

1 [Parking Regulations – Marina Green.]

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3 **Ordinance (1) amending the San Francisco Park Code to add sections 6.01.02 through**
4 **6.01.07 establishing time limits at the Marina Green off-street parking lots, exemptions,**
5 **and related parking regulations, (2) making findings and imposing reporting**
6 **requirements on the Recreation and Park Department, and (3) making findings required**
7 **by the California Environmental Quality Act.**

8 Note: Additions are *single-underline italics Times New Roman*;
9 deletions are *strikethrough italics Times New Roman*.
10 Board amendment additions are double underlined.
11 Board amendment deletions are ~~strikethrough normal~~.

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

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14 Section 1. Findings. The Board of Supervisors finds the following:

15 The parking lots along the Marina Green located upon Recreation and Park
16 Department property contain in excess of one thousand off-street parking spaces for which
17 there are currently no user charges. The department provides the free parking as an ancillary
18 service to facilitate and promote the use of the City's marina facilities and the Marina Green
19 park for boating, sports activities, picnics and other recreational purposes.

20 During peak usage the demand for parking far exceeds the capacity of the Marina
21 Green lots. Permit spaces for boaters are often unavailable as a result of improper use of
22 such spaces by vehicles without permits. A significant contributing factor to the
23 overburdening of Marina Green parking lots is the all-day occupancy of the spaces by
24 commuters from Marin County and the western neighborhoods of the City who work in the
25 Silicon Valley and other areas and utilize commuter shuttle services provided by their
employers. Parking at the Marina Green parking lots has been adversely affected by the loss

1 of free parking at the adjacent parking lot at Fort Mason. As a result of the all-day use of
2 parking spaces by commuters and others for non-recreational purposes, and the increased
3 use by Fort Mason patrons, many drivers wishing to park near the marina facilities for boating
4 or to use the Marina Green park for athletic and other recreational purposes are unable to
5 park their vehicles or encounter long delays while searching for a space to become available.
6 The imposition of reasonable time limits on the duration of parking at the Marina Green
7 parking lots will alleviate competition from commuters and lessen the interference with the
8 recreational purposes for which the parking lots exist.

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10 Section 2. The San Francisco Park Code is hereby amended by adding Sections
11 6.01.02 through 6.01.07, to read as follows:

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13 Sec. 6.01.02. Authority; Compliance with Vehicle Code. The time limits and other off-street
14 parking regulations for the Marina Green parking lots imposed under Section 6.01.04 are adopted
15 pursuant to Vehicle Code Section 22519. The Director of the Recreation and Park Department shall
16 cause appropriate signs to be erected in the Marina Green parking lots, indicating prominently thereon
17 the time limitation, period of the day for its application, and conditions under which permit parking
18 shall be exempt from the parking regulations established or authorized under Section 6.01.04.

19
20 Sec. 6.01.03. Definitions. For purposes of Sections 6.01.02 through 6.01.07, the following
21 terms shall be defined as follows:

22 (a) "Director" means the Director of the Recreation and Parks Department, or his or her
23 designee.

1 (b) "Marina Green parking lots" means the six off-street parking lots under the jurisdiction
2 of the Recreation and Park Commission that are located in the Marina Green area between East
3 Harbor, also known as Gashouse Cove, located next to the western boundary of Fort Mason and West
4 Harbor, bounded to the South by Marina Boulevard, to the East by Laguna Street, to the North by the
5 San Francisco Bay, and to the West by Scott Street.

6 (c) "Motor vehicle" means an automobile, truck, motorcycle or other self-propelled form of
7 transportation not in excess of 6,000 pounds of gross weight (excluding a trailer, a trailer coach, or a
8 utility trailer), or any other type of vehicle as defined in the California Vehicle Code, whether separate
9 from or attached to a motor vehicle; and

10 (d) "Parking permit" means a permit issued by the Director consistent with policies adopted
11 by the Recreation and Park Commission, or other permit specified in Section 6.01.05, exempting the
12 motor vehicle for which it is issued from the time limits imposed under Section 6.01.04 on the duration
13 of parking at the Marina Green parking lots.

14 (e) "Person" shall mean a natural person.

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16 Sec. 6.01.04. Marina Green Parking Regulations. Unless otherwise exempt under Section
17 6.01.05, no person may park a motor vehicle in the Marina Green parking lot nearest the current Fort
18 Mason parking lot in excess of two hours, or in excess of four hours in the other Marina Green parking
19 lots, during any 24 hour period. The time limits on parking established by this section shall not affect
20 any other parking regulation applicable to the Marina Green parking lots that is not inconsistent with
21 this section.

22 Sec. 6.01.05. Exemptions; Parking Permits.

23 (a) The Director shall issue permits exempting motor vehicles from the time limits set forth
24 in Section 6.01.04 consistent with this section and policies adopted by the Recreation and Park
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1 Commission. Each such permit shall be designed to state or reflect thereon the license number of the
2 motor vehicle for which it is issued. No more than one parking permit shall be issued to each motor
3 vehicle for which application is made.

4 (b) The Director shall issue daily parking permits for motor vehicles to be used for purposes
5 of bona fide recreational events and activities at the Marina Green park, East Harbor or West Harbor.

6 (c) Motor vehicles for which the following permits have been issued shall be exempt from
7 the time limits imposed under Section 6.01.04:

8 (1) Area "M" residential parking permits issued under Article 15 of the San
9 Francisco Traffic Code;

10 (2) Parking permits issued by the Harbor Master to a berth holder or partner,
11 displaying a daily parking permit for guests, crew, dingy or special events as authorized under rules
12 and regulations approved by the Recreation and Park Commission;

13 (3) Vehicle press cards issued under Article 1.1 of the San Francisco Traffic Code
14 while the employee operating the motor vehicle is actually engaged in the gathering of news; or

15 (4) Disabled parking placard.

16 (d) Service vehicles specified and described in Section 22512 of the California Vehicle Code
17 shall be exempt from the time limits imposed under Section 6.01.04.

18 (e) The Director may issue such rules and regulations, not inconsistent with Sections
19 6.01.02 through 6.01.07, regulating parking at the Marina Green parking lots, including but not limited
20 to the manner in which persons shall qualify for parking permits and additional exemptions from the
21 time limits specified in Section 6.01.04, enforcement, consistent with policies adopted by the Recreation
22 and Park Commission.

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24 Sec. 6.01.06. Penalties.
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1 (a) It shall be unlawful and a violation of this Code, unless expressly provided to the
2 contrary herein, for any person to stand or park a motor vehicle or other vehicle of a gross weight
3 exceeding 50 pounds in any of the Marina Green parking lots for a period exceeding the time limitation
4 established in Section 6.01.04. Said violation shall be punishable by a fine of not less than \$30 or more
5 than \$100;

6 (b) It shall be unlawful and a violation of this Code for a person to falsely represent himself
7 or herself as eligible for a parking permit for the Marina Green parking lots or to furnish false
8 information in an application therefor to the Director;

9 (c) It shall be unlawful and a violation of this Code for a person holding a valid parking
10 permit issued or recognized under Section 6.01.04 to permit the use or display of such permit on a
11 motor vehicle other than that for which the permit is issued, or upon any other type of vehicle. Such
12 conduct shall constitute an unlawful act and violation of this Code both by the person holding the valid
13 parking permit and the person who so uses or displays the permit on a motor vehicle other than that for
14 which it is issued;

15 (d) It shall be unlawful and a violation of this Code for a person to copy, produce or
16 otherwise create a facsimile or counterfeit parking permit or permits without written authorization
17 from the Director. It shall further be unlawful and a violation of this Code for a person to knowingly
18 use or display a facsimile or counterfeit parking permit in order to evade time limitations on parking
19 applicable in the Marina Green parking lots. Upon conviction thereof, a person shall be punishable by
20 a fine not exceeding \$500 or by imprisonment for a period not exceeding six months, or both.

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22 Sec. 6.01.07. Severability. In the event that a court or agency of competent jurisdiction holds
23 that federal or state law, rule or regulation invalidates any clause, sentence, paragraph or section of
24 Sections 6.01.02 through 6.01.06 or the application thereof to any person or circumstances, it is the
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1 intent of the Board of Supervisors that the court or agency sever such clause, sentence, paragraph or
2 section so that the remainder thereof shall remain in effect.

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4 Section 3. Reporting. The Recreation and Park Department shall analyze the impact
5 of the parking regulations imposed by this ordinance on the availability of off-street parking at
6 the Marina Green parking lots during a six-month period, and issue a report and make
7 recommendations to the Recreation and Park Commission and the Board of Supervisors, if
8 any. Nothing in this ordinance is intended to limit or interfere with the ability of the department
9 and commission to adopt and implement other regulations and measures to improve the
10 availability and efficient use of off-street parking spaces at the Marina Green parking lots.

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12 Section 4. Environmental Findings. The Planning Department has determined that the
13 actions contemplated in this Ordinance are in compliance with the California Environmental
14 Quality Act (California Public Resources Code sections 21000 et seq.). Said determination is
15 on file with the Clerk of the Board of Supervisors in File No. _____ and is incorporated herein
16 by reference.

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

20 By: _____
21 Dorji Roberts
22 Deputy City Attorney

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