File No. 110716 Committee Item No. 2
Board Item No. _____

# COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

**Committee:** Land Use and Economic Development **Date** May 14, 2012

**Board of Supervisors Meeting** **Date** _____

| Cmte | Board | |
|---|---|---|
| ☐ | ☐ | **Motion** |
| ☐ | ☐ | **Resolution** |
| ☒ | ☐ | **Ordinance** |
| ☒ | ☐ | **Legislative Digest** |
| ☐ | ☐ | **Budget and Legislative Analyst Report** |
| ☐ | ☐ | **Legislative Analyst Report** |
| ☐ | ☐ | **Youth Commission Report** |
| ☐ | ☐ | **Introduction Form (for hearings)** |
| ☐ | ☐ | **Department/Agency Cover Letter and/or Report** |
| ☐ | ☐ | **MOU** |
| ☐ | ☐ | **Grant Information Form** |
| ☐ | ☐ | **Grant Budget** |
| ☐ | ☐ | **Subcontract Budget** |
| ☐ | ☐ | **Contract/Agreement** |
| ☐ | ☐ | **Form 126 – Ethics Commission** |
| ☐ | ☐ | **Award Letter** |
| ☐ | ☐ | **Application** |
| ☐ | ☐ | **Public Correspondence** |

**OTHER** **(Use back side if additional space is needed)**

| | | |
|---|---|---|
| ☒ | ☐ | Environmental Review Determination, dtd 7/27/11 |
| ☐ | ☐ | |
| ☐ | ☐ | |
| ☐ | ☐ | |
| ☐ | ☐ | |
| ☐ | ☐ | |
| ☐ | ☐ | |
| ☐ | ☐ | |

**Completed by:** Alisa Miller **Date** May 11, 2012
**Completed by:** _____ **Date** _____

An asterisked item represents the cover sheet to a document that exceeds 25 pages.
The complete document can be found in the file.

[Transportation Code - Tour Bus Parking and Loading]

**Ordinance amending the San Francisco Transportation Code, Division I, Article 7 by: 1) amending Section 7.2.27 to remove the restriction on the use of white zones by commercial vehicles and clarify that this Section does not apply to Stands established under Division II of the Code and designated for the use of Tour Buses; 2) amending Section 7.2.38 to establish violations for vehicles other than authorized Tour Buses parking or stopping in restricted Tour Bus Stands and for Tour Buses that exceed posted time limits in such Stands; 3) amending Section 7.2.80 to exclude Tour Bus Stands from otherwise applicable parking restrictions imposed in specified use districts on vehicles required to register with the California Public Utilities Commission; and 4) making environmental findings.**

NOTE: Additions are *single-underline italics Times New Roman*; deletions are ~~*strike-through italics Times New Roman*~~. Board amendment additions are double-underlined; Board amendment deletions are ~~strikethrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Environmental Findings. The Planning Department has determined that the actions contemplated in this Ordinance are in compliance with the California Environmental Quality Act (California Public Resources Code section 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. 110716 and is incorporated herein by reference.

Section 2. The San Francisco Transportation Code is hereby amended by amending Sections 7.2.27, 7.2.38, and adding a new Section 7.2.53 to read as follows:

///

///

**SEC. 7.2. INFRACTIONS.**

In addition to public offenses created by the Vehicle Code, the actions listed in this Section 7.2 are prohibited, and each and every violation of a prohibition listed below shall be an infraction, except as otherwise provided in: (a) this Code; or (b) the Vehicle Code; or (c) as necessary to comply with the direction of a Police Officer or Parking Control Officer; or (d) with respect to a Municipal Parking Facility, upon the direction of an authorized parking attendant; or (e) with respect to any other Public Property, except with the permission of, and subject to such conditions and regulations as are imposed by the agency that owns the property that are available for public inspection at the agency's offices.

**SEC. 7.2.27. CURB PARKING - WHITE ZONES.**

To Park a vehicle, except to load or unload passengers, in a white zone indicated by white paint on the curb or signage for more than five minutes during any time in which Parking is restricted or prohibited at that white zone~~*; or to Park any commercial vehicle in a white zone at any time*~~. Vehicles shall not be stopped in white zones under any circumstances during the times that Parking is restricted or prohibited, except while the operator is in attendance; provided that the operator is not required to be in attendance when the vehicle is Parked: (a) at a hospital, (b) at a school when the vehicle displays a Special License Plate or Placard, and (c) at a child care center, as defined by California Code of Regulations, Section 101152(c)(7)~~.~~. *This Section shall not apply to Stands designated by the Municipal Transportation Agency Board of Directors for the exclusive use of Tour Buses under Division II of this Code.* (38.C)

**SEC. 7.2.38. PARKING IN STANDS.**

*(a)* To Park a vehicle at any Stand at any time, except a vehicle belonging to the class of vehicles that are authorized to use that Stand. (33.5A, 39(b), 66)

*(b) To Park or stop a vehicle at any Stand designated by the Municipal Transportation Agency's Board of Directors for the exclusive use of Tour Buses for which a Tour Bus Loading and Parking Permit has been issued by the Municipal Transportation Agency under Division II of this Code when Municipal Transportation Agency signs or markings are posted giving notice of such restrictions, except for a Tour Bus authorized to occupy the Stand under such a Permit.*

*(c) To Park or stop a vehicle other than a Tour Bus at any Stand designated by the Municipal Transportation Agency's Board of Directors for the exclusive use of Tour Buses when Municipal Transportation Agency signs or markings are posted giving notice of such restrictions.*

*(d) To Park or stop a Tour Bus at any Stand designated by the Municipal Transportation Agency's Board of Directors either for the exclusive use of Tour Buses, or for the exclusive use of Tour Buses for which a Tour Bus Loading and Parking Permit has been issued by the Municipal Transportation Agency under Division II, in violation of any time limits or loading restrictions imposed by Municipal Transportation Agency signs or markings giving posted notice of such restrictions.*

**SEC. 7.2.80. VEHICLES FOR HIRE AND TAXIS; PARKING PROHIBITED IN CERTAIN USE DISTRICTS.**

For the operator of any vehicle for hire that is registered or required to be registered with the California Public Utilities Commission, *other than a Tour Bus parked at a Stand designated by the Municipal Transportation Agency's Board of Directors for the exclusive use of Tour Buses,* to leave any such vehicle unattended in any street in a RH-1(D), RH-1, RH-2, RH-3, RH-4, RM-1, RM-2, RM-3, RM-4 or P Use District, or for any Taxi to remain parked in such districts for a period in excess of four (4) hours. (63.2)

///

///

///

Section 3. Effective Date. This ordinance shall become effective 30 days from the date of passage.

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

By: _____
DAVID A. GREENBURG
Deputy City Attorney

FILE NO. 110716

# LEGISLATIVE DIGEST

[Transportation Code - Tour Bus Parking and Loading]

**Ordinance amending the San Francisco Transportation Code, Division I, Article 7 by: 1) amending Section 7.2.27 to remove the restriction on the use of white zones by commercial vehicles and clarify that this Section does not apply to Stands established under Division II of the Code and designated for the use of Tour Buses; 2) amending Section 7.2.38 to establish violations for vehicles other than authorized Tour Buses parking or stopping in restricted Tour Bus Stands and for Tour Buses that exceed posted time limits in such Stands; 3) amending Section 7.2.80 to exclude Tour Bus Stands from otherwise applicable parking restrictions imposed in specified use districts on vehicles required to register with the California Public Utilities Commission; and 4) making environmental findings.**

## Existing Law

Under existing law, the Municipal Transportation Agency ("SFMTA") can establish "Private Bus Stands" to enable private buses, including Tour Buses, to load or unload passengers. The City can issue parking citations for unauthorized vehicles that park in such stands. In addition, under existing law, commercial vehicles are prohibited from using white zones. Finally, vehicles required to be registered with the California Public Utilities Commission are prohibited from parking for more than four hours in specified use districts.

## Amendments to Current Law

SFMTA is developing a program to regulate passenger loading and unloading as well as longer term parking by Tour Buses. Under this program, SFMTA may establish Stands designated for use by Tour Buses, including Stands with metered spaces, or alternatively establish a permit program under which Tour Buses would be required to obtain a permit from SFMTA in order to use the designated Stands.

This legislation would make it a violation of the Transportation Code and authorize the City to issue parking citations to unauthorized vehicles that occupy Stands that are restricted to use by Tour Buses either for loading and unloading passengers, or for layover parking by Tour Buses. The ordinance would authorize the City to cite vehicles that do not display a valid Tour Bus Loading and Parking Permit where such vehicles are parked in a Tour Bus Stand or parking space for which a permit is required. In addition, the ordinance would authorize the City to cite vehicles other than Tour Buses that occupy a Stand designated for Tour Buses where no permit is required. The ordinance would also authorize the City to issue parking citations to Tour Buses that exceed the time restrictions posted for Tour Bus Stands. In addition, the legislation would remove the existing prohibition on the use of white zones by commercial vehicles in Section 7.2.27 of the Transportation Code, and clarify that this Section

does not apply to Stands designated for the use of Tour Buses. Finally, this legislation would amend Section 7.2.80 to exclude Stands designated for the use of Tour Buses from the parking restrictions imposed in specified use districts under that Section for vehicles required to be registered with the California Public Utilities Commission.

## Background Information

This legislation is intended to help reduce traffic congestion by enabling a regulatory program to manage loading and parking areas for Tour Buses.

BOARD of SUPERVISORS

City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

June 30, 2011

**File No. 110768**

Bill Wycko
Environmental Review Officer
Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Dear Mr. Wycko:

On June 21, 2011, Supervisor Mirkarimi introduced the following proposed legislation:

**File No. 110768**

Ordinance amending the San Francisco Planning Code Section 249.31 to: 1) prohibit a Medical Service Use or a Business or Professional Service Use on the Ground Floor in the Area Zoned NC-2 in the Japantown Special Use District; and 2) making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

The legislation is being transmitted to you for environmental review, pursuant to Planning Code Section 306.7(c).

Angela Calvillo, Clerk of the Board

Alisa Somera

By: Alisa Somera, Committee Clerk
Land Use & Economic Development Committee

Attachment

c: Nannie Turrell, Major Environmental Analysis
Brett Bollinger, Major Environmental Analysis

Activity would not result in a physical change in the environment per CEQA Guidelines Section 15060(c)(2).

Brett Bollinger 7/27/11
Approved Planning Dept. Brett Bollinger

2011.0813E