or longer regardless of the number of permittees who obtain a permit for the temporary closure.

Traffic Calming Device. A median island, traffic circle, traffic undulation, speed bump, or other similar device installed for the purpose of controlling the speed of traffic.

* * * *

Traffic Control Device. A sign, signal, marking, or other device used to regulate, warn, or guide vehicular and pedestrian traffic, placed on, over, on the surface of or adjacent to a Street by authority of the SFMTA.

Traffic Lane. The portion of the Street that has been dedicated for the movement of motor vehicles exclusive of transit platforms and traffic islands.

* * * *

SEC. 201. PROCEDURES FOR IMPLEMENTING PARKING AND TRAFFIC CONTROLS.

* * * *

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

* * * *

(14) Determine the locations for Longer-Term Closure of Parking Spaces for purposes of issuing a permit for a Curbside Shared Space as defined by Administrative Code Chapter 94A.

(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:

* * * *

(6) Except as provided in Sections 204 and 205, Sset time limits for, and the days and hours of enforcement of, any Parking restriction except for street cleaning Parking restrictions.

* * * *

(~~20~~12) Establish transit only lane regulations, except as specified under the authority granted to the City Traffic Engineer in subsection (b)(13) above.

(~~21~~13) Establish speed limits on Streets.

(~~22~~14) Establish on-street Car Share Vehicle Parking Spaces.

(~~23~~15) 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.

(~~24~~16) Except as provided in Sections 204 and 205, Cclose a street to vehicular traffic for non-ISCOTT permitted events authorized by Division I, Article 6.

SEC. 202. NOTICE OF PUBLIC HEARING.

Except as otherwise provided in this Code, Tthe City Traffic Engineer shall post localized notices of public hearings for changes implemented pursuant to subsections 201(b) or 201(c). Such notices shall be posted on at least two utility poles in the affected area for no less than 10 calendar days prior to the hearing. The notice of the public hearing shall also be posted on the SFMTA website.

SEC. 204. DELEGATION TO THE DIRECTOR OF TRANSPORTATION OR DESIGNEE TO RESTRICT THE STOPPING, PARKING, OR STANDING OF VEHICLES AND CLOSE THE PARKING SPACE PORTION OF A STREET FOR CURBSIDE SHARED SPACES ACTIVITIES.

(a) Authority to Restrict Parking and Close a Parking Space. The Director of Transportation or the Director's designee ("designee") is authorized to issue rules and regulations to restrict parking and close Parking Spaces that are consistent with this subsection (a). Pursuant to

California Vehicle Code Sections 21101 and 22507, the Director of Transportation or designee is authorized to restrict the stopping, parking, or standing of vehicles and close a Parking Space portion of any Street, based upon a determination of public convenience and necessity that includes, but is not limited to, meeting the following criteria following any required public hearing held prior to implementation of the closure:

(1) does not occupy or significantly interfere with a traffic lane;

(2) does not significantly interfere with or delay public transit service, or impede transit maintenance, operations, or access, including any specific requirements regarding the operation of Municipal Railway buses, light rail vehicles, historic streetcars, or cable cars, based on whether vehicles are in revenue service, the type of transit stop involved, or other factors or considerations;

(3) does not displace a transit stop or a disabled parking space;

(4) does not significantly interfere with the movements of pedestrians or bicyclists, or create potentially hazardous conditions for pedestrians or bicyclists;

(5) does not significantly impact vehicular loading;

(6) does not significantly impact paratransit or ADA accessible loading or access;

(7) does not significantly impact existing infrastructure or installations near Parking Spaces including bikeshare stations, existing parklets, expanded sidewalks, and public showers; and

(8) is located on any Street, under the jurisdiction of the SFMTA, within any of the following zoning districts, as defined by the Planning Code: Neighborhood Commercial Districts, Neighborhood Commercial Transit Districts, Commercial Districts, Chinatown Mixed Use Districts, and Eastern Neighborhood Mixed Use Districts; Mixed Residential Districts, Residential-Commercial Combined Districts, Residential Transit Oriented Districts, and Downtown Residential Districts; Production, Distribution, and Repair (“PDR”) 1-B, PDR 1-D, and PDR 1-G.

(b) **Determination to Restrict Parking and Close a Parking Space.** In determining whether to restrict the stopping, parking, or standing of vehicles and close a Parking Space portion of any Street, the Director of Transportation or designee shall uphold the priorities identified in the agency’s Curb Management Strategy in order to optimize use, ensure public access, and support

equitable allocation of Parking Spaces among users and businesses. In addition, the Director of Transportation or designee may consult with other relevant City departments, including, but not limited to, the Department of Public Works, Police Department, Department of Public Health, the Public Utilities Commission, the Entertainment Commission, and the Fire Department. Further, the Director of Transportation or designee shall, after considering the impact of the street closure on transportation and on the security, health, and safety of the public as well as the values and commitments set forth in the Transit First Policy, Vision Zero Action Strategy, Climate Action Strategy, and Curb Management Strategy that have been adopted by the SFMTA Board, determine that the closure is necessary for the safety and protection of the public using the street during the closure and may impose additional requirements or conditions necessary to protect the public interest. If a determination is made not to restrict the stopping, parking, or standing of vehicles and close a Parking Space, neither Public Works nor any other City agency shall have the authority to issue a permit for occupancy of the Parking Space. The Director or designee's determination to restrict and close a Parking Space shall not grant any rights to occupy the Parking Space. Consistent with the Shared Spaces program as set forth in Administrative Code Chapter 94A, Public Works may issue a Curbside Shared Space permit to occupy the Parking Space.

(c) **Posting and Public Hearing Requirements.** The posting and public hearing requirements set forth in Sections 201 and 202 shall apply to any proposed Longer-Term Closure of a Parking Space for purposes of issuing a Curbside Shared Space permit; provided, however, that notices shall be posted for seven calendar days prior to the hearing instead of ten.

(d) **Decision.** After any required public hearing is held as set forth in subsection (c), the Director of Transportation or designee may restrict the stopping, parking, or standing of vehicles in, and close, a Parking Space portion of any Street.

(1) The decision of the Director of Transportation or designee with respect to any proposed Parking restriction and Temporary Closure of a Parking Space shall be final.

(2) The decision of the Director of Transportation or designee with respect to any proposed Longer-Term Closure of a Parking Space shall be subject to the review process set forth in subsection (e).

(e) **Review Process.** The decision of the Director of Transportation or designee with respect to any proposed Longer-Term Closure of a Parking Space may be reviewed by the SFMTA Board of Directors.

(1) Such review shall be initiated by filing a request for review with the Secretary to the SFMTA Board of Directors on a form provided by the Secretary within five working days of the decision. The SFMTA Board of Directors may establish a fee to be imposed upon the filing of any such request for review.

(2) Upon receipt of the request for review, the Secretary shall set a time and place for hearing for the SFMTA Board of Directors' review, within 30 days, provided that all applicable public notice and environmental review requirements and standards are satisfied.

(3) At the review hearing, the appellant and the Director of Transportation or designee shall have the opportunity to present oral testimony and written materials in support of their positions.

(4) The SFMTA Board of Directors, in determining whether the request for a Longer-Term Closure of a Parking Space should be granted, shall conduct its review de novo using the same criteria set forth in subsections (a) and (b) and shall (A) consider the impact of the closure of a Parking Space on transportation and on the security, health, and safety of the public, (B) determine the transportation, security, health, and safety requirements of the proposed closure, and (C) evaluate the measures proposed by the appellant to satisfy those requirements.

(5) After the review hearing and any further investigation requested by the SFMTA Board of Directors, the SFMTA Board of Directors may uphold the Director of Transportation's decision, or modify or disapprove such decision, in whole or in part, and may impose additional conditions or requirements.

(6) The decision of the SFMTA Board of Directors shall be final, and the Secretary shall transmit copies of the decision to the appellant and the Director of Transportation or designee.

(f) Upon the expiration or revocation of any Curbside Shared Space permit under the Shared Spaces Program as set forth in Administrative Code Chapter 94A, any restriction related to the stopping, parking, or standing of vehicles and to closure of a Parking Space shall be rescinded and the closed portion of the Street shall be reopened within seven days. If the closed portion of the Street is not reopened within seven days, the Curbside Shared Spaces permittee shall be subject to fines and administrative penalties, and any structures placed in the Parking Lane may be seized, removed, or demolished, as provided under Administrative Code Chapter 94A.

SEC. 205. DELEGATION OF AUTHORITY TO THE INTERDEPARTMENTAL STAFF COMMITTEE ON TRAFFIC AND TRANSPORTATION (ISCOTT) TO TEMPORARILY CLOSE THE TRAFFIC LANE PORTION OF A STREET FOR ROADWAY SHARED SPACES ACTIVITIES.

(a) Pursuant to California Vehicle Code Section 21101, the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT) is authorized to approve a Temporary Closure of the Traffic Lane portion of a Street, under the jurisdiction of the SFMTA, subject to the requirements set forth below. This authorization is solely for the purpose of issuing an ISCOTT permit as authorized by Transportation Code, Division I, Section 6.16, which shall be limited to a one-year or less period of time. ISCOTT is authorized to renew the permit for up to one additional year for a maximum period of two years.

(b) In determining whether to approve a Temporary Closure of the Traffic Lane portion of any Street, ISCOTT may consult with other relevant City departments. If an application is disapproved by ISCOTT, the applicant may follow the appeals process set forth in Section 6.2. If a determination is made not to approve a Temporary Closure of the Traffic Lane, neither Public Works nor any other City agency shall have the authority to issue a permit for occupancy of the Traffic Lane.

(c) ISCOTT shall follow the procedures set forth in Transportation Code, Division I, Section 6.16, to temporarily close the Traffic Lane portion of any Street.

(d) Upon the expiration or revocation of any Roadway Shared Spaces permit pursuant to the Shared Spaces Program as set forth in Administrative Code Chapter 94A, any restriction related to

the Temporary Closure of the Traffic Lane shall be rescinded and the closed portion of the Street shall be reopened within seven days. If the closed portion of the Street is not reopened within seven days, the Roadway Shared Spaces permittee shall be subject to fines and administrative penalties, and any structures placed in the Traffic Lane may be seized, removed, or demolished, as provided under Administrative Code Chapter 94A.

SEC. 206. SFMTA BOARD APPROVAL OF LONGER-TERM CLOSURE OF THE TRAFFIC LANE PORTION OF A STREET FOR ROADWAY SHARED SPACES ACTIVITIES.

(a) **Approval of Longer-Term Closure of the Traffic Lane.** Pursuant to California Vehicle Code Section 21101, the SFMTA Board of Directors may approve the Longer-Term Closure of a Traffic Lane of any Street, in excess of two consecutive years, based upon a determination of public convenience and necessity, following any required public hearing held prior to implementation of the closure.

(b) **Determination of Longer-Term Closure of the Traffic Lane.** The Director of Transportation or designee is authorized to issue rules and regulations, including the application process for a permittee to submit a request, governing the Longer-Term Closure of the Traffic Lane that are consistent with this subsection (b). In determining whether to recommend to the SFMTA Board of Directors a Longer-Term closure of the Traffic Lane portion of any Street, the Director or designee may consult with other relevant City departments, including, but not limited to, the Planning Department, Department of Public Works, Police Department, Department of Public Health, the Public Utilities Commission, the Entertainment Commission, and the Fire Department. The SFMTA Board of Directors may, after considering the impact of the street closure on transportation and on the security, health, and safety of the public as well as the values and commitments set forth in the Transit First Policy, Vision Zero Action Strategy, Climate Action Strategy, and Curb Management Strategy that have been adopted by the SFMTA Board, determine that the street or portion of the street is no longer needed for vehicular traffic, and that the closure is necessary for the safety and protection of the public using the street during the closure, and may impose additional requirements or conditions necessary to

protect the public interest. If a determination is made not to approve a Longer-Term Closure of a Traffic Lane, neither Public Works nor any other City agency shall have the authority to issue a permit for occupancy of the Traffic Lane.

(c) **Posting and Public Hearing Requirements.** The posting and public hearing requirements set forth in Sections 201 and 202 shall apply to any proposed Longer-Term Closure of a Traffic Lane for purposes of issuing a Roadway Shared Space permit; provided, however, that notices shall be posted for seven calendar days prior to the hearing instead of ten.

(d) **Decision.** The decision of the SFMTA Board of Directors with respect to any proposed Longer-Term Closure of a Traffic Lane shall be final.

(e) Upon the expiration or revocation of any Roadway Shared Space permit under the Shared Spaces Program as set forth in Administrative Code Chapter 94A, any restriction related to the closure of a Traffic Lane shall be rescinded and the closed portion of the Street shall be reopened within seven days. If the closed portion of the Street is not reopened within seven days, the Roadway Shared Spaces permittee shall be subject to fines and administrative penalties, and any structures placed in the Parking Lane may be seized, removed, or demolished, as provided under Administrative Code Chapter 94A.

SEC. 302. TRANSPORTATION CODE PENALTY SCHEDULE.

Violation of any of the following subsections of the Transportation Code shall be punishable by the fines set forth below.

TRANSPORTATION CODE SECTION	DESCRIPTION	FINE AMOUNT	
		Effective July 1, 2020**	Effective July 1, 2021**
PEDESTRIANS AND SIDEWALKS			
Div I 7.2.10	Pedestrian Crossings	\$76	\$77
Div I 7.2.11	Electric Assistive Personal Mobility Devices	\$100	\$100
Div I 7.2.12	Bicycle Riding Restricted	\$100	\$100
Div I 7.2.13	NUV Violation	\$100	\$100
ON-STREET PARKING			

Div I 7.2.20	Residential Parking	\$95	\$97
Div I 7.2.22	Street Cleaning	\$83	\$85
Div I 7.2.23(a)	Parking Meter- Downtown Core	\$94	\$96
Div I 7.2.23(b)	Parking Meter-Outside Downtown Core	\$84	\$87
Div I 7.2.25	Red Zone	\$110	\$110
Div I 7.2.26	Yellow Zone	\$110	\$110
Div I 7.2.27	White Zone	\$110	\$110
Div I 7.2.28	Green Zone	\$90	\$90
Div I 7.2.29	Parking for Three Days	\$75	\$75
Div I 7.2.30(a)	Overtime Parking Downtown Core	\$94	\$96
Div I 7.2.30(b)	Overtime Parking Outside Downtown Core	\$84	\$87
Div I 7.2.30(c)	Overtime Meter Parking Downtown Core	\$94	\$96
Div I 7.2.30(d)	Overtime Meter Parking Outside Downtown Core	\$84	\$87
Div I 7.2.32	Angled Parking	\$72	\$72
Div I 7.2.33	Blocking Residential Door	\$59	\$60
Div I 7.2.34	Median Dividers and Islands	\$95	\$97
Div I 7.2.35	Parking on Grades	\$65	\$60
Div I 7.2.36	100 Feet Oversize	\$110	\$110
Div I 7.2.37	Motorcycle Parking	\$110	\$110
Div I 7.2.38	Parking in Stand	\$110	\$110
Div I 7.2.39	Parking Transit-Only	\$110	\$110
Div I 7.2.40	Tow-Away Zone- Downtown Core	\$110	\$110
Div I 7.2.41	Tow-Away Zone- Outside Downtown Core	\$110	\$110
Div I 7.2.42	Parking Restrictions	\$110	\$110
Div I 7.2.43	Parking-Public Property	\$79	\$79
Div I 7.2.44	Misuse Disabled Parking Placard/License	\$866*	\$866*
Div I 7.2.45	Temporary Parking Restriction	\$83	\$85
Div I 7.2.46	Temporary Construction Zone	\$83	\$85
Div I 7.2.47	Remove Chalk	\$110	\$110
Div I 7.2.48	Repairing Vehicle	\$102	\$104
Div I 7.2.49	Permit on Wrong Car	\$110	\$110
Div I 7.2.50	Invalid Permit	\$110	\$110
Div I 7.2.51	Parking Marked Space	\$65	\$67
Div I 7.2.52	On-Street Car Share Parking	\$110	\$110
Div I 7.2.54	Large Vehicle	\$110	\$110

Div I 7.2.55	No Parking Zone	\$110	\$110
OFF-STREET PARKING			
Div I 7.2.60	Parking Facility Charges	\$72	\$72
Div I 7.2.61	Entrance/Exit Parking Facility	\$100	\$100
Div I 7.2.62	Blocking Space Parking Facility	\$76	\$77
Div I 7.2.63	Speeding within Parking Facility	\$100	\$100
Div I 7.2.64	Block Charging Bay	\$110	\$110
Div I 7.2.65	Overtime Parking - Off-Street Parking Meter	\$79	\$79
Div I 7.2.66	Misuse Disabled Parking Placard/ License Plate	\$866*	\$866*
Div II 1009	SFMTA Property	\$110	\$110
TRAFFIC REGULATIONS			
Div I 7.2.70	Obstruction of Traffic-Vehicle	\$110	\$110
Div I 7.2.71	Obstruction of Traffic Without Permit	\$687	\$702
Div I 7.3.3	Obstruction of Traffic Without Permit	\$1,000, or six months in jail, or both (4th or more offenses within one year)	\$1,000, or six months in jail, or both (4th or more offenses within one year)
Div I 7.2.72	Driving in Transit-Only Area	\$89	\$91
Div I 7.2.73	Driving Through Parades	\$100	\$100
Div I 7.2.74	Streetcar Right-of-Way	\$100	\$100
Div I 7.2.75	Passing Safety Zones	\$100	\$100
Div I 7.2.76	Removal of Vehicles-Collision	\$100	\$100
Div I 7.2.77	Weight Restricted Streets	\$100	\$100
COMMERCIAL VEHICLES			
Div I 7.2.80	Vehicles for Hire Parking	\$110	\$110
Div I 7.2.81	Advertising Sign	\$110	\$110
Div I 7.2.82	Selling from Vehicle	\$110	\$110
Div I 7.2.83	Truck Loading Zone	\$110	\$110
Div I 7.2.84	Commercial Vehicle Parking Restrictions	\$110	\$110
Div I 7.2.86	Idling Engine While Parked	\$100	\$100
Div I 7.2.87	Commercial Passenger Vehicle Street Restrictions	\$110	\$110
Div. I 7.2.88	For Sale Sign	\$72	\$72
TRANSIT VIOLATIONS			
Div I 7.2.101	Fare Evasion	\$125	\$125
Div I 7.2.102	Passenger Misconduct	\$125	\$125
Div I 7.2.103	Fare Evasion – Youth Violation	\$64	\$64

Div I 7.2.104	Passenger Misconduct – Youth Violation	\$64	\$64
SHARED MOBILITY DEVICE SERVICES VIOLATIONS			
Div I 7.2.110	Shared Mobility Device Service Parking (Shared Mobility Device Service That Does Not Hold an SFMTA Permit or Authorization)		
	First offense	\$100	\$100
	Second offense within one year of first offense	\$200	\$200
	Third or subsequent offense with one year of first offense	\$500	\$500
Div I 7.2.110	Operating a Shared Mobility Device Service without a Permit or Authorization		
	First offense		\$2500
	Second offense within one year of the first offense		\$5000
Div I 7.2.110	Shared Mobility Device Service Parking (Shared Mobility Device Service Operators that Hold a SFMTA Permit or Authorization)	\$100	\$100
Div I 7.2.111	Powered Scooter Share Parking (Powered Scooter Share Operators That Do Not Hold A SFMTA Permit)		
	First offense	\$100	\$100
	Second offense within one year of first offense	\$200	\$200
	Third or subsequent offense within one year of first offense	\$500	\$500
Div I 7.2.111	Powered Scooter Share Parking (Powered Scooter Share Operators That Hold a SFMTA Permit)	\$100	\$100

SEC. 304. COLOR CURB PAINTING, GENERAL LOADING, AND DRIVEWAY RED ZONE FEES.

(a) **Fees.** When a request for color curb ~~markings, general loading, or driveway red zones~~ is received by the SFMTA, the City Traffic Engineer is authorized to administer and collect an application/processing fee, an ~~painting~~/installation fee, and a renewal fee from the requestor. The SFMTA may also charge a fee for the installation of a short-term parking meter. The fees shall be as follows:

Table 304: COLOR CURB, GENERAL LOADING, AND DRIVEWAY RED ZONE FEE

SCHEDULE

Applicable Fee	FY 2021 Effective 7-1-2020	FY 2022 Effective 7-1-2021
<u>White Zones or, Green Zones, or General Loading Zones (“No Parking Zones”)</u>		
White/Green Zone Application Fee: Flat Rate for All Lengths	\$750	\$775
White/Green Zone Painting/ Installation/Renewal Fee: Initial Installation Fee and Renewal Fee Every 2 Years After Installation	<u>Per 22 linear feet or fraction thereof: \$500</u> <u>Maximum: \$2500</u>	<u>Per 22 linear feet or fraction thereof: \$525</u> <u>Maximum: \$2500</u>
Per Linear 22 feet or fraction thereof; Renewal fee every 2 years after installation	\$500	\$525
<u>Driveway Red Zone</u>		
Application Processing Fee	\$250	\$255
Painting Fee	Initial painting: \$225 per 6 linear feet or fraction thereof	Initial painting: \$230 per 6 linear feet or fraction thereof

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SEC. 313. SHARED SPACES APPLICATION FEES~~PARKLET INSTALLATION~~

FEE.

(a) Curbside Parklet Fee.

A fee to reimburse the SFMTA for costs associated with the removal of a parking space and installation of a parklet~~including staff time for planning, design, and engineering analysis, and the physical removal and relocation of any parking meter.~~ The amount for this fee shall be one-half of the fees collected by Public Works pursuant to Administrative Code Section

94A.10 and Public Works Code Section 211.1~~\$2,170 effective July 1, 2020, and \$2,218 effective July 1, 2021. If the installation of a parklet exceeds two parking spaces, the fee shall be an additional \$1,104 effective July 1, 2020, and \$1,128 effective July 1, 2021 per additional parking space. The SFMTA may also impose a fee for the costs associated with the removal and relocation of a bikeshare station in an amount between \$6,667 to \$7,787 depending on the size of the station. Any invoices sent by the SFMTA are due and payable within 30 days of the date of the invoice. Payment of any and all outstanding fees and penalties shall be made prior to the issuance of any permit for Shared Spaces activities. The SFMTA shall not refund any permit fees under any circumstances.~~

(b) Longer-Term Closure of Traffic Lane Fee.

A fee to reimburse the SFMTA for costs associated with the longer-term closure of a Traffic Lane. The amount of this fee shall be the same amount as set forth in Section 902, Table 902(d) for “Special Events” depending on the date an application is submitted, as specified in said table.

SEC. 326. PLACES FOR PEOPLE APPLICATION FEE.

~~This fee partially reimburses the SFMTA for staff costs related to the review and approval of applications for projects under the Places for People Program established under Chapter 94A of the Administrative Code that require approval by the SFMTA Board of Directors. This includes SFMTA staff review of and comments on traffic data provided by the applicant including potential traffic circulation impacts, parking and loading impacts, and street sign, striping, or signal changes, as well as SFMTA staff’s analysis of the impact of the proposed project on adjacent SFMTA or San Francisco Public Works projects, staff coordination and presentation of the proposal at interdepartmental meetings, and preparation of a report for the SFMTA Board of Directors. The fee set forth below may not exceed 50% of the cost incurred by SFMTA for review and approval of program applications.~~

Description	FY 2021 Effective July 1, 2020	FY 2022 Effective July 1, 2021
Fee per Application	\$11,762	\$12,467

Section 2. Effective and Operative Dates.

(a) This ordinance shall become effective 31 days after enactment. Enactment occurs when the San Francisco Municipal Transportation Agency Board of Directors approves this ordinance.

(b) This ordinance shall become operative upon the effective date of the ordinance in Board of Supervisors File Number 210284, amending Division I of the Transportation Code, the Administrative Code, and the Public Works Code.

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: _____
JOHN I. KENNEDY

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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 May 4, 2021.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency

Enclosure 3

SFMTA and ISCOTT Roadway Regulations for the San Francisco Shared Spaces Program Draft Version 20210426

I. PURPOSE

This document provides the San Francisco Municipal Transportation Agency (SFMTA) and Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT) process for approving longer-term closure of the traffic lane portion of any street for the purpose of issuing a Roadway Shared Space permit pursuant to the Shared Spaces Program. ISCOTT is composed of representatives from Municipal Transportation Agency, Planning, Public Works, Police, Fire, Entertainment Commission, Public Health and the Port of San Francisco and will be authorized to approve temporary closures of the traffic lane portion of any street for purposes of authorizing temporary occupancy of the traffic lane.

II. CRITERION FOR SHARED SPACES CLOSURES

1. Frequency and Duration

- i. Short Term Recurring: In accordance with Transportation Code, Division I, Article 6.16 (a), short-term Roadway Shared Spaces are recurring closures of Traffic Lane(s) that do not significantly interfere or delay a public transit service and generally do not exceed ten consecutive hours per day over four consecutive days per week.
- ii. Permits are issued for one year at a time, with a maximum of a two years for any closure.

2. Impacts

- i. Permits may be granted on any roadway, but staff will assess if a proposed closure on a roadway with active transit service or existing high vehicular volumes will substantially or significantly delay active public transit service. If SFMTA determines that a permit would substantially delay active public transit service, the application either will be modified to eliminate the significant delay, will be denied, or will require subsequent environmental review.
- ii. Significant delay to active public transit service is defined as:
 1. For individual Muni routes, if the project would result in transit delay greater than or equal to four minutes, then it might result in a significant impact. For individual Muni routes with headways less than eight minutes, the department may use a threshold of significance less than four minutes (e.g., a three-minute threshold for a Muni route with headway of six minutes).
 2. The department considers qualitative criteria for determining whether that delay would result in significant impacts due to a substantial number of people riding transit switching to riding in private or for-hire vehicles.

- iii. On streets with active transit service, any potential significant delay to active public transit service must be addressed through modifications or permit conditions. “Reroute” refers to the rerouting of active transit service due to permit on a street with active transit service.
 1. Modification of transit operations, potential measures include, but are not limited to:
 - Reducing the number of stops (“going express”) along the reroute.
 - Modification of intersection treatments along the reroute to give transit priority.
 - Utilize nearby temporary or permanent transit lanes along the reroute to reduce transit delay.
 - Modification of traffic signal timing along the reroute to reduce transit delay.
 2. Modification of permit conditions of the proposed closures, potential measures include, but are not limited to:
 - Reduction in the physical scope of the proposed closure (for example, reducing a four-block closure to a three-block closure to make the reroute less circuitous or lessen impacts of active transit service on parallel streets)
 - Condition the closure to permit transit vehicles to pass through the closed street, either in one direction or both directions.

III. PERMIT APPLICATION PROCESS –USE OF TRAVEL LANE

1. To apply to close a travel lane to vehicular traffic under the Shared Spaces program, applicants shall use an online portal and provide all required application information. Information to be provided as part of an application includes but is not limited to the following:
 - i. Applicant contact information
 - ii. The proposed location (street and cross street(s) and the travel lane(s) proposed to be closed
 - iii. The proposed day(s) and hours for the street closure
 - iv. The proposed use(s) of the travel lane space
 - v. A narrative description of the proposed Shared Space, including the planned activation of the space.
 - vi. Documentation of community outreach and support.
 - vii. A list and frequency schedule for routine maintenance tasks.
 - viii. A prospective activities calendar describing the frequency and types of free public programming, if applicable.
 - ix. A description of any limitations on public use, including: the number and dates of any restricted access events, if any, that will be held annually.
 - x. Photographs of existing conditions on the site.
 - xi. A site plan depicting how the space will be configured, including the introduction and placement of any temporary physical elements, and the placement of nearby ground fixtures. The site plan shall also include at-

grade roadway markings such as color curbs, lane striping, parking stall marking, and at-grade utility access panels, storm drains, manhole covers, and other utility access points. Additional site plan elements may be required.

IV. PERMIT APPLICATION REVIEW PROCESS

1. Application for street closure submitted to the Shared Spaces Program
2. Complete application routed by Planning to ISCOTT for review
 - i. Additional information requested, as needed
 - ii. Assessed for transit impacts and modifications, if necessary, made to closure request
3. Public Notification Period
4. Public Hearing (ISCOTT hearing held approximately every other Thursday)
5. Permit Issued

V. PERMIT EXPIRATION, REVOCABILITY AND APPEALS

1. Denials of application subject to Appeals process set forth in Article 6 Section 6.2(h)(i)(j) of Division I of the Transportation Code.
2. Permits must not exceed duration set forth in Section 6.16 of Division I of the Transportation Code.
3. Permits are revocable at will.

VI. GUIDELINES FOR OCCUPATION OF TRAVEL LANES:

1. Permittee's travel lane occupancy must abide by conditions of Transportation Code, Division I, Article 6. Permittee must abide by any additional conditions in the Shared Spaces permit or any other permits necessitated by activities within the permitted closure. Conditions include but are not limited to the following
 - i. The temporary use or occupancy of a public street shall not unnecessarily obstruct or bar public access onto said street. Sidewalks shall remain open at all times for normal pedestrian use unless closure of the sidewalk is provided for by resolution of the Board of Supervisors explaining the reason for such closure. This permit does not grant permission for the deployment of any tables and chairs or physical objects of any kind on the sidewalk. This permit confers no rights or control over activities on the sidewalk, and sidewalk use should not be obstructed in any way, including by barricades, ID checks or bag searches.
 - ii. No object of any nature shall be placed or maintained within 15 feet of any fire hydrant or within five feet of any fire alarm box or police call box.
 - iii. No object of any nature shall be placed or maintained within any intersection or pedestrian crosswalk, nor shall any vehicle be permitted to be parked in such areas. All curb ramps shall remain clear of any obstructions.

- iv. A continuous passageway in the roadway of a width specified by SFFD shall be maintained at all times during the period of such use or occupancy for the use of emergency vehicles unless location is explicitly exempted by SFFD.
- v. No object of any nature shall be fastened to the surface of the street or sidewalk, and no object shall be affixed to any pole or standard upon any street or sidewalk, without prior written consent of the Director of Public Works.
- vi. Painting upon any street or sidewalk surface is prohibited unless a washable paint is used and removal is accomplished before the street is re-opened.
- vii. Adequate illumination of the area shall be maintained at all times when such illumination is appropriate. In particular, traffic control devices may require active lighting on closures operating outside of full daylight hours.
- viii. Official traffic control devices and traffic signal controllers shall not be covered or blocked at any time during the period of such use or occupancy.
- ix. The event organizer is responsible for maintaining regulation barricades for street closures and appropriate signage, as determined by and provided by the SFMTA.
- x. All manhole covers, utility covers, valve box covers and similar infrastructure shall be kept clear.
- xi. All streets and sidewalks within the area for which such permission is granted shall be kept clean and free from dirt and debris at all times during the permitted closure period, and all materials and equipment used in connection with the closure shall be removed within 24 hours of the termination of the closure times.
- xii. Signs shall be posted pursuant to San Francisco Health Code Section 265 through 265.3 wherever alcohol is offered for sale.
- xiii. Shared Spaces Roadway closures must comply with the “no smoking” requirements of San Francisco Health Code Article 19L
- xiv. Shared Spaces Roadway closures must comply with the San Francisco Bottled Water Ordinance
- xv. Such further conditions as may be imposed by the Department of Public Works after inspection of the area involved.
- xvi. No skateboarding, bicycle riding, or pets off leash is allowed within a Roadway Shared Space unless explicitly allowed in the permit

2. Permits will be subject to a hold harmless clause:

In consideration of the business taking advantage of sidewalk, parking lane, and/or travel lane space, the business owner promises and agrees to comply with all applicable regulations.

In addition, the permittee agrees on its behalf and that of any successor or assignee to hold harmless, defend, and indemnify the City and County of San Francisco, including, without limitation, each of its commissions, departments, officers, agents and employees (collectively referred to as the “City”) from and against and

all losses, liabilities, expenses, actions, claims, demands, injuries, damages, fines, penalties, suits, costs or judgements including, without limitation, attorneys' fees and costs (collectively, "claims") of any kind allegedly arising directly or indirectly from

(i) any act by, omission by, or negligence of, Assignee or its subcontractors, or the officers, agents or employees of either, while engaged in the practices authorized by this permit,

(ii) any accident, damage, death, or injury to any contractor or subcontractor, or any officer, agent, or employee of either of them, while engaged in the performance of the practices authorized by this permit,

(iii) any accident, injuries or damages to any person(s) or accident, damage or injury to any real or personal property, good will, in, upon or in any way allegedly connected with the practices authorized by this permit from any cause or claims arising at any time, and potentially falls within this indemnity provision, even if the allegations are or may be groundless, false or fraudulent, which obligations arises at the time such claim is tendered to business operator by the City and continues at all times thereafter.

The permittee agrees that the indemnification obligations assumed under this permit shall survive expiration of the permit or completion of practices authorized by the permit. Permittee shall assume all maintenance and liability associated with the items allowed to be placed in the public right-of-way under this permit.

SFMTA Curbside Lane Regulation for the San Francisco Shared Spaces Program
Draft Version 20210426

PURPOSE

Pursuant to Trans. Code, Div. II, Section 204, the Director of Transportation or designee has authority to issue rules and regulations to restrict parking and close parking spaces consistent with that section. This document clarifies the San Francisco Municipal Transportation Agency's (SFMTA) decision-making process for reviewing and approving the closure of portions of curbside lanes and on-street parking spaces to vehicular traffic. The SFMTA will allocate and regulate curb space to uphold the City's values and commitments to Transit First, Vision Zero, and Climate Action and will apply the Curb Management Strategy to ensure balanced curbside functionality. Curbside Shared Spaces will be evaluated alongside the following established Priority Uses, consistent with the Curb Management Strategy:

- Access for people and goods (e.g. bus stop, commercial or passenger loading zone, disabled loading and parking, etc.)
- Movement (e.g. accommodating transit and bike lanes, etc.)
- Public Space (e.g. Shared Spaces Tier I parklet, pitstops, mobile showers)
- Public Safety (e.g. red zones for daylighting, fire hydrants, etc.)
- Bicycle Parking and Storage (e.g. bike corrals and bike sharing stations)
- Note: eligibility for Tier II Movable Parklets and Tier III Commercial Parklets will be assessed after all above Priority Uses are accounted for.

I. Eligibility and Application Review

This section summarizes the eligibility requirements for curbside permits and SFMTA's application review process for assessing feasibility of a Shared Space.

- A. See legislation establishing the Shared Spaces Program which amends the Public Works Code, Administrative Code, and Transportation Code, Division I and Division II for additional eligibility requirements and considerations.
- B. Permittee will only engage in approved activities as set forth under the Shared Spaces Program.
- C. Permittee will adhere to all requirements for moveable or fixed structures and materials as identified herein as well as Public Works Regulations for Sidewalk and Curbside Occupancy Under the San Francisco Shared Spaces Program.
- D. Permit must be displayed in business frontage, see permit for directions
- E. Upon receipt of a permit application, SFMTA staff will confirm Curb Supply, defined as the available curb space along the block face not already allocated to Priority Uses, as outlined above.
 - If there is no Curb Supply remaining after Priority Uses (summarized above) are accounted for, application will be denied. Exceptions may be granted for Tier II Movable Commercial Parklet zones if conditions allow (e.g. hours of operations do not conflict with tow hours)

- If there is remaining Curb Supply, and there are no conflicts with Priority Uses or Priority uses may be relocated, application will be advanced
 - If there is remaining Curb Supply but Priority Uses fronting requesting business cannot be relocated (e.g. bus zone), application may be denied
 - If Curb Space is available for Shared Spaces zone(s):
 - In areas with metered parking, applicants whose frontage does not align with a metered parking space may be given the one metered parking space that best aligns with their frontage while also ensuring that other curb needs are met.
 - In unmetered areas, businesses with less than 20 feet of curb space encompassed entirely within their frontage may be granted additional curb space in front of neighboring properties for up to a maximum of 20 feet total.
 - For requests of more than 1 metered space or more than 20 feet in unmetered areas, if any portion of the additional parking space is within a neighboring frontage, consent from the neighboring tenant(s) and property owner(s) will be required. See Administrative Code 94A.5 (a) (3ii)
 - If multiple curbside Shared Space requests for have been submitted for the same parking space, SFMTA will consider the applications based on criteria such as total space available (sidewalk, other outdoor space and indoor) and order of application submission.
- F. Marked and/or metered parking spaces shall be permitted as whole spaces. These spaces may extend in front of more than one property.
- G. Shared Spaces applications near or alongside any active or proposed construction will require additional review and approval will be at the discretion of the City.
- H. Shared Spaces applications that spatially overlap with previously approved or active applications for street closure (e.g. Special Event or Roadway Shared Spaces) will require additional review.

II. Zone Parameters and Requirements

This section summarizes the parameters and requirements for the location of a proposed curbside Shared Space zone.

A. Zone Dimensions

- I. Length: maximum of two metered parking spaces or 40 linear feet along curb (parallel parking) or 20 linear feet along curb (angled or perpendicular parking) will be granted to an individual business location. Exceptions may be considered depending on supply and demand of curb access needs.
- II. Width: in general, the outside edge of the barrier or structure (closest to adjacent travel lane), may be a maximum of 7 feet from curb in parallel parking area and

14 feet from curb in perpendicular or angled parking area. Exceptions may apply that would necessitate reducing the width of the zone

B. Daylighting buffer

- I. Shared Spaces may not be located within 20 feet from the nearside of an intersection, or within the 8 foot daylighting buffer on the farside of intersection.
- II. Shared Spaces must maintain a 5-foot clearance from the nearside of an active driveway and 2-foot clearance on the farside of an active driveway

C. Traffic and Warning signs

- I. Procurement and installation of traffic or warning signage (per SFMTA design guidelines) may be required if zone blocks existing signage in part or completely. Staff will provide direction to applicant during assessment or field inspection

D. Transit-related Requirements

- I. Transit conflicts include but are not limited to: bus/rubber tire conflicts, rail conflicts, paratransit loading conflicts, transit infrastructure access conflicts (including but not limited to: Traction Power Substations & signal cabinets), and planned or existing transit lanes or bus zones. These conflicts may occur on revenue and non-revenue routes.
- II. Requests for parking space closure for curbside Shared Spaces on streets with revenue or non-revenue transit operations must provide adequate clearance from the travel lane, transit shelter, trackway, and other transit elements as defined in Section II. (D).
- III. If a proposed Shared Space zone is more than 50 feet away from any Transit Feature listed in Section III (Items L through V), then the zone will be considered to have no transit impacts.

E. Transit specifications

I. Muni Bus

- a. To be approved a Shared Spaces application must meet all of the following criteria:
 - i. Must not interfere with non-revenue or switchback Muni travel.
 - ii. May not block visibility of Muni paint markings (eg. switch markings or bus stop bar markings) on the ground.
 - iii. May not encroach into passenger waiting or loading area.
 - iv. If adjacent to an active Transit Zone as defined in Section III (L), must maintain an adequate buffer from Muni passengers and may be asked to construct barriers as needed.
 - v. Must provide 10 feet clearance from overhead power lines.
(<https://www.dir.ca.gov/Title8/2946.html>)

- vi. Must provide a clear and safe pathway for vehicle boarding and alighting.
- II. Muni Rail
 - a. To be approved a Shared Spaces application must meet all of the following criteria:
 - i. All components are 6 feet away from the outer most edge of rail
 - ii. Does not encroach on clearance lines or turning movements (SFMTA can provide a template as requested)
 - iii. Provide a clear accessible pathway from each car for vehicle boarding and alighting
 - iv. Does not encroach into passenger waiting or loading areas.
 - v. Is not on a platform, station, or boarding island.
 - vi. Permittees must obtain a rail clearance permit for any construction activities within 62-inches of the outer most edge of rail. Any construction activities within a rail-adjacent Shared Space must comply with requirements for rail clearance detailed in section 7.4 of the SFMTA Regulations for Working in San Francisco Streets.
- III. Paratransit
 - a. Shared Spaces application must not impede Paratransit loading at public or government buildings and programs, medical facilities, senior/disabled housing, schools, or any other location with frequent paratransit trips.

III. Priority Use Considerations and Restrictions

This section summarizes the various priority transportation uses in the right-of-way and associated requirements for a Shared Space application.

A. Bikeshare Station

- I. Bikeshare Provider and the SFMTA will evaluate removing, modifying or relocating of bikeshare station. If it is not possible, then the application will be denied.
- II. If a replacement location is found, the application will be put on hold until the relocated bike share zone is approved and relocated.
- III. The applicant will be responsible for participating in the required community engagement process led by the Bikeshare Provider as part of the approval process.
- IV. The applicant will be responsible for the cost associated with the removal and relocation of the bikeshare station.

B. Bicycle Racks

- I. SFMTA will evaluate if an alternative location is available for bicycle racks, or if there is sufficient bicycle storage on the given block face. If neither of these conditions are met, the application may be denied.

C. Bicycle Corrals

- I. The SFMTA will evaluate removing, modifying, or relocating a bicycle corral. If an alternative location cannot be found for a bicycle corral, or if there is insufficient bicycle storage on the given block face, the application may be denied.
- II. The application will be put on hold until the bicycle corral is relocated.

D. Curbside Running Bike Lanes

- I. Shared Spaces may not be located in existing bicycle lanes
- II. Fixed structures may not be located in any location that would preclude the planned implementation of a bikeway within 12 months of the application submittal.
- III. Shared Spaces may be allowed in floating parking lanes, such as those next to 'parking-protected bike lanes,' on a case by case basis if SFMTA determines it to be safe and feasible; resulting zone must maintain an accessible path of travel.

E. Commercial Loading

- I. If a zone is proposed in an existing commercial loading zone, the SFMTA will evaluate whether the commercial loading zone is needed. If the loading zone is needed, then SFMTA will evaluate whether a feasible replacement location can be identified on the same block face. If no suitable replacement location can be identified, the application will be denied.
- II. If a replacement location is found, the application will be put on hold until the relocated commercial loading zone is approved and relocated.

F. Short-term Parking

- I. If an application is proposed in an existing short-term parking space, the SFMTA will evaluate whether the short-term parking space is needed. If the space is needed, then SFMTA will evaluate whether a feasible replacement location can be identified the same block face. If no suitable replacement location can be identified, the application will be denied.
- II. If a replacement location is found, the application will be put on hold until the relocated short-term parking zone is approved and relocated.

G. Passenger Loading Zone

- I. The SFMTA will evaluate possible relocation or removal to accommodate a Shared Space, including evaluating Paratransit and disabled loading needs at the loading zone. If relocation will materially affect disabled access or no suitable replacement location can be identified, the application will be denied.
- II. If a replacement location is found, the application will be put on hold until the relocated passenger loading zone is approved and relocated.

H. ADA Accessible Parking Spaces

- I. Shared Spaces may not be located in or impede access to blue accessible parking spaces

I. Peak Tow-Away Lanes.

- I. Fixed structures may not be located in peak tow-away lanes.
- J. Taxi Stands/Zones
 - I. The SFMTA will evaluate the feasibility of removing, modifying or relocating a taxi zone.
 - II. If a replacement location is found, the application will be put on hold until the relocated taxi stand is approved and relocated.
- K. Commuter Shuttle Stop
 - I. The SFMTA will evaluate the feasibility of removing, modifying or relocating a shuttle stop not aligned with a Muni stop.
 - II. If a replacement location is found, the application will be put on hold until the relocated commuter shuttle stop is approved and relocated.
- L. Transit Features:
 - I. Active Transit Zones (a boarding / alighting area)
 - Shared Spaces may not be located in active transit zones (those being used for revenue or non-revenue service) including, but not limited to: bus stops and zones, bulbs, islands, stations, and platforms.
 - II. Inactive Transit Zones
 - Curbside Shared Spaces may be approved in transit zones that are inactive and currently have no routes serving them. The City reserves the right to suspend or revoke the curbside Shared Space permit at any time, for example when the zone is returned to transit service.
 - III. Transit Shelter
 - Shared Spaces may not be located in front of Transit Shelters.
 - IV. Flag Bus Stops
 - Shared Spaces may not be located in flag stops,
 - V. Transit Only Lanes, Temporary Emergency Transit Lanes
 - Shared Spaces may not be located in designated transit only lanes or Temporary Emergency Transit Lanes.
 - VI. Overhead Wires
 - Shared Spaces may be restricted or additional design requirements may be applied to ensure City and utility access to overhead lines.
 - VII. Muni Bus Routes
 - Along active Muni routes, Curbside Shared Spaces must comply with relevant zone parameters and requirements.
 - VIII. Muni Rail Lines
 - Curbside Shared Spaces may be approved along an active or inactive Muni rail line if, at minimum, the Shared Space is 5 feet away from any active Transit Zone as defined in Section III (L) and 6 feet away from the outer most edge of the rail.

- IX. Muni Rail Stops
 - Curbside Shared Spaces may be approved in rail stops that are suspended and currently serve no active routes on a month-to-month basis. SFMTA reserves the right to suspend the Shared Space at any time. A Shared Space must not interfere with any non-revenue rail activity. Shared Spaces may not be approved at platforms, stations, or island stops.
- X. Cable Car Routes
 - Shared Spaces along Cable Car Routes will require a field visit prior to approval to ensure that the proposed zone will not interfere with Cable Car operations including loading, maintenance work or access.
- XI. Transit Maintenance
 - Shared Spaces may not:
 - Be located below Traction Power Switches.
 - Block access to Feeder Poles.
 - Block visibility of any traffic signs or signals, including Muni signals.
 - Block access to traffic signal cabinets or track switch cabinets
 - Block access to Substations

IV. Fees

- I. A fee to reimburse the SFMTA for costs associated with the removal of a parking space and installation of a parklet. The amount for this fee shall be one-half of the fees collected by Public Works pursuant to Administrative Code Section 94A.10 and Public Works Code Section 211.1. The SFMTA may also impose a fee for the costs associated with the removal and relocation of a bikeshare station in an amount between \$6,667 to \$7,787, or as revised, depending on the size of the station.
- II. Any invoices sent by the SFMTA are due and payable within 30 days of invoice date.
- III. Payment of all outstanding fees, penalties must be made prior to the issuance of any permit.
- IV. Under no circumstances will any permit fees be refunded.

V. Shared Spaces Installation, Repairs, and Removal

- I. Permittee commits to not block access to bus zones, passenger loading zones, blue accessible parking spaces, red zones, active driveways or impede the free flow of traffic including bicycle lanes while installing, repairing/modifying or removing structure for Curbside Shared Space.

VI. Compliance with additional terms and conditions

- I. Permittee agrees to comply with any and all additional written terms and conditions required by the SFMTA for participation in the Curbside Shared Space program provided to Permittee on the date of permit issuance. Permittee will acknowledge that these written terms and conditions may be changed, amended, or revised at any time by the SFMTA with at least ninety days prior written notification to the Permittee. By acceptance of a Permit, Permittee agrees that it shall either (i) comply with any changed, amended or revised written terms and conditions within thirty (30) days of written notification by the SFMTA or (ii) elect to cease to use of the Curbside Shared Space zone. Failure to comply with any or all terms and conditions required by the SFMTA for participation in the Curbside Shared Space Program may result in the revocation Curbside Shared Space Permit issued to the Permittee upon written notice of revocation by the city.