

RESOLUTION NO.

[Transportation Code – Overnight Recreational Large Vehicles – Parking Citation and Removal]

Resolution amending Division II of the Transportation Code to establish a new definition for Recreational Large Vehicle to include camp trailers, fifth-wheel travel trailers, house cars, trailer coaches, mobilehomes, and recreational vehicles; establish the existing Division I violation for overnight parking restrictions (12 a.m. to 6 a.m.) of Recreational Large Vehicles citywide under certain conditions; remove the requirement that the San Francisco Municipal Transportation Agency Board of Directors designate each location where the restriction is established; authorize the Director of Transportation to install signage to effectuate the restriction and to permit removal of a Recreational Large Vehicle for a violation as authorized in Division I; authorize the Director of Transportation to issue rules and regulations to govern the location of signage authorizing removal; and make technical and clarifying corrections.

NOTE: **Additions** are in *single-underline italics Times New Roman font*.
Deletions are in *strike-through italics Times New Roman font*.
Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

The Municipal Transportation Agency Board of Directors of the City and County of San Francisco enacts the following regulations:

Section 1. Article 100 of Division II of the Transportation Code is hereby amended by revising by revising section 101 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.

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City Traffic Engineer. The City Traffic Engineer of the SFMTA or *the City Traffic Engineer's* ~~his or her~~ designee.

Director of Transportation. The Director of Transportation or the Director's designee.

Downtown Core. That area of San Francisco encompassed by the portion of the City and County of San Francisco not under the jurisdiction of the Port of San Francisco commencing at a point where the northerly line of Folsom Street intersects the westerly line of Fifth Street, thence westerly along the northerly line of Folsom Street to the westerly line of Tenth Street, thence northerly along the westerly line of Tenth Street to the southerly line of Mission Street, thence westerly along the southerly line of Mission Street to the westerly line of Twelfth Street, thence northerly along the westerly line of Twelfth Street to the northerly line of Market Street, thence westerly along the northerly line of Market Street to the westerly line of Franklin Street, thence northerly along the westerly line of Franklin Street to the northerly line of Eddy Street, thence easterly along the northerly line of Eddy Street to the westerly line of Jones Street, thence northerly along the westerly line of Jones Street to the northerly line of Bush Street, thence easterly along the northerly line of Bush Street to the westerly line of Stockton Street, thence northerly along the westerly line of Stockton Street to the southerly line of Broadway, thence easterly along the southerly line of Broadway to the easterly line of The Embarcadero, thence southerly along the easterly line of The Embarcadero to the

southerly line of King Street, thence along the southerly line of King Street to the westerly line of Fifth Street, thence northerly along the westerly line Fifth Street to the point of commencement.

* * * *

Public Hearing (by City Traffic Engineer). When this Code requires the City Traffic Engineer to hold a public hearing, the City Traffic Engineer shall either hold an in-person or teleconference hearing or designate a period of no less than 10 days to accept public comment through all of the following methods: mail, telephone, and online platforms.

Recreational Large Vehicle. Camp trailers, fifth-wheel travel trailers, house cars, trailer coaches, mobilehomes, and recreational vehicles as defined in the California Vehicle Code and Health and Safety Code.

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.

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Section 2. Article 200 of Division II of the Transportation Code is hereby amended by revising the title of Article 200, and revising Sections 201 and 204 to read as follows:

ARTICLE 200:

CITY TRAFFIC ENGINEER, AUTHORITY OVER PARKING AND TRAFFIC CONTROLS

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

(a) **Office of City Traffic Engineer.** The position of City Traffic Engineer is established. The City Traffic Engineer shall be an employee of the SFMTA licensed with the State of California as a Civil or Traffic Engineer and designated by the Director of Transportation to exercise the powers and perform the duties of City Traffic Engineer established by this Code. The City Traffic Engineer shall have the authority to:

* * * *

(c) **SFMTA Board of Directors' Action Required.** The following Parking and traffic measures may not be implemented without prior approval of the SFMTA Board of Directors, taking into consideration the recommendation of the City Traffic Engineer:

* * * *

(15) In addition to the procedures in Sections 204(b) and 1010 of this Code, dDesignate 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.

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

(a) *Shared Spaces Program.*

(1) 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)(1)(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:

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

~~(B)(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;

~~(C)(3)~~ does not displace a transit stop or a disabled ~~p~~Parking ~~s~~Space;

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

~~(E)(5)~~ does not significantly impact vehicular loading;

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

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

~~(H)(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.

~~(2)(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 ~~’s 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.

~~(3)(e)~~ **Posting and Public Hearing Requirements.** The posting and public hearing requirements set forth in ~~§~~sections 201 and 202 *of this Code* 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, *instead of 10 calendar days*, prior to the hearing ~~instead of ten~~.

~~(4)(d)~~ **Decision.** After any required public hearing is held as set forth in subsection ~~(a)(3e)~~, 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.

~~(4)(f)~~ 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.

~~(B)(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 ~~(a)(5)(e)~~.

~~(5)(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.

~~(A)(4)~~ 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.

~~(B)(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.

~~(C)(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.

~~(D)(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)(1)(a)~~ and ~~(a)(2)(b)~~ and shall: ~~(iA)~~ consider the impact of the closure of a Parking Space on transportation and on the security, health, and safety of the public; ~~(iiB)~~ determine the transportation, security, health,

and safety requirements of the proposed closure; and ~~(iii)~~ evaluate the measures proposed by the appellant to satisfy those requirements.

~~(E)(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.

~~(F)(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~~.

~~(6)(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.

(b) Recreational Large Vehicle Parking Restriction. The Director is authorized to install signage to effectuate the Recreational Large Vehicle parking restrictions contained in Division I, Section 7.2.54 of this Code citywide and to permit removal of such vehicles pursuant to Division I, Section 8.1(a)(7) of this Code and Section 22561(n) of the California Vehicle Code under the provisions of Section 1010 of this Code.

Section 3. Article 1000 of Division II of the Transportation Code is hereby amended by adding Section 1010 to read as follows:

SEC. 1010. RECREATIONAL LARGE VEHICLE REMOVAL AND SIGNAGE.

(a) The large vehicle parking restriction on Recreational Large Vehicles contained in Division I, Section 7.2.54 of this Code shall apply citywide where signs are posted.

(b) The Director of Transportation is authorized to issue rules and regulations to determine where to post permanent or temporary on-street signs giving notice that Recreational Large Vehicles parked between the hours of 12 a.m. and 6 a.m. are in violation of Section 7.2.54 of this Code. Prior to posting signs to enforce the restriction in an area, the Director shall make a written finding that such vehicles parked in the area have resulted in, or are likely to result in, impacts to traffic and circulation, public health and safety, or both.

(c) If the street where signs are posted includes Recreational Large Vehicles that are used as lodging, enforcement will not commence until an offer of shelter by City acting through the Healthy Streets Operations Center or any successor entity has been made to occupants of the Recreational Large Vehicles.

(d) Any Police Officer or Parking Control Officer is authorized, in accordance with all applicable requirements of this Code and the California Vehicle Code, to remove or cause to have removed any vehicle that is parked in violation of Section 7.2.54 of this Code where permanent or temporary signs giving notice of the removal are posted pursuant to Section 22651(n) of the Vehicle Code.

Section 4. Effective Date. This resolution shall become effective 31 days after enactment. Enactment occurs when the San Francisco Municipal Transportation Agency Board of Directors approves this resolution.

Section 5. Scope of Resolution. In enacting this resolution, 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 resolution as additions or deletions in accordance with the "Note" that appears under the official title of the resolution.

APPROVED AS TO FORM:
DAVID CHIU, City Attorney

By: _____
MISHA TSUKERMAN
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 _____.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency