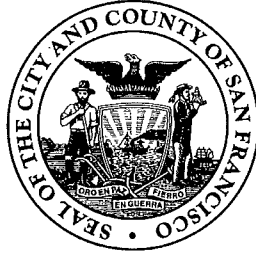


BOARD of SUPERVISORS



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## MEMORANDUM

TO: Ed Reiskin, Executive Director, Municipal Transportation Agency  
John Rahaim, Director, Planning Department  
Tom DeCaigny, Director of Cultural Affairs, Arts Commission

FROM: Andrea Ausberry, Assistant Clerk  
Land Use and Transportation Committee

DATE: June 15, 2016

SUBJECT: LEGISLATION INTRODUCED

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The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislation, introduced by Public Works on June 7, 2016:

**File No. 160621**

**Resolution granting revocable permission to the Municipal Transportation Agency to occupy portions of the public right-of-way to install and maintain three new operator convenience facilities at the terminus of various Muni bus routes; affirming the Planning Department's determination under the California Environmental Quality Act; and making a finding of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.**

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: [andrea.ausberry@sfgov.org](mailto:andrea.ausberry@sfgov.org).

c: Scott Sanchez, Zoning Administrator  
Sarah Jones, Acting Environmental Review Officer,  
AnMarie Rodgers, Senior Policy Advisor  
Aaron Starr, Acting Manager of Legislative Affairs  
Joy Navarrete, Environmental Planning  
Jeanie Poling, Environmental Planning  
Janet Martinsen, Local Government Affairs Liaison  
Kate Breen, Government Affairs Director  
Dillon Auyoung, Local Government Affairs Manager  
Viktoriya Wise, Chief of Staff, Sustainable Streets Division

Roberta Boomer, Secretary, SFMTA Board  
Susan Pontious, Director of Public Art Program  
Rebekah Krell, Deputy Director  
Sharon Page Ritchie, Arts Commission Secretary  
Anne Trickey, Arts Commission Office Manager

1 [Street Encroachment - Operator Convenience Facilities - Terminus of Muni Transit Lines]

2

3 **Resolution granting revocable permission to the Municipal Transportation Agency to**  
4 **occupy portions of the public right-of-way to install and maintain three new operator**  
5 **convenience facilities at the terminus of various Muni bus routes; affirming the**  
6 **Planning Department’s determination under the California Environmental Quality Act;**  
7 **and making a finding of consistency with the General Plan, and the eight priority**  
8 **policies of Planning Code, Section 101.1.**

9

10 WHEREAS, Pursuant to Public Works Code, Section 786, the San Francisco Municipal  
11 Transportation Agency (SFMTA) requested permission to occupy portions of the public right-  
12 of-way to install and maintain up to a total of seventy (70) operator convenience facilities  
13 (restrooms) at the terminus of various Muni bus routes throughout the City; and

14 WHEREAS, Copies of such plans are on file with the Clerk of the Board of Supervisors  
15 in File No. \_\_\_\_\_ and are incorporated herein by reference; and

16 WHEREAS, The Transportation Advisory Staff Committee, at its meeting of December  
17 20, 2012, recommended the proposed encroachments for approval; and

18 WHEREAS, The Planning Department, by letter dated October 19, 2012, found 34 of  
19 the proposed restroom location to be in conformity with the General Plan, including the  
20 following 3 specific locations: 20th Avenue and Buckingham Way, 2055 Sunnydale Avenue,  
21 and Parkridge Drive and Burnett Avenue; and

22 WHEREAS, This letter also included a determination pursuant to the California  
23 Environmental Quality Act (California Public Resources Code, Sections 21000 et seq.); and

24 WHEREAS, A copy of said letter is on file with the Clerk of the Board of Supervisors in  
25 File No. \_\_\_\_\_, and is incorporated herein by reference; and

1 WHEREAS, On July 16, 2012, the San Francisco Arts Commission adopted Resolution  
2 No. 0910-12-227, which approved Phase 1 of the prefabricated design for 34 proposed  
3 restroom locations; and

4 WHEREAS, A copy of said Resolution is on file with the Clerk of the Board of  
5 Supervisors in File No. 131131; and

6 WHEREAS, After a duly noticed public hearing on February 24, 2016, San Francisco  
7 Public Works (DPW), in DPW Order No. 184720, dated March 31, 2016, recommended  
8 approval of the proposed encroachments; and

9 WHEREAS, A copy of said Order is on file with the Clerk of the Board of Supervisors in  
10 File No. \_\_\_\_\_, and is incorporated herein by reference; and

11 WHEREAS, The permit and its associated encroachment agreement, which described  
12 the approximate locations of the restrooms among other terms, shall not become effective  
13 until:

14 (a) The Permittee executes and acknowledges the permit and delivers said permit  
15 to DPW, and

16 (b) DPW records the permit and associated agreement in the office of the City  
17 Assessor-Recorder; and

18 WHEREAS, The permit and its associated agreement are on file with the Clerk of the  
19 Board of Supervisors in File No. \_\_\_\_\_, and is incorporated herein by reference; and

20 WHEREAS, The Permittee, at its sole expense and as is necessary as a result of this  
21 permit, shall make the following arrangements:

22 (a) To provide for the support and protection of facilities under the jurisdiction of  
23 DPW, the San Francisco Water Department, the San Francisco Fire Department and other  
24 City Departments, and public utility companies; and

1 (b) To provide access to such facilities to allow said entities to construct,  
2 reconstruct, maintain, operate, or repair such facilities; and

3 (c) To remove or relocate such facilities if installation of the encroachment requires  
4 said removal or relocation and to make all necessary arrangements with the owner of such  
5 facilities, including payment for all their costs, should said removal or relocation be required;  
6 and

7 WHEREAS, The Permittee shall procure the necessary permits for installation of the  
8 restroom from the Bureau of Street-Use and mapping, Public Works; and

9 WHEREAS, No Structures shall be erected or constructed within said street right-of-  
10 way except as specifically permitted herein; and

11 WHEREAS, The Permittee shall assume all costs for the maintenance and repair of the  
12 encroachments and no cost or obligation of any kind shall accrue to DPW by reason of this  
13 permission granted; now, therefore, be it

14 RESOLVED, That the Board adopts as its own the finding of consistency with the  
15 General Plan and Planning Code, Section 101.1 as set forth in the Planning Department letter  
16 dated October 19, 2012, and affirms the environmental determination contained in said letter;  
17 and, be it

18 FURTHER RESOLVED, That pursuant to Public Works Code, Section 786, the Board  
19 of Supervisors hereby grants revocable permission to SFMTA, to occupy portions of the public  
20 right-of-way to install and maintain three operator convenience facilities at 20th Ave and  
21 Buckingham Way, 2055 Sunnydale Avenue, and Parkridge Drive and Burnett Avenue.

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