

BOARD of SUPERVISORS



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October 28, 2021

File No. 211022

Lisa Gibson
Environmental Review Officer
Planning Department
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Ms. Gibson:

On September 22, 2021, the Budget and Finance Committee duplicated and amended the following legislation:

File No. 211022

Ordinance authorizing the Municipal Transportation Agency (SFMTA) to set parking rates at the Kezar Stadium Parking Lot, Golden Gate Park Underground Parking Facility, and Marina Small Craft Harbor in accordance with Park Code provisions that authorize SFMTA rate-setting on park property; making conforming edits to the Park Code; increasing parking rates for berth-holders at the Marina Small Craft Harbor; and affirming the Planning Department's determination under the California Environmental Quality Act.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

Brent Jalipa

By: Brent Jalipa, Assistant Clerk
Budget and Finance Committee

Attachment

c: Devyani Jain, Environmental Planning
Joy Navarrete, Environmental Planning
Don Lewis, Environmental Planning

1 [Park Code - Parking Fees]

2

3 **Ordinance authorizing the Municipal Transportation Agency (SFMTA) to set parking**
4 **rates at the Kezar Stadium Parking Lot, and Golden Gate Park Underground Parking**
5 **Facility, ~~and Marina Small Craft Harbor~~ in accordance with Park Code provisions that**
6 **authorize SFMTA rate-setting on park property; making conforming edits to the Park**
7 **Code; increasing parking rates for berth-holders at the Marina Small Craft Harbor; and**
8 **affirming the Planning Department’s determination under the California Environmental**
9 **Quality Act.**

10 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
11 **Additions to Codes** are in *single-underline italics Times New Roman font*.
12 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
13 **Board amendment additions** are in double-underlined Arial font.
14 **Board amendment deletions** are in ~~strikethrough Arial font~~.
15 **Asterisks (* * * *)** indicate the omission of unchanged Code
16 subsections or parts of tables.

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

18

19 Section 1. Environmental Findings.

20 The Planning Department has determined that the actions contemplated in this
21 ordinance comply with the California Environmental Quality Act (California Public Resources
22 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
23 Supervisors in File No. 211022 and is incorporated herein by reference. The Board affirms
24 this determination.
25

1 Section 2. Authority and Role of Municipal Transportation Agency Regarding Paid
2 Parking at the Kezar Stadium Parking Lot, and the Golden Gate Park Underground Parking
3 Facility, ~~and the Marina Small Craft Harbor.~~

4 (a) Park Code Section 6.14 authorizes the Municipal Transportation Agency to identify
5 locations suitable for the establishment of paid parking areas or zones on property under the
6 jurisdiction of the Recreation and Park Commission, and to set rates for paid parking in such
7 areas that are closely comparable to the rates set for similarly situated paid parking, provided,
8 among other things, that the Board of Supervisors approves the location of the paid parking
9 areas and the parking restrictions.

10 (b) In accordance with Park Code Section 6.14, the Board of Supervisors approves the
11 implementation of paid parking with rates set by the Municipal Transportation Agency and
12 subject to approval by the Recreation and Commission at the Kezar Stadium Parking Lot, and
13 the Golden Gate Park Underground Parking Facility, ~~and the Marina Small Craft Harbor.~~ The
14 Kezar Parking Lot is located at 825 Stanyan Street. The Golden Gate Park Underground
15 Parking Facility is located under the Music Concourse area of Golden Gate Park. ~~The Marina
16 Small Craft Harbor is located at 3950 Scott Street and encompasses those certain areas in
17 the vicinity of and including the Marina Green.~~ The current parking rates at these facilities are
18 adjusted for inflation but are otherwise fixed. The rates set by the Municipal Transportation
19 Agency at those sites shall be comparable to the rates set for similarly situated parking, may
20 increase or decrease in response to customer demand at particular times or on particular
21 days or dates, and shall be intended to support recreation by encouraging the use of these
22 facilities by recreational users, and by helping the Recreation and Park Department meet
23 operating expenses, purchase or lease supplies, equipment and materials for the parks, and
24 raise funds for future capital projects necessary to maintain existing levels of service.

1 (b) In accordance with Park Code Section 6.14, the Board of Supervisors approves
2 that the parking restrictions set forth in the Park Code, as amended by this ordinance and as
3 they may be amended in the future from time to time, shall apply to any such system of paid
4 parking. Nothing in this ordinance will be deemed to modify or supersede the Lease dated
5 December 24, 2004, as amended, between the Music Concourse Community Partnership and
6 the City and County of San Francisco and the Golden Gate Park Concourse Authority, relating
7 to the Golden Gate Park Underground Parking Facility and the debt secured by the parking
8 facility.

9
10 Section 3. The Park Code is hereby amended by revising Sections 6.01, 6.02, 6.10,
11 12.08, 12.11, and 12.35, to read as follows:

12 **SEC. 6.01. OPERATION AND PARKING OF VEHICLES.**

13 * * * *

14 (i) No person shall, in any park, allow any automobile or other vehicle to remain
15 parked in any parking lot space which is open for public use and for which a fee is charged for
16 parking, ~~including, but not limited to Kezar Parking Lot,~~ for a period of more than 24 hours after
17 the expiration of the period for which a fee is charged, unless otherwise allowed by permit.

18 * * * *

19 (k) No person shall, in any park, allow any automobile or any other vehicle that is
20 disabled to remain parked in any parking lot space which is open for public use and for which a
21 fee is charged for parking, ~~including but not limited to Kezar Parking Lot,~~ unless otherwise
22 allowed by permit.

1 **SEC. 6.02. TOWING OF VEHICLES.**

2 (a) Whenever any ~~member~~officer of the ~~San Francisco~~ Police Department, employee of
3 the San Francisco Municipal Transportation Agency (SFMTA), or employee or lessee authorized
4 by the Recreation and Park Department or Commission finds any vehicle parked in violation
5 of Sections 6.01(d), (e), (f), (g), (h), (i), (j), or (k) of this Code, such officer, employee, or
6 lessee may provide for the removal of such vehicle, so long as signs have been posted to
7 inform the public that vehicles so parked are subject to removal and, with respect to Section
8 6.01(i), so long as there is an attendant on duty or other facilities permitting the patron to pay
9 or remit the parking charges at the time the vehicle is first parked.

10 (b) The procedure for removal and impounding of vehicles shall be as is provided for
11 in applicable provisions of the ~~San Francisco Transportation Traffic~~ Code and Sections 22850 to
12 22855 of the California Vehicle Code.

13 (c) ~~Moreover, a~~Any vehicle stopped, parked, or left standing in such a manner as to
14 violate Sections 6.01(d), (e), (f), (g), (h), (i), (j), or (k) of this Code is an obstruction to the free
15 use of property and a nuisance within the meaning of Part III of the Civil Code of California
16 relating to nuisances and the abatement thereof.

17
18 **SEC. 6.10. PENALTIES.**

19 (a) A person who violates Section 6.01(c), (d), (e), (f), or (g) of this Code shall be guilty
20 of an infraction and upon conviction thereof shall be punished for the first offense by a fine not
21 to exceed \$50; for the second offense committed within a one-year period by a fine not to
22 exceed \$100; for a third and each additional offense committed within a one-year~~s~~ period by a
23 fine not to exceed \$250.

24 (b) This Section 6.10 shall not be deemed to contradict Section 6.02 of this Code
25 concerning the towing of vehicles in violation of Section 601(d), (f), or (g). Nor shall this Section

1 6.10 contradict or limit the ability of SFMTA to establish and impose fines and penalties pursuant to
2 the Transportation Code for parking violations on park property, subject to the approval of the
3 Recreation and Park Commission.

4
5 **SEC. 12.08. PARKING FEES ON RECREATION AND PARK PROPERTY.**

6 (a) The following fees shall be charged for parking at the Kezar Parking Lot. The rates for
7 parking at the Kezar Stadium Parking Lot may be set by the San Francisco Municipal Transportation
8 Agency (SFMTA) in accordance with Section 6.14. Until such time as the SFMTA has set rates with
9 approval of the Recreation and Park Commission, the rates, which are subject to annual adjustment
10 under Section 12.20, shall continue to apply:

11 (1) Hourly Parking Rates.

12	0—1 hour	\$2.50
13	1—2 hours	\$5.00
14	2—3 hours	\$7.00
15	3—4 hours	\$10.00
16	4—5 hours	\$12.00
17	5—6 hours	\$14.00
18	6—7 hours	\$16.00
19	7—24 hours	\$18.00
20	Special Event Parking	\$10.00
21	Validation	\$1.25

22 (2) Monthly Parking Rates.

23	Resident	\$160.00
24	Seniors	\$60.00
25	Commercial (Monday—Friday)	\$185.00

1 (3) Other Rates.

2 Lost Ticket Fee \$18.00

3 Validated Ticket Books (100 stickers) \$150.00

4 ~~(b) Candlestick Parking Lots.~~

5 ~~— (1) The daily fee for vehicles and trailers parking in the television compound during~~
6 ~~football season and for televised soccer events shall be \$1,000.00 per day.~~

7 ~~— (2) The fee for automobile and tire manufacturer and/or dealer shows shall be \$2,500.00~~
8 ~~per day for set up and breakdown and \$5,000.00 per day for the show.~~

9 ~~— (3) The fee for car clubs shall be \$2,500.00 per day plus an additional \$1,250.00 for use of~~
10 ~~the entire lot which includes the RV section.~~

11 ~~— (4) The fee for photography shoots shall be \$2,500.00 per day for use of the parking lot,~~
12 ~~and \$4,000.00 per day for use of the stadium.~~

13 ~~(b)(e)~~ Other Recreation and Park Property. The daily fee for parking on other
14 Recreation and Park property, except for garages and specifically designated parking lots
15 subject to separate fee-setting procedures, shall be from \$0.50 ~~(fifty cents)~~ to \$1.00 per hour,
16 the amount to be determined by the Recreation and Park Commission after considering the
17 costs of parking in the areas adjacent to the park property.

18
19 **SEC. 12.11. MARINA FEES.**

20 The following fees shall be charged for goods and services at the ~~San Francisco~~ Marina
21 Small Craft Harbor:

22 * * * *

23 (e) **Parking.**

24 (1) Berth Parking, for Owners and Partners Only:	
25 Two permits (per berthing license) stickers	Free

1	Each additional <i>permitsticker</i> , annually	\$600+20.00
2	(2) Daily Parking, Allows Permit Holder to Park in Marina Spaces if Available:	
3	—Crew, per day	7.50
4	—Non Owner, per day	7.50
5	(3) Special Event Parking, per day	7.50
6	(4) Trailer/Dingy Parking, for Regatta etc., per day	7.50
7	(2) All Other Rates Set by SFMTA pursuant to Park Code Section 6.14	
8	(2) Daily Parking, Allows Permit Holder to Park in Marina Spaces if Available:	
9	Crew, per day	7.50
10	Non-Owner, per day	7.50
11	(3) Special Event Parking, per day	7.50
12	(4) Trailer/Dingy Parking, for Regatta etc., per day	7.50

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SEC. 12.35. GOLDEN GATE PARK CONCOURSE UNDERGROUND PARKING FACILITY.

(a) The rates to be charged for parking in the Golden Gate Park Underground Parking Facility may be set by the SFMTA in accordance with Section 6.14. Until such time as the SFMTA has set rates with approval of the Recreation and Park Commission, the rates, which are subject to annual adjustment under Section 12.20, shall continue to apply ~~be as follows:~~

	Each hour	Maximum
Weekdays	\$4.50	\$25.00
Weekends	\$5.00	\$28.00
Flat Rate After 6:00 p.m.		\$15.00
Monthly Rate (daytime)		\$200.00

* * * *

1 Section 4. Effective Date. This ordinance shall become effective 30 days after
2 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
3 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
4 of Supervisors overrides the Mayor's veto of the ordinance.

5
6 Section 5. Future Updates to Park Code Sections 12.08 and 12.35. Park Code
7 Sections 12.08(a) and 12.35(a) contain rates previously approved by the Board of Supervisors
8 for parking at the Kezar Stadium Parking Lot and Golden Gate Park Concourse Underground
9 Parking Facility. This ordinance approves of the San Francisco Municipal Transportation
10 Agency (SFMTA) setting new parking rates at those facilities with the approval of the
11 Recreation and Park Commission, but the rate-setting and approvals have not yet occurred,
12 so the existing rates in the Park Code, adjusted in accordance with Park Code Section 12.20,
13 shall continue to apply in the interim. The Recreation and Park Department is directed to
14 notify the City Attorney's Office in writing once SFMTA has commenced setting rates at those
15 facilities with approval of the Recreation and Park Commission. Upon receiving such notice,
16 the City Attorney's Office shall cause Sections 12.08 and 12.35 to be revised accordingly.

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REVISED LEGISLATIVE DIGEST
(Amended in Committee, 9/22/2021)

[Park Code - Parking Fees]

Ordinance authorizing the Municipal Transportation Agency (SFMTA) to set parking rates at the Kezar Parking Lot and Golden Gate Park Underground Parking Facility in accordance with existing Park Code provisions that authorize SFMTA rate-setting on park property; making conforming edits to the Park Code; increasing parking rates for berth-holders at the Marina Small Craft Harbor; and affirming the Planning Department's determination under the California Environmental Quality Act.

Existing Law

Rates for parking by the general public at the Kezar Parking Lot and Golden Gate Park Underground Parking Facility are set in the Park Code. The Park Code rates are adjusted annually for inflation but are otherwise fixed. Under Park Code Section 6.14, however, the San Francisco Municipal Transportation Agency (SFMTA) may take over setting parking rates at designated locations on park property, subject to certain approvals by the Board of Supervisors and Recreation and Park Commission, and set rates that are closely comparable to the rates for similarly situated paid parking. The Park Code also sets parking rates for persons who hold licenses to berth vessels at the Marina Small Craft Harbor: berth-holders get two free parking passes with their berthing licenses, and can purchase additional passes for \$156 each.

Amendments to Current Law

The ordinance would allow SFMTA, with Recreation and Park Commission approval, to set new rates for parking by the general public at the Kezar Parking Lot and Golden Gate Park Underground Parking Facility. Once SFMTA sets its rates, the existing Park Code rates at those facilities would cease to apply. SFMTA could increase or decrease its rates in response to customer demand at particular times or on particular days or dates. The rate-setting is intended to support recreation. Meanwhile, the Park Code rate for berthholders to purchase additional parking passes would increase to \$600.

Background

This version of the digest reflects amendments to 1) remove the authorization for SFMTA to set a rate for parking by the general public at the Marina Small Craft Harbor; 2) revert to the existing Park Code rates for daily parking, special event parking, and trailer/dingy parking at the Marina (these rates were originally proposed to be deleted); and 3) clarify that the ordinance does not supersede the terms of the lease of the Golden Gate Park Underground Parking Facility to the Music Concourse Community Partnership.

FILE NO. 211022

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