[Park Code - Golden Gate Park Access and Safety Program - Slow Street Road Closures]

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FILE NO. 220261

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Ordinance amending the Park Code to adopt the Golden Gate Park Access and Safety ProgramPlan, which includes restricting private vehicles on certain slow street segments in Golden Gate Park including on JFK Drive, making certain street segments one-way, establishing bicycle lanes, and urging additional changes to improve public access to Golden Gate Park; making associated findings under the California Vehicle Code; requiring annual ongoing reports regarding the Golden Gate Park Access and Safety Program; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1.

NOTE: Unchanged Code text and uncodified text are in plain Arial font.

Additions to Codes are in single-underline italics Times New Roman font.

Deletions to Codes are in strikethrough italics Times New Roman font.

Board amendment additions are in double-underlined Arial font.

Board amendment deletions are in strikethrough Arial font.

Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

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

Section 1. Background and Findings.

(a) The City has previously reserved certain portions of John F. Kennedy (JFK) Drive <u>and</u> other connecting streets in Golden Gate Park for non-vehicle traffic on Saturdays and Sundays and holidays, to allow the public to safely recreate in the park. Walking, bicycling, and playing in these streets on car-free days has become a beloved San Francisco tradition.

- (b) Starting in April 2020, the Recreation and Park Department temporarily extended the car-free days to seven days per week, as part of the Slow Streets program that the City implemented across San Francisco in response to the unprecedented COVID-19 pandemic, to ensure the safety and protection of persons using those streets in Golden Gate Park to safely recreate. Temporarily restricting private vehicles from these streets enabled thousands of people of all ages and all walks of life to safely use the Park, prompting the Recreation and Park Department to consider, alongside its ongoing efforts to improve accessibility, equity, and mobility in Golden Gate Park, whether the restrictions should continue in some form after the COVID-19 emergency ends.
- (c) As described in the staff report for the Joint Recreation and Park Commission and San Francisco Municipal Transportation Board of Directors meeting <u>held on March 10</u>, <u>2022 which is</u> on file with the Clerk of the Board of Supervisors in File No. 220261, extending the restrictions on private vehicles would be consistent with applicable City policies related to the use of Golden Gate Park, including:
- (1) Section 4.113 of the Charter, which states that park land shall be used for recreational purposes.
- (2) The Golden Gate Park Master Plan, adopted in 1998, which states, in relevant part, that "[m]anagement of Golden Gate Park's circulation system should as a primary goal, create and maintain a system of recreation pathways, trails, and roadways where the order of priority should be to accommodate pedestrians, bicycles and vehicles for the purpose of enjoying the park"; and that the City should "[r]estrict nonpark motor traffic to designed throughways in a manner that fully separates business, shopping and commute traffic from the park experience;" and that "East-West traffic should be discouraged and directed onto perimeter roads."

- (3) The Golden Gate Park Revitalization Act, adopted by the voters as Proposition J in June 1998, which states that the voters intended to "create a pedestrian oasis in the Music Concourse area of the area situated between the de Young Museum and the Academy of Sciences;" and "take steps to reduce the impact of automobiles in the Park while still providing long-term assurance of safe, reliable and convenient areas for visitors to the Park, including its cultural institutions."
- (4) The Concourse Surface Circulation Plan, Option 2A, approved on June 16, 2005 by the Recreation and Park Commission via Resolution No. 0506-010, and which is intended to (1) prohibit cut-through traffic in the Music Concourse; (2) slow and calm destination traffic on the Concourse roadways; and (3) provide safe, reliable and convenient drop-off access to the Music Concourse for visitors to its cultural institutions, from both JFK Drive and MLK Drive and that various traffic calming, pedestrian safety, bicycle access, and other measures identified to assist in furthering these purposes. On August 2, 2005, by Resolution No. 603-05, the Board of Supervisors unanimously adopted Option 2A of the Concourse Surface Circulation Plan, and stated that it was authorizing the Recreation and Park Department to take all actions necessary to implement the Resolution.
- (d) Consistent with all of the foregoing, the Recreation and Park Department, in partnership with the San Francisco Municipal Transportation Agency and following an extensive program of multilingual public outreach, developed a series of proposals known as the Golden Gate Park Access and Safety Program (the Program"). The proposals are intended to improve traffic safety, improve bicycle connectivity, and expand public open space in Golden Gate Park by restricting private vehicles on JFK Drive (between Kezar Drive and Transverse Drive), MLK Drive (between Lincoln Way and Chain of Lakes Road), and on other nearby street segments; making certain streets segments one-way; establishing new bicycle lanes; and urging the Recreation and Park Department to implement other changes to

improve access and safety in Golden Gate Park. Information<u>al</u> materials summarizing the Program are on file with the Clerk of the Board of Supervisors in File No. 220261.

- (e) The Planning Department has determined that the actions contemplated in the Golden Gate Park Access and Safety Program comply with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. 220261 and is incorporated herein by reference. The Board affirms this determination.
- (f) On April 26, 2022, the Planning Department determined that the actions contemplated in the Golden Gate Park Access and Safety Program are consistent, on balance, with the City's General Plan and eight priority policies of Planning Code Section 101.1. The Board adopts this determination as its own. A copy of said determination is on file with the Clerk of the Board of Supervisors in File No. 220261, and is incorporated herein by reference.
- Francisco Municipal Transportation Agency Board of Directors held a joint meeting regarding the Golden Gate Park Access and Safety Program, including the proposals to restrict private vehicles from certain streets in the Park and to make certain street segments one-way. Such closures to vehicular traffic are consistent with California Vehicle Code Section 21101, including recent legislation authorizing local authorities to implement slow streets programs under certain conditions applicable here. And, the proposal to make certain segments one-way is authorized by California Vehicle Code Section 21657, which authorizes local authorities to designate travel on streets in one direction. Following thorough staff presentations and extensive public comment at the meeting, each body found that public opinion for the vehicle-restricted streets in Golden Gate Park during the COVID-19 pandemic has overall been positive and that there is significant public support to extend the restrictions

into the future, and adopted a resolution urging the Board of Supervisors to adopt the Golden Gate Park Access and Safety Program. Copies of the resolutions are on file with the Clerk of the Board of Supervisors in File No. 220261 and are incorporated by reference as it set forth fully herein. The Board of Supervisors adopts and affirms the findings in the resolutions as its own, and specifically the Board finds that:

- (1) The restricted portions of the streets are no longer needed for vehicular access and the closures and traffic restrictions leave a sufficient portion of the streets in the surrounding area for other public uses, including vehicular, pedestrian, and bicycle traffic.
- (2) The closures and traffic restrictions are necessary for the safety and protection of persons who are to use those parts of the streets during the closure or traffic restriction.
- (3) Staff have done outreach and engagement for all abutting residents and property owners, including facilities located in Golden Gate Park and surrounding neighbors of the project.
- (4) The City maintains a publicly available website with information about the Slow Streets program in general and, specifically, the Golden Gate Park Access and Safety Program, that identifies the streets being considered in the Program and provides instructions for participating in the public engagement process.
- (5) Prior to implementing the Program, the Recreation and Park Department shall provide advance notice of the closure or traffic restrictions to residents and owners of property abutting those streets and shall clearly designate the closures and restrictions with appropriate signage consistent with the California Manual on Uniform Traffic Control Devices.
- (h) In conjunction with these restrictions on private vehicular traffic, the Recreation and Park Department has begun to develop and shall implement a plan to ensure adequate shuttle service, paratransit van service, accessible parking spots, traffic safety, unencumbered

delivery access for the DeYoung Museum, and access for bicycles. The Recreation and Park Department shall also work with the San Francisco Municipal Transportation Agency, the Music Concourse Community Partnership, the DeYoung Museum, the California Academy of Sciences, and other interested parties to improve usage of and access to the Golden Gate Park Concourse Garage.

Section 2. Article 6 of the Park Code is hereby amended by revising Section 6.12, and deleting Section 6.13, to read as follows:

SEC. 6.12. <u>GOLDEN GATE PARK ACCESS AND SAFETY PROGRAM</u> DISABILITY

ACCESS STANDARDS AND AUTHORIZED VEHICULAR TRAFFIC USE FOR GOLDEN GATE

PARK DURING SUNDAY ROAD CLOSURES.

(a) Findings and Purpose.

- $(i\underline{l})$ Golden Gate Park was created more than 100 years ago to provide a sanctuary from the pressures of urban life. Golden Gate Park remains an irreplaceable resource of open space for visitors to and residents of San Francisco, especially those families for whom it is difficult to travel out of the City for recreation.
- (#2) For more than 30 years, Sunday and holiday closure to motor vehicles of a portion of John F. Kennedy Drive, approximately 1.5 miles in length, between Kezar Drive and Transverse Drive, and closure of portions of adjacent roads connecting with that portion of John F. Kennedy Drive, has been one of the most popular attractions in Golden Gate Park, attracting hundreds of thousands of people each year from every neighborhood, racial/ethnic group, age category, and income level.
- (iii3) Proposition J₋, the Golden Gate Park Revitalization Act of 1998, adopted by San Francisco voters on June 2, 1998, has as one of its primary purposes to take steps to reduce the impact of automobiles in Golden Gate Park while still providing long-term

assurance of safe, reliable, and convenient access for visitors to the Park. This goal remains of paramount importance in ensuring that Golden Gate Park is scenically beautiful, environmentally sensitive, culturally diverse, and accessible to all.

- (iv4) Concerns about ensuring automobile access to the cultural institutions in the Golden Gate Park Concourse area, including the M.H. de Young Memorial Museum and the California Academy of Sciences ("CAS"), have been addressed by the construction of an underground parking garage in the Concourse area pursuant to the aforementioned Proposition J.
- (6) In 2022, following the temporary closure of portions of John F. Kennedy Drive and other connecting streets due to the COVID-19 pandemic, and on recommendation of the Recreation and Park Commission and San Francisco Municipal Transportation Agency Board of Directors, the Board of Supervisors adopted the Golden Gate Park Access and Safety Program, and approved the road closures described therein, finding that it would be appropriate to permanently restrict private vehicles from portions of John F. Kennedy Drive and certain other street segments in Golden Gate Park, due to the need to ensure the safety and protection of persons who are to use those streets, and because those streets are no longer needed for private vehicle traffic, and because the restrictions would leave a sufficient portion of the streets in the surrounding area for other public uses including vehicular, pedestrian, and bicycle traffic.
- (b) Restrictions on Private Vehicles. The Board of Supervisors authorizes the Recreation and Park Department to restrict private vehicles from the following streets in Golden Gate Park: JFK Drive, between Kezar Drive and Transverse Drive; Conservatory Drive East, between Arguello

1	Boulevard and JFK Drive; Pompeii Circle, entire length of street; Conservatory Drive West, between
2	JFK Drive and 500' northeast of JFK Drive; 8th Avenue, between Fulton Street and JFK Drive; Music
3	Concourse Drive, between JFK Drive and Bowl Drive; Hagiwara Tea Garden Drive, between JFK
4	Drive and Bowl Drive; Stow Lake Drive, between JFK Drive and Stow Lake Drive East; Middle Drive
5	West, between Overlook Drive and a gate 200 feet west of Overlook Drive; Middle Drive West, between
6	Metson Road and a gate 675 feet east of Metson Road; Bernice Rodgers Way, between JFK Drive and
7	MLK Drive; and MLK Drive, between Lincoln Way and Chain of Lakes Road. The Board of
8	Supervisors also authorizes the Recreation and Park Department to convert MLK Drive from Chain of
9	Lakes Drive to Sunset Boulevard from two-way traffic to one-way traffic in the eastbound direction;
10	and Middle Drive West from Metson Road to MLK Drive from two-way traffic to one-way traffic in the
11	westbound direction. The Board of Supervisors also establishes a protected two-way bicycle lane
12	(Class IV) on the east side of Transverse Drive from JFK Drive to Overlook Drive, and a one-way
13	westbound bicycle laned (Class II) on the north side of MLK Drive between Middle Drive and Sunset
14	Boulevard. A map depicting these street closures and traffic restrictions is on file with the Clerk of the
15	Board of Supervisors in File No. 220261 , the file for the ordinance amending this Section 6.12 in
16	2022, and is incorporated herein by reference. The Recreation and Park Department's temporary
17	closure of the streets in Golden Gate Park due to the COVID-19 pandemic is hereby ratified.
18	(c) The Recreation and Park Department shall include on its website a map depicting the
19	streets subject to the street closures and traffic restrictions authorized in subsection (b), and such other
20	information as it may deem appropriate to assist the public; and shall provide advance notice of any
21	changes to these street closures or traffic restrictions to residents and owners of property abutting
22	those streets.
23	(d) The Board of Supervisors urges the Recreation and Park Department to pursue the
24	remaining aspects of the Golden Gate Park Access and Safety Program, including but not limited to the

service, accessible parking spots, delivery access for the DeYoung Museum, and bicycle connectivity, and authorizes the Recreation and Park Department to implement the Program with adjustments as it deems necessary.

- (e) (b) **Disability Access Standards.** The following disability access standards shall apply to the *Sunday and holiday road* closures of John FK. Kennedy Drive and related roads as set forth in subsection (b).
- (i<u>1</u>) Disability access to Golden Gate Park shall comply with the Americans with Disabilities Act and the Golden Gate Park Revitalization Act of 1998.
- (#2) All vehicular access points to the areas of closure shall contain directional signage that describes all access points and accessible surface parking areas for people with disabilities and provides directions to the underground parking facility in the Music Concourse. Signage also shall include telephone and TTY/TDD contact numbers where callers can obtain information on disability access *during the road closure periods*.
- (iii3) The Department, in consultation with the <u>San Francisco Municipal</u>

 <u>Transportation Agency Department of Parking and Traffie</u>, Fine Arts Museums, <u>California Academy of Sciences</u>, Golden Gate Park Concourse Authority, and Mayor's Office on Disability, shall <u>maintain at least the following explore and adopt</u> disability access measures. <u>Such measures may include</u>, <u>but are not limited to</u>:
- (A) The provision of eight (8) accessible parking spaces on 8th Avenue between Fulton Street and John F. Kennedy Drive during the closure period.
- (A)(B) An additional ten (10) accessible parking spaces to assist with access to the road closure areas A total of at least 92 accessible parking spaces east of Transverse Drive, of which 20 spaces shall be in the Bandshell parking lot.
- (B)(C) Assigned passenger loading zones for people with disabilities and others, in the Music Concourse in front of the California Academy of Sciences and the de Young

<u>Museum.</u> A signed drop-off zone for people with disabilities on Bowling Green Drive as close as practicable to its intersection with John F. Kennedy Drive.

- (C)(D) An authorized intra-park transit shuttle that is accessible and operates frequently on the closed sections of John F. Kennedy Drive, additional accessible parking spaces, and additional signed drop-off zones for people with disabilities outside of the area of closure.
- <u>(f)(c)</u> **Exempt Motor Vehicles.** The following motor vehicles are exempt from <u>the</u> <u>restrictions in subsection (b)the Sunday road closures</u>:
 - (i+) Emergency vehicles, including but not limited to police and fire vehicles.
- (#2) Official City, State, or federal vehicles, or any other authorized vehicle, being used to perform official City, State, or federal business pertaining to Golden Gate Park or any property or facility therein, including but not limited to *public transit vehicles*, vehicles of the Recreation and Park Department and construction vehicles authorized by the Recreation and Park Department. ; *and*
- (##3) Authorized intra-park transit shuttle buses, *paratransit vans*, or similar authorized vehicles used to transport persons within Golden Gate Park.
- (4) Vehicles authorized by the Recreation and Park Department in connection with permitted events.
- (5) Vehicle deliveries to the DeYoung Museum loading dock. Such vehicles shall have unimpeded access to the Museum's loading dock from John F. Kennedy Drive through the road closure area. The DeYoung Museum may use the existing closure protocols to provide for unencumbered delivery access to its loading dock and maintain safety of individuals within the road closure area. The Museum and the Recreation and Park Department shall evaluate such protocols and delivery activities on a regular basis to ensure that adequate delivery access and public safety are maintained, and if

necessary, shall institute additional or modified methods that ensure adequate delivery access to the Museum and public safety.

Department shall have the authority to allow traffic on roads that would otherwise be closed in accordance with this Section <u>6.12</u> in circumstances which in the General Manager's judgment constitute an emergency such that the benefit to the public from the street closure is outweighed by <u>the</u> traffic burden or public safety hazard created by the emergency circumstances.

_____(h) Promotion of the General Welfare. In enacting and implementing this Section 6.12, the City is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

- (i) Severability. If any section, subsection, sentence, clause, phrase, or word of this Section
6.12 or any application thereof to any person or circumstance, is held to be invalid or unconstitutional
by a decision of a court of competent jurisdiction, such decision shall not affect the validity of the
remaining portions or applications of Section 6.12. The Board of Supervisors hereby declares it would
have passed this Section 6.12 and each and every section, subsection, sentence, clause, phrase, and
word not declared invalid or unconstitutional without regard to whether any other portions of Section
6.12 or application thereof would be subsequently declared invalid or unconstitutional.

SEC. 6.13. [Reserved] PROHIBITION ON MOTOR VEHICLE TRAFFIC IN GOLDEN

GATE PARK ON SATURDAYS.

—(a) Findings and Purpose.

— (i) This legislation supports and is in furtherance of the findings set forth in Section 6.12.

- (ii) The public interest will be served by a Saturday closure of John F. Kennedy Drive, between Transverse Drive and the western side of Hagiwara Tea Garden Drive, and closure of Stow Lake Drive East connecting with that portion of John F. Kennedy Drive.
- (iii) Saturday road closures are necessary for the safety and protection of persons who would use these roads during the closures.
- (b) Saturday Road Closures. The following roads in Golden Gate Park shall be closed to motor vehicle traffic on Saturdays, from 6:00 a.m. to 6:00 p.m. Pacific Standard Time and Pacific Daylight Time, subject to the inclement weather condition protocols that apply to the current Sunday road closures: John F. Kennedy Drive between Transverse Drive and the western side of Hagiwara Tea Garden Drive and Stow Lake Drive between Stow Lake Drive East and John F. Kennedy Drive. The Recreation and Park Department, with the assistance, as needed, of other City departments, shall arrange for appropriate barriers to motor vehicles to be placed within Golden Gate Park so as to effectuate the aforementioned street closures. The Saturday road closures mandated in this subsection (b) shall be in effect from the first Saturday in April through the last Saturday in September.
- (c) The disability access standards, exempt motor vehicles provision, and the emergency authority of the General Manager, as set forth in Sections 6.12(b), (c), and (d), respectively, shall apply to the Saturday road closures established herein. The Saturday closures established herein also shall be subject to the following additional conditions:
- (i)—Prior to the annual starting date for the closures set forth in subsection (b), the Director of the Mayor's Office on Disability, in consultation with the Recreation and Park Department and the DeYoung Museum Access Division, shall determine whether physical accessibility is provided through the closure area compliant with the Americans with Disabilities Act.
- (ii) Vehicle deliveries to the DeYoung Museum loading dock during the Saturday and Sunday closure are specifically acknowledged and authorized herein. Such vehicles shall have unimpeded access to the Museum's loading dock from John F. Kennedy Drive through the road closure

area. The DeYoung Museum shall develop appropriate protocols that provide for unencumbered delivery access to its loading dock and maintain safety of individuals within the road closure area. The Museum shall evaluate such protocols and delivery activities on a regular basis to ensure that adequate delivery access and public safety are maintained. If necessary, the Recreation and Park Department, in consultation with the Mayor's Office, shall institute additional or modified methods that ensure adequate delivery access to the Museum and public safety.

- (iii) The Recreation and Park Department, in consultation with the Mayor's Office on Disability, shall develop appropriate signage for the Saturday Road closure to minimize any traffic disruption.
- -(d) Effect on Sunday and Holiday Road Closures. This Section is not intended to have any effect on street closures in Golden Gate Park on Sundays and holidays except for the provisions of subsection (e)(ii) concerning delivery access to the DeYoung Museum's loading dock.
- (e) Conflict With Other Provisions of Law. If any provision of this Section conflicts with an earlier enacted provision of this Article or of any other earlier enacted provision of law, and the conflict cannot be reasonably reconciled, the provision of this Section shall govern.
- (f) Severability. If any provision, sentence, clause, or other part of this Section is held to be invalid or unlawful, such a holding shall not limit or abrogate other parts of this Section that can be given effect independently of the invalid or unlawful provision, sentence, clause, or part. If the application of a provision, sentence, clause, or other part of this Section to a person or class of persons, or to a specific circumstance, is held to be invalid or unlawful, such a holding shall not limit or abrogate other applications of the same provision, sentence, clause, or part that can be given effect independently of the invalid or unlawful application.

Section <u>3</u>4. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the

ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

Section <u>45</u>. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the "Note" that appears under the official title of the ordinance.

Section 5. Annual Reporting.

- (a) Beginning July 1, 2023 and annually each July 1 thereafter until July 1, 2033, the San Francisco Municipal Transportation Agency and Recreation and Park Department shall submit to the Board of Supervisors a joint report on the impacts of the JFK-street closures and on the implementation status of Golden Gate Park Access and Safety Program. The annual reports shall include but not be limited to: annual visitation data to the Academy of Sciences, de Young Museum, and Gardens of Golden Gate Park; relevant analysis of park visitation data including access from equity priority communities, feedback from the disability community, and a summary of traffic safety and collisions; and data and analysis on the usage of the Music Concourse Garage; and implementation status of the policy initiatives included Golden Gate Park Access and Safety Program.
- (b) Beginning July 1, 2022 and every three months thereafter until July 1, 2024, the San Francisco Municipal Transportation Agency and Recreation and Park Department shall submit to the Board of Supervisors a joint report addressing the implementation status of the policy initiatives included in the Golden Gate Park Access and Safety Program and described

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1	in subsection (6)(d) of Section 6.12 of the Park Code. Quarterly reports submitted in July of
2	each year may be consolidated with the annual reports required under subsection (a).
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4	APPROVED AS TO FORM: DAVID CHIU, City Attorney
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City and County of San Francisco Tails Ordinance

City Hall 1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102-4689

File Number: 220261

Date Passed: May 03, 2022

Ordinance amending the Park Code to adopt the Golden Gate Park Access and Safety Program, which includes restricting private vehicles on certain slow street segments in Golden Gate Park including on John F. Kennedy Drive, making certain street segments one-way, establishing bicycle lanes, and urging additional changes to improve public access to Golden Gate Park; making associated findings under the California Vehicle Code; requiring ongoing reports regarding the Golden Gate Park Access and Safety Program; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

April 26, 2022 Joint Special Meeting with the Board of Supervisors and County Transportation Authority - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

April 26, 2022 Joint Special Meeting with the Board of Supervisors and County Transportation Authority - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

April 26, 2022 Joint Special Meeting with the Board of Supervisors and County Transportation Authority - PASSED ON FIRST READING AS AMENDED

May 03, 2022 Board of Supervisors - FINALLY PASSED

Ayes: 6 - Mandelman, Mar, Melgar, Preston, Ronen and Stefani

Noes: 4 - Chan, Peskin, Safai and Walton

File No. 220261

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 5/3/2022 by the Board of Supervisors of the City and County of San Francisco.

> Angela Calvillo Clerk of the Board

London N. Breed Mayor Date Approved