

THIS PRINT COVERS CALENDAR ITEM NO. : 10.7

**SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY**

DIVISION: Sustainable Streets

BRIEF DESCRIPTION:

Amending the Transportation Code, Division II, Section 902 to revise the One-Day Flex Permit fees and establish a less than six months motorcycle permit fee for the Residential Parking Permit Program.

SUMMARY:

- The proposed legislation revises the One-Day Flex permit fees to specify purchases are per calendar year rather than per order.
- The proposed legislation also establishes a less than six months motorcycle permit fee.
- Pursuant to Charter Section 16.112 and the Rules of Order of the Board of Directors, published notice was placed in the City's official newspaper to provide notice that the Board of Directors will hold a public hearing on April 18, 2017, to consider the proposed modification to existing Residential Area Parking Permit Fees and establish a six month motorcycle permit.

ENCLOSURES:

1. SFMTAB Resolution
2. Transportation Code Amendment

APPROVALS:

DATE

DIRECTOR _____ 4/10/17

SECRETARY R. Boomer _____ 4/10/17

ASSIGNED SFMTAB CALENDAR DATE: April 18, 2017

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PURPOSE

Amending the Transportation Code, Division II, Section 902 to revise the One-Day Flex Permit fees and establish a less than six months motorcycle permit fee for the Residential Parking Permit Program.

STRATEGIC PLAN GOALS AND TRANSIT FIRST POLICY PRINCIPLES

This action supports the following SFMTA Strategic Plan Goal and Objective:

Goal 2: Make transit, walking, bicycling, taxi, ridesharing, and carsharing the preferred means of travel

Objective 2.4: Improve parking utilization and manage parking demand

DESCRIPTION

SFMTA wishes to revise the Residential Area Parking Permit Fee Schedule and add a less than six months permit for motorcycles. Staff intended for these revisions to be part of the two-year budget for FY2017-2018 and the proposed legislation corrects these omissions.

The Transportation Code currently allows customers to buy One-Day Residential Area Parking Permits in a tiered pricing structure based on the number of desired permits “per order”. The current tiered pricing structure inadvertently incentivizes customers to repeatedly purchase the lowest number of permits at one time because it has the lowest per permit price, (1-5 permits at \$5.00 each), rather than purchasing the highest number of permits (16-20 permits at \$11.00 each). The proposed legislation corrects this problem by deleting “per order” and adding the words “per calendar year.”

The less than six months motorcycle Residential Area Parking Permit was a result of customer feedback during the formation of RPP Area Q. At that time, members of the public indicated that motorcycles should be charged less than autos for annual permits and staff adjusted the annual permit fee for motorcycles as a result. The proposed legislation establishes a less than six months motorcycle permit consistent with existing automobile permits and addresses public feedback. The proposed less than six months motorcycle permit fee is \$48.00.

These revisions require amending the Transportation Code because they revise existing RPP fees and establish a new RPP fee.

STAKEHOLDER ENGAGEMENT

During the formation of RPP Area Q, SFMTA staff held public hearings on November 10, 2014 and January 16, 2015 where motorcycle owners stated they should not have to pay the same RPP fee as automobiles.

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Staff reviewed these revisions internally with the SFMTA's Revenue Collection & Sales Division.

ALTERNATIVES CONSIDERED

The only alternative considered is to leave the Transportation Code language as is. Staff decided to proceed with the proposal to modify One-Day Flex Permit fees and establish a less than six months motorcycle permit in response to public feedback.

FUNDING IMPACT

The Residential Permit Parking program is operated on a cost-recovery basis. There will be no net fiscal impact.

PUBLISHED NOTICE

Pursuant to Charter Section 16.112 and the Rules of Order of the Board of Directors, published notice was placed in the City's official newspaper to provide notice that the Board of Directors will hold a public hearing on April 18, 2017, to consider the proposed modification to existing Residential Area Parking Permit fees and establish a six month motorcycle permit.

ENVIRONMENTAL REVIEW

On March 16, 2017, the SFMTA, under authority delegated by the Planning Department, determined that changes to Residential Area and Motorcycle Parking Permit Fees are not defined as 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

No other approvals are required.

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

RECOMMENDATION

SFMTA staff recommends that the SFMTA Board of Directors amend the Transportation Code, Division II, Section 902 to revise the one day Residential Area Parking Flex Permit fees and establish a six month motorcycle Residential Area Parking Permit fee.

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SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. _____

WHEREAS, The proposed legislation specifies that One-Day Flex permit purchases are per calendar year rather than per order; and,

WHEREAS, The proposed legislation also establishes a less than six months motorcycle permit fee; and,

WHEREAS, On March 16, 2017, the SFMTA, under authority delegated by the Planning Department, determined that changes to Residential Area and Motorcycle Parking Permit Fees are not defined as a “project” under the California Environmental Quality Act (CEQA) pursuant 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

WHEREAS, San Francisco City Charter Section 16.112 requires that published notice be given and a public hearing be held before any fee or any schedule of rates, charges or fares which affects the public is instituted or changed; and,

WHEREAS, Pursuant to Charter Section 16.112 and the Rules of Order of the Board of Directors, published notice was placed in the City’s official newspaper to provide notice that the Board of Directors will hold a public hearing on April 18, 2017, to consider the proposed modification to existing Residential Area Parking Permit fees and establish a six month motorcycle permit, now, therefore be it

RESOLVED, The San Francisco Municipal Transportation Agency Board of Directors amends Transportation Code, Division II, Section 902 to revise the One-Day Flex Permit fees and establish a less than six months motorcycle permit fee for the Residential Parking Permit Program.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of April 18, 2017.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency

[Transportation Code – RPP Permits]

Resolution amending Division II of the Transportation Code to revise the one day Residential Area Parking Flex Permit fees and establish a less than six month motorcycle Residential Area Parking Permit 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. Article 900 of Division II of the Transportation Code is hereby amended by revising Section 902, to read as follows:

SEC. 902. GENERAL PERMIT CONDITIONS.

The following general provisions apply to all permits issued under this Article 900.

(a) **Application and Renewal.** Permit applications must be submitted on a form supplied by the SFMTA. All required application and any other fees must be paid and all permit requirements satisfied before a permit may be issued. The SFMTA may require any information of the applicant which it deems necessary to carry out the purposes of this Article. Permits may be renewed annually in compliance with any renewal procedures established by the SFMTA.

(b) **Display of Permit.** Permittees must maintain the permit at the site of the permitted activity and available for inspection in accordance with any requirements for permit display as may be established by the SFMTA, and shall make all permits available for inspection upon request by an employee of the Police Department or SFMTA.

(c) **Prior Payments Required.** No permit shall be issued or renewed until the applicant has paid all permit fees that are due to the SFMTA. No permit shall be issued to any applicant who is responsible for payment of one or more delinquent citations for violation of any provision of this Code or the Vehicle Code until all fines and fees associated with the citation are paid in full.

(d) **Permit Fees.** Fees for permits issued pursuant to this Code are as follows:

Section 902(d)
Permit Fee Schedule

	Effective July 1, 2016	Effective July 1, 2017
Special Traffic Permit (§ 903)		
Base Permit Fee:	\$226.50	\$294.50
Daily Fee:	\$46.50	\$60.50
Late Fee:	\$253.50	\$329.50
Temporary Exclusive Use of Parking Meters (§ 904)		
Base Permit Fee: per 25 linear feet of construction frontage per day, including weekends and holidays:	\$10	\$11
Residential Area Parking Permit (§ 905)		
Motorcycle (Annual)	\$95	\$96
<u>Motorcycle (Less than 6 months)</u>		<u>\$48</u>
Resident/Business/School/Fire Station/Foreign Consulate/Medical & Childcare Provider Base Permit Fee:		

	Effective July 1, 2016	Effective July 1, 2017
(one year):	\$127	\$128
(Less than 6 months):	\$63	\$63
Permit Transfer:	\$21	\$22
1-Day Flex Permit <u>(purchased within one calendar year)</u>:		
1-55 permits per order	\$5 each permit	\$6 each permit
66-15 permits per order	\$7 each permit	\$8 each permit
16-20 permits per order	\$10 each permit	\$11 each permit
Short-Term Permits		
2 weeks:	\$44	\$45
4 weeks:	\$64	\$65
6 weeks:	\$83	\$84
8 weeks:	\$108	\$109
Contractor Permit (§ 906)		
Base Permit Fee		
Annual/Renewal	\$1,167	\$1,280
Less than 6 months	\$575	\$640
Permit Transfer Fee:	\$50	\$52
Vanpool Permit (§ 907)		
Base Permit Fee		
(per year):	\$127	\$128
(Less than 6 months):	\$63	\$63
Stationless Bicycle Share Program Permit (§ 909)		

	Effective July 1, 2016	Effective July 1, 2017
Permit Application Fee		
Less than 500 bicycles	\$11,826	\$12,208
500 to 1,500 bicycles	\$13,355	\$13,787
1,500 to 2,500 bicycles	\$15,210	\$15,702
2,500 to 3,000 bicycles	\$16,739	\$17,280
3,500 or more bicycles	\$18,944	\$19,558
Annual/Renewal Fee		
Less than 500 bicycles	N/A	\$9,725
500 to 1,500 bicycles	N/A	\$11,303
1,500 to 2,500 bicycles	N/A	\$13,219
2,500 to 3,500 bicycles	N/A	\$14,797
3,500 or more bicycles	N/A	\$17,074
SFMTA Permit (§ 910) (Based on the annualized Parking Meter use Fee)	\$2,600	\$2,860
On-Street Car Share Vehicle Permit (§ 911)		
Base permit – One time set up fee	\$416	\$431
Zone 1	\$2,808 (\$234 per month)	\$2,916 (\$243 per month)
Zone 2	\$1,872 (\$156 per month)	\$1,944 (\$162 per month)
Zone 3	\$624 (\$52 per month)	\$648 (\$54 per month)

	Effective July 1, 2016	Effective July 1, 2017
Vehicle Press Permit (§ 912) Base Permit Fee: The permit fee shall only be increased pursuant to the Automatic Indexing Implementation Plan approved by the SFMTA Board of Directors.	\$60	\$62
Designated Shuttle Stop Use Permit (§ 914)	\$7.31	To Be Determined
Farmer's Market Parking Permit (§ 801(c)(17)) Base Permit Fee (quarterly):	\$197	\$199
Temporary Street Closures Permits (Division 1, Article 6)		
Neighborhood Block Party More than 120 days in advance	\$167	\$192
90 -120 days in advance	\$199	\$238
60-89 days in advance:	\$230	\$299
30-59 days in advance:	\$307	\$399
Fewer than 30 days in advance	\$614	\$798
All Other Events More than 120 days in advance	\$553	\$636
90 -120 days in advance	\$657	\$789
60-89 days in advance:	\$762	\$990
30-59 days in advance:	\$923	\$1,200
Fewer than 30 days in advance	\$1,082	\$1,406

	Effective July 1, 2016	Effective July 1, 2017
Few than 7 days in advance	\$1,244	\$1,617
Bus Substitution Fee (Division I, Article 6.2(f))	\$32.75	\$33.75

(e) **Indemnification.** The permit application for Special Traffic Permits issued pursuant to Section 903, and permits for the Temporary and Exclusive Use of Parking Meters issued pursuant to Section 904, shall require the applicant to acknowledge that the Permittee, by acceptance of the permit, agrees to indemnify and hold the City and County of San Francisco, its departments, commissions, boards, officers, employees and agents ("Indemnitees") harmless from and against any and all claims, demands, actions or causes of action which may be made against the Indemnitees for the recovery of damages for the injury to or death of any person or persons or for the damage to any property resulting directly or indirectly from the activity authorized by the permit regardless of the negligence of the Indemnitees.

(f) **Rules and Regulations.** Compliance with all applicable rules and regulations and with all permit conditions shall be a material condition for the issuance or renewal of a permit.

(g) **Permit Revocation.** The Director of Transportation is authorized to revoke the permit of any Permittee found to be in violation of this Article and, upon written notice of revocation, the Permittee shall surrender such permit in accordance with the instructions in the notice of revocation.

Section 2. **Effective and Operative Dates.** This ordinance shall become effective 31 days after enactment. Enactment occurs when the San Francisco Municipal Transportation Agency Board of Directors approves this ordinance. The operative date of this ordinance is

July 1, 2017. Accordingly, all fees, penalties, and any other monetary charges in existence as of the effective date of this ordinance will remain in place through June 30, 2016.

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
Deputy City Attorney

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I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of April 18, 2017.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency