

File No. 130528

Committee Item No. 3

Board Item No. 6

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Economic Development Date July 15, 2013

Board of Supervisors Meeting Date July 30, 2013

Cmte Board

- | | | |
|-------------------------------------|-------------------------------------|----------------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Ordinance |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Public Correspondence |

OTHER (Use back side if additional space is needed)

- | | | |
|-------------------------------------|-------------------------------------|------------------------------------------|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Planning Commission Resolution No. 18871 |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Fee Ad |
| <input type="checkbox"/> | <input type="checkbox"/> | |
| <input type="checkbox"/> | <input type="checkbox"/> | |
| <input type="checkbox"/> | <input type="checkbox"/> | |
| <input type="checkbox"/> | <input type="checkbox"/> | |
| <input type="checkbox"/> | <input type="checkbox"/> | |
| <input type="checkbox"/> | <input type="checkbox"/> | |
| <input type="checkbox"/> | <input type="checkbox"/> | |
| <input type="checkbox"/> | <input type="checkbox"/> | |
| <input type="checkbox"/> | <input type="checkbox"/> | |
| <input type="checkbox"/> | <input type="checkbox"/> | |
| <input type="checkbox"/> | <input type="checkbox"/> | |
| <input type="checkbox"/> | <input type="checkbox"/> | |
| <input type="checkbox"/> | <input type="checkbox"/> | |
| <input type="checkbox"/> | <input type="checkbox"/> | |

Completed by: Alisa Miller Date July 12, 2013

Completed by: _____ Date _____

1 [Planning, Environment Codes - Bicycle Parking; In Lieu Fee]

2
3 **Ordinance amending the Planning Code to revise the bicycle parking standards, allow**
4 **a portion of the bicycle parking requirements to be satisfied by payment of an in lieu**
5 **fee, allow automobile parking spaces to be reduced and replaced by bicycle parking**
6 **spaces, and authorize the Zoning Administrator to waive or modify required bicycle**
7 **parking; amending the Environment Code to revise cross-references to the Planning**
8 **Code and make technical amendments; and making environmental findings and**
9 **findings of consistency with the General Plan and the priority policies of Planning**
10 **Code, Section 101.1.**

11 NOTE: Additions are *single-underline italics Times New Roman*;
12 deletions are *strike-through italics Times New Roman*.
13 Board amendment additions are double-underlined;
14 Board amendment deletions are ~~strikethrough-normal~~.

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

16 Section 1. Findings.

17 (a) On June 25, 2009, by Motion No. 17912, the Planning Commission certified as
18 adequate, accurate and complete the Final Environmental Impact Report ("FEIR") for the
19 2009 San Francisco Bicycle Plan. On August 4, 2009 in Motion M09-136, the San Francisco
20 Board of Supervisors affirmed the decision of the Planning Commission to certify the FEIR
21 and rejected the appeal of the FEIR certification. Copies of Planning Commission 17912 and
22 Board of Supervisors Motion M09-136 are on file with the Clerk of the Board of Supervisors in
23 File No. 090913. In accordance with the actions contemplated herein, this Board has
24 reviewed the FEIR, and the note to the Bicycle Plan Project file dated May 9, 2013, and
25

1 adopts and incorporates by reference, as though fully set forth herein, the findings, including a
2 statement of overriding considerations and the mitigation monitoring and reporting program,
3 pursuant to the California Environmental Quality Act (California Public Resources Code
4 section 21000, et seq.), adopted by the Planning Commission on May 16, 2013, in Motion No.
5 18870. A copy of said motion is on file with the Clerk of the Board of Supervisors in File No.
6 130527.

7 (b) Pursuant to Planning Code Section 302, the Board finds that the proposed
8 Ordinance will serve the public necessity, convenience and welfare.

9 (c) At a duly noticed public hearing held on May 16, 2013, the Planning Commission in
10 Resolution No. 18871 found that the proposed Planning Code amendments contained in this
11 Ordinance are consistent with the City's General Plan and with the Priority Policies of
12 Planning Code Section 101.1. The Commission recommended that the Board of Supervisors
13 adopt the proposed Planning Code amendments. The Board finds that the proposed Planning
14 Code amendments contained in this Ordinance are consistent with the City's General Plan
15 and with the Priority Policies of Planning Code Section 101.1 for the reasons set forth in said
16 Resolution.

17 Section 2. The San Francisco Planning Code is hereby amended by repealing
18 Sections 155.1 through 155.5, as follows:

19 ~~**SEC. 155.1. BICYCLE PARKING REQUIREMENTS FOR CITY OWNED AND LEASED**~~
20 ~~**BUILDINGS.**~~

21 ~~*In all City owned and leased buildings, regardless of whether off-street parking is available, the*~~
22 ~~*responsible City official, as defined in Section 155.1(a)(11) below, shall provide bicycle parking*~~
23 ~~*according to the schedule in Section 155.1(c) below, except as otherwise provided in Section 155.2. The*~~
24 ~~*provisions of this Section shall not apply in any case where the City occupies property as a tenant*~~
25 ~~*under a lease the term of which does not exceed six months. In the event that a privately owned garage,*~~

1 ~~as defined in Section 155.2, is in a building in which the City leases space, Section 155.2 and not this~~
2 ~~Section shall apply. All required bicycle parking shall conform to the requirements of Sections 155.1(b)~~
3 ~~(Location of Facilities) and 155.1(c) (Number of Spaces) set forth below:~~

4 ~~(a) Definitions.~~

5 ~~(1) Locker. A fully enclosed, secure and burglar proof bicycle parking space accessible~~
6 ~~only to the owner or operator of the bicycle.~~

7 ~~(2) Check in Facility. A location in which the bicycle is delivered to and left with an~~
8 ~~attendant with provisions for identifying the bicycle's owner. The stored bicycle is accessible only to the~~
9 ~~attendant.~~

10 ~~(3) Monitored Parking. A location where Class 2 parking spaces are provided within an~~
11 ~~area under constant surveillance by an attendant or security guard or by a monitored camera.~~

12 ~~(4) Restricted Access Parking. A location that provides Class 2 parking spaces within a~~
13 ~~locked room or locked enclosure accessible only to the owners of bicycles parked within.~~

14 ~~(5) Personal Storage. Storage within the view of the bicycle owner in either the~~
15 ~~operator's office or a location within the building.~~

16 ~~(6) Class 1 Bicycle Parking Space(s). Facilities which protect the entire bicycle, its~~
17 ~~components and accessories against theft and against inclement weather, including wind driven rain.~~
18 ~~Examples of this type of facility include (1) lockers, (2) check in facilities, (3) monitored parking, (4)~~
19 ~~restricted access parking, and (5) personal storage.~~

20 ~~(7) Class 2 Bicycle Parking Space(s). Bicycle racks which permit the locking of the~~
21 ~~bicycle frame and one wheel to the rack and, which support the bicycle in a stable position without~~
22 ~~damage to wheels, frame or components.~~

23 ~~(8) Director. Director of Planning.~~

24 ~~(9) Landlord. Any person who leases space in a building to the City. The term~~
25 ~~"landlord" does not include the City.~~

1 ~~(10) Employees. Individuals employed by the City and County of San Francisco.~~

2 ~~(11) Responsible City Official. The highest ranking City official of an agency or~~
3 ~~department which has authority over a City-owned building or parking facility or of an agency or~~
4 ~~department for which the City is leasing space.~~

5 ~~(12) Person. Any individual, proprietorship, partnership, joint venture, corporation,~~
6 ~~limited liability company, trust, association, or other entity that may enter into leases.~~

7 ~~(b) Location of Facilities.~~

8 ~~(1) Majority of Spaces Are Long Term. At locations where the majority of parking~~
9 ~~spaces will be long term (e.g., occupied by building employees for eight hours or more), at least 1/2 of~~
10 ~~the required bicycle parking spaces shall be Class 1 spaces. The remaining spaces may be Class 2~~
11 ~~spaces. The Director may approve alternative types of parking spaces that provide an equivalent~~
12 ~~measure of security.~~

13 ~~(2) Alternative Locations. In the event that compliance with Section 155.1(b)(91) may~~
14 ~~not be feasible because of demonstrable hardship, the responsible city official may apply to the~~
15 ~~Director for approval of an alternative storage location. In acting upon such applications, the Director~~
16 ~~shall be guided by the following criteria: Such alternative facilities shall be well-lighted and secure.~~
17 ~~The entrance shall be no more than 50 feet from the entrance of the building, unless there are no~~
18 ~~feasible locations within a 50 foot zone that can be provided without impeding sidewalk or pedestrian~~
19 ~~traffic. However, in no event shall an alternative location be approved that is farther from the entrance~~
20 ~~of the building than the closest automobile parking space.~~

21 ~~(3) Exemptions. If no feasible alternative parking facility exists nearby which can be~~
22 ~~approved pursuant to Section 155.1(b)(1) or (2), no Class 1 bicycle parking is provided in the building,~~
23 ~~or, securing an alternative location would be unduly costly and pose a demonstrable hardship on the~~
24 ~~landlord, or on the City, where the City owns the building, the Director may issue an exemption. In~~
25 ~~order to obtain an exemption, the responsible City official shall certify to the Director in writing that~~

1 ~~the landlord, or the City, where the City owns the building, will not prohibit bicycle operators from~~
2 ~~storing bicycles within their office space, provided that they are stored in such a way that the Fire Code~~
3 ~~is not violated and that the normal business of the building is not disrupted.~~

4 ~~(e) Required Number of Bicycle Parking Spaces.~~

5 ~~(1) Class 1 Bicycle Parking Spaces. The following standards shall govern the number of~~
6 ~~Class 1, long term, bicycle parking spaces a responsible City official must provide:~~

7 ~~(A) In buildings with one to 20 employees, at least two bicycle parking spaces~~
8 ~~shall be provided.~~

9 ~~(B) In buildings with 21 to 50 employees, at least four bicycle parking spaces~~
10 ~~shall be provided.~~

11 ~~(C) In buildings with 51 to 300 employees, the number of bicycle parking spaces~~
12 ~~provided shall be equal to at least five percent of the number of employees at that building, but in no~~
13 ~~event shall fewer than five bicycle spaces be provided.~~

14 ~~(D) In buildings with more than 300 employees, the number of bicycle parking~~
15 ~~spaces provided shall be equal to at least three percent of the number of employees at that building but~~
16 ~~in no event shall fewer than 16 bicycle parking spaces be provided.~~

17 ~~(2) Class 2 Bicycle Parking Spaces. In addition to the Class 1 bicycle parking spaces~~
18 ~~required above, a responsible City official shall also provide Class 2 bicycle parking spaces according~~
19 ~~to the below enumerated schedule:~~

20 ~~(A) In buildings with one to 40 employees, at least two bicycle parking spaces~~
21 ~~shall be provided.~~

22 ~~(B) In buildings with 41 to 50 employees, at least four bicycle parking spaces~~
23 ~~shall be provided.~~

24 ~~(C) In buildings with 51 to 100 employees, at least six bicycle parking spaces~~
25 ~~shall be provided.~~

1 (D) ~~In buildings with more than 100 employees, at least eight bicycle parking~~
2 ~~spaces shall be provided. Wherever a responsible City official is required to provide eight or more~~
3 ~~Class 2 bicycle parking spaces, at least 50 percent of those parking spaces shall be covered.~~

4 (3) ~~Public Buildings. In public buildings where the City provides a public service to~~
5 ~~members of the public who are patrons or users of the buildings, such as libraries, museums, and~~
6 ~~sports facilities, the responsible City official shall provide the number of bicycle parking spaces as set~~
7 ~~out in Section 155.1(e)(1) and (2), except that the average patron load in a building during peak use~~
8 ~~hours as determined by the Director, rather than the number of employees, shall determine the number~~
9 ~~of spaces required. This Section shall not apply where a public building has a "garage" (as such term~~
10 ~~is defined in Section 155.2(a)) that is open to the general public, in which case Section 155.2 shall~~
11 ~~apply.~~

12 (4) ~~Annual Survey. The Director shall annually survey the amount, location, and usage~~
13 ~~of provided bicycle parking spaces in all buildings subject to the requirements of this Section in order~~
14 ~~to ascertain whether current requirements are adequate to meet demand for such parking spaces. If~~
15 ~~current requirements are inadequate, the Director shall draft and submit to the Board of Supervisors~~
16 ~~proposed legislation that would remedy the deficiency.~~

17 (5) ~~Reductions. The Director may grant a reduction from the number of bicycle parking~~
18 ~~spaces required by this Section where the applicant shows based upon the type of patronage, clientele,~~
19 ~~or employees using the building that there is no reason to expect a sufficient number of bicycle-riding~~
20 ~~patrons, clientele or employees to justify the number of spaces otherwise required by the Section.~~

21 (d) ~~Layout of Spaces. Class 1 and Class 2 bicycle parking spaces or alternative spaces~~
22 ~~approved by the Director shall be laid out according to the following:~~

23 (1) ~~An aisle or other space to enter and leave the facility shall be provided. The aisle~~
24 ~~shall provide a width of five feet to the front or rear of a standard six foot bicycle parked in the facility.~~

1 ~~(2) Each bicycle parking space shall provide an area at least two feet wide by six feet~~
2 ~~deep. Vertical clearance shall be at least 78 inches.~~

3 ~~(3) Bicycle parking shall be at least as conveniently located as the most convenient~~
4 ~~nondisabled car parking. Safe and convenient means of ingress and egress to bicycle parking facilities~~
5 ~~shall be provided. Safe and convenient means include, but are not limited to stairways, elevators and~~
6 ~~escalators.~~

7 ~~(4) Bicycle parking and automobile parking shall be separated by a physical barrier or~~
8 ~~sufficient distance to protect parking bicycles from damage. The number of required automobile~~
9 ~~parking spaces may be lowered in buildings where Class 1 bicycle parking is provided. The number of~~
10 ~~otherwise required automobile parking spaces may be reduced, commensurate with the space~~
11 ~~necessary to provide Class 1 or Class 2 bicycle parking spaces, in an amount that meets or exceeds the~~
12 ~~requirements of this section. This provision only applies to the explicit area used for Class 1 or Class 2~~
13 ~~bicycle parking.~~

14 ~~(5) Class 2 bicycle racks shall be located in highly visible areas to minimize theft and~~
15 ~~vandalism.~~

16 ~~(6) Where Class 2 bicycle parking areas are not clearly visible to approaching~~
17 ~~bicyclists, signs shall indicate the locations of the facilities.~~

18 ~~(7) The surface of bicycle parking spaces need not be paved, but shall be finished to~~
19 ~~avoid mud and dust.~~

20 ~~(8) All bicycle racks and lockers shall be securely anchored to the ground or building~~
21 ~~structure.~~

22 ~~(9) Bicycle parking spaces may not interfere with pedestrian circulation.~~

23 ~~(e) Lease Provisions:~~

24 ~~(1) All City leases of buildings that are subject to the requirements of this Section and~~
25 ~~under which the City is a tenant shall specifically provide that the landlord agrees to make space~~

1 available in the building for the term of the lease within which the responsible City official may install,
2 at no cost to the landlord, bicycle parking facilities that are in compliance with this Section.

3 ~~(2) This Subsection (e) does not in any way limit the ability of the Director to approve~~
4 ~~alternative storage locations under Subsection (b)(2) or exemptions under Subsection (b)(3). In the~~
5 ~~event that an exemption is granted or an alternative location is approved allowing the installation of~~
6 ~~bicycle parking facilities on property that is not included (i) in a building leased by the responsible city~~
7 ~~official or (ii) on property that belongs to the landlord, Subsection (e)(1) does not apply. If the~~
8 ~~alternative location is on property that is owned by the landlord, but is not inside the building to be~~
9 ~~leased by the responsible city official, the lease provision of Subsection (e)(1) is required and shall~~
10 ~~identify that property as the location of the bicycle parking spaces.~~

11 ~~(f) Miscellaneous Requirements.~~

12 ~~(1) The responsible City official shall not, and shall encourage landlords not to,~~
13 ~~establish or enforce any building policy that restricts or discourages building tenants, employees, or~~
14 ~~visitors from utilizing their bicycle storage spaces.~~

15 ~~(2) In any building that contains more than the required number of bicycle parking~~
16 ~~spaces as set forth in Article 1.5, Section 155.1, the responsible City official shall not remove such~~
17 ~~additional bicycle parking spaces without petitioning the Director. Such a petition may not be filed~~
18 ~~until at least one year has elapsed following the effective date of this Section. That petition shall~~
19 ~~demonstrate that the spaces the responsible City official seeks authority to remove have not been~~
20 ~~necessary to meet the demand of employees and other building users.~~

21 ~~(3) The responsible City official shall be responsible for full compliance with this~~
22 ~~Section. The Board of Supervisors does not intend to impose requirements of this Section on any~~
23 ~~responsible City official where such application would impair obligations of contract.~~

24 ~~(4) Buildings with existing traditional type racks which support only one wheel shall~~
25 ~~have two years from the effective date of this Section to replace them with conforming racks.~~

1 (5) *In addition to imposing requirements pursuant to this Section, the Board of*
2 *Supervisors declares it the official policy of the City and County of San Francisco that all property*
3 *owners and responsible City officials in control of buildings housing employees or members of the*
4 *public who use bicycles shall provide bicycle parking spaces and shall encourage and facilitate bicycle*
5 *usage.*

6 **~~SEC. 155.2. BICYCLE PARKING REQUIRED IN CITY-OWNED PARKING GARAGES AND~~**
7 **~~PRIVATELY OWNED PARKING GARAGES.~~**

8 *In all City-owned parking garages and all privately-owned parking garages (but not parking*
9 *lots), the owner and operator shall provide bicycle parking according to the schedule set forth in*
10 *Section 155.2(e). With respect to City-owned parking garages which are not open to the general public,*
11 *Section 155.1 and not this Section shall apply. If a privately owned garage is in a building in which the*
12 *City leases space for more than six months, this Section and not Section 155.1 shall apply.*

13 **~~(a) Definitions.~~**

14 (1) *All definitions set forth in Section 155.1(a) are incorporated into this Section.*

15 (2) **~~Garage.~~** *Any public or private facility for the indoor parking of automobiles. It may*
16 *be a stand-alone facility or may be located in a building also used for other purposes. It includes*
17 *facilities which offer spaces for rent or other fee to the general public, and facilities which offer*
18 *automobile parking space solely to building tenants, or a combination of both. It excludes garages*
19 *which offer fewer than 10 automobile spaces.*

20 **~~(b) Duties of Responsible City Officials and Garage Owners.~~** *Where this Section imposes*
21 *requirements on the City, the responsible City official shall be responsible for fulfilling such*
22 *requirements. Where this Section imposes duties on private garages, the owners of such garages shall*
23 *be responsible for fulfilling such requirements.*

24 **~~(c) Number of Spaces.~~**

1 ~~(1) Every garage will supply a minimum of six bicycle parking spaces regardless of the~~
2 ~~number of automobile spaces available.~~

3 ~~(2) Garages which offer between 120 and 500 automobile spaces shall provide one~~
4 ~~bicycle space for every 20 automobile spaces.~~

5 ~~(3) Garages which offer more than 500 automobile spaces shall provide 25 spaces plus~~
6 ~~one additional space for every 40 automobile spaces over 500 spaces, up to a maximum of 50 bicycle~~
7 ~~parking spaces.~~

8 ~~(d) Type of Bicycle Parking. Garages offering automobile parking to the general public shall~~
9 ~~offer either Class 2 bicycle parking, as defined in Section 155.1(a) or Class 1 bicycle parking, as~~
10 ~~defined in Section 155.1(a). Garages may offer a combination of Class 1 and Class 2 bicycle parking.~~
11 ~~Garages offering automobile parking to the general public on an hourly basis shall offer bicycle~~
12 ~~parking on the same basis. Garages offering automobile parking to the general public on a weekly or~~
13 ~~longer basis shall provide bicycle parking on the same basis.~~

14 ~~(e) Implementation. Garages shall be required to comply with these requirements within six~~
15 ~~months of the enactment of this legislation. Garages shall install bicycle parking for half of the number~~
16 ~~of required bicycle parking spaces within six months of the effective date of this legislation, but in no~~
17 ~~case fewer than six bicycle spaces. Garages shall fully comply with the requirements of Section~~
18 ~~155.2(c) within 18 months of the date of enactment of this legislation. However, if demand for the~~
19 ~~bicycle parking facilities provided under the "first six months" interim provision is less than 80 percent~~
20 ~~of the spaces provided on 20 consecutive non-holiday weekdays, the garage may apply to the Director~~
21 ~~for permission to delay full compliance with Section 155.2(c) for a reasonable period of time and the~~
22 ~~Director shall have the discretion to permit such a delay where the garage demonstrates that achieving~~
23 ~~full compliance within the required period presents an undue burden. In the case of a garage which is~~
24 ~~not predominantly used during the regular work week (for example, a garage near an event venue), the~~
25 ~~Director may designate an alternative period other than "non-holiday weekdays" for purposes of~~

1 ~~evaluating an exemption from the full requirements of Section 155.2(e), including, but not limited to, 10~~
2 ~~consecutive weekends or 20 days on which the garage primarily serves customers attending an event at~~
3 ~~a nearby venue.~~

4 ~~(f) **Safety Waiver.** The Director may grant a waiver of the requirements of this Section where a~~
5 ~~garage establishes that compliance with the provisions of this Section would seriously jeopardize the~~
6 ~~safety of the garage patrons. In order to obtain such a waiver, a garage must submit a written waiver~~
7 ~~application to the Director. The Planning Department shall establish more definitive guidelines for the~~
8 ~~granting of a safety waiver. During the first year after the effective date of this legislation, the Planning~~
9 ~~Commission shall quarterly review safety waivers granted and denied under this Subsection (f).~~
10 ~~Thereafter, the Planning Commission shall annually review safety waivers granted and denied under~~
11 ~~this Subsection (f). If after such review the Planning Commission determines that a safety waiver was~~
12 ~~improperly granted or denied, the Planning Commission may then reverse the decision of the Director~~
13 ~~with respect to that safety waiver.~~

14 ~~(g) **Fees for Bicycle Parking.** This Section shall not interfere with the rights of private garage~~
15 ~~owners to charge rent or other fees for bicycle parking.~~

16 ~~(h) **Notice of Bicycle Parking.** Garages subject to this Section must provide adequate signs or~~
17 ~~notices in or near garage entrances to advertise the availability of bicycle parking.~~

18 ~~(i) **Layout of Spaces.** Garages subject to this Section are encouraged to follow the requirements~~
19 ~~set forth in Section 155.1(d) (Layout of Spaces) in installing Class 1 and Class 2 bicycle parking.~~

20 ~~(j) **Enforcement.** Article 1.5, Section 155.2 shall be enforced by the Zoning Administrator.~~
21 ~~Upon complaint, the Zoning Administrator shall investigate. If the Zoning Administrator concludes that~~
22 ~~a violation exists in a city owned garage, he or she shall provide written notice to the responsible City~~
23 ~~official, offering 30 days to cure the violation. If the Zoning Administrator concludes that a violation~~
24 ~~exists in a privately owned garage, he or she shall provide written notice to the garage owner, offering~~
25 ~~30 days to cure the violation. The written notice shall state the grounds for the Zoning Administrator's~~

1 ~~conclusion that this Section has been violated. The notice shall afford the responsible City official or~~
2 ~~private garage owner an opportunity to meet with the Zoning Administrator to explain why they are not~~
3 ~~in violation of this Section.~~

4 ~~(1) Where a violation of this Section occurs in either a privately owned garage or a~~
5 ~~City-owned garage, if such violation has not been cured within the allotted 30 day period, the Zoning~~
6 ~~Administrator shall add the name and address of such garage and the name of the garage owner or~~
7 ~~responsible City official's agency or department to a list of garages currently in violation of this~~
8 ~~Section. Upon request, the Zoning Administrator shall provide a copy of this list to members of the~~
9 ~~public.~~

10 ~~(k) Contractual Limits on Liability. This Section shall not interfere with the rights of a garage~~
11 ~~owner to enter into agreements with garage patrons or take other lawful measures to limit the garage~~
12 ~~owner's liability to patrons with respect to bicycles parked in their garage, provided that such~~
13 ~~agreements or measures are in accordance with the requirements of this Section.~~

14 ~~**SEC. 155.3. SHOWER FACILITIES AND LOCKERS REQUIRED IN NEW COMMERCIAL AND**~~
15 ~~**INDUSTRIAL BUILDINGS AND EXISTING BUILDINGS UNDERGOING MAJOR**~~
16 ~~**RENOVATIONS.**~~

17 ~~(a) Definitions.~~

18 ~~(1) New Building. A commercial or industrial building for which a building permit is~~
19 ~~issued at least six months after the effective date of this legislation.~~

20 ~~(2) Major Renovations. Any construction or renovation project (i) for which a building~~
21 ~~permit is issued commencing at least six months after the date of enactment of this legislation (ii) which~~
22 ~~involves an enlargement of an existing public or privately owned commercial or industrial building,~~
23 ~~and (iii) which has an estimated cost of at least \$1,000,000.00. For purposes of this Section, the term~~
24 ~~"enlargement" shall mean an increase in the square footage of the ground story of a building.~~

1 (3) ~~The term "commercial building" shall include, but is not limited to, public or~~
2 ~~privately owned buildings containing employees working for City government agencies or departments.~~

3 **~~(b) Requirements for New Buildings and Buildings With Major Renovations.~~** ~~New buildings~~
4 ~~and buildings with major renovations shall provide shower and clothes locker facilities for short term~~
5 ~~use of the tenants or employees in that building in accordance with this Section. Where a building~~
6 ~~undergoes major renovations, its total square footage after the renovation is the square footage that~~
7 ~~shall be used in calculating how many, if any, showers and clothes lockers are required.~~

8 ~~(c) For new buildings and buildings with major renovations whose primary use consists of~~
9 ~~medical or other professional services, general business offices, financial services, City government~~
10 ~~agencies and departments, general business services, business and trade schools, colleges and~~
11 ~~universities, research and development or manufacturing, the following schedule of required shower~~
12 ~~and locker facilities applies:~~

13 ~~(1) Where the gross square footage of the floor area exceeds 10,000 square feet but is no~~
14 ~~greater than 20,000 square feet, one shower and two clothes lockers are required.~~

15 ~~(2) Where the gross square footage of the floor area exceeds 20,000 square feet but is no~~
16 ~~greater than 50,000 square feet, two showers and four clothes lockers are required.~~

17 ~~(3) Where the gross square footage of the floor area exceeds 50,000 square feet, four~~
18 ~~showers and eight clothes lockers are required.~~

19 ~~(d) For new buildings and buildings with major renovations whose primary use consists of~~
20 ~~retail, eating and drinking or personal services, the following table of shower and locker facilities~~
21 ~~applies:~~

22 ~~(1) Where the gross square footage of the floor area exceeds 25,000 square feet but is no~~
23 ~~greater than 50,000 square feet, one shower and two clothes lockers are required.~~

24 ~~(2) Where the gross square footage of the floor area exceeds 50,000 square feet but is no~~
25 ~~greater than 100,000 square feet, two showers and four clothes lockers are required.~~

1 ~~(3) Where the gross square footage of the floor area exceeds 100,000 square feet, four~~
2 ~~showers and eight clothes lockers are required.~~

3 ~~(e) Exemptions. An owner of an existing building subject to the requirements of this Section~~
4 ~~shall be exempt from Subsections (c) and (d) upon submitting proof to the Director of the Department~~
5 ~~of City Planning that the owner has made arrangements with a health club or other facility, located~~
6 ~~within a four-block radius of the building, to provide showers and lockers at no cost to the employees~~
7 ~~who work in the owner's building.~~

8 ~~(f) Exclusion for Hotels, Residential Buildings and Live/Work Units. This Section shall not~~
9 ~~apply to buildings used primarily as hotels or residential buildings. In addition, this Section shall not~~
10 ~~apply to "live/work units" as defined in Section 102.13 of the San Francisco Planning Code.~~

11 ~~(g) Owners of Existing Buildings Encouraged to Provide Shower and Clothes Locker~~
12 ~~Facilities. The City encourages private building owners whose buildings are not subject to this Section~~
13 ~~to provide safe and secure shower and clothes locker facilities for employees working in such~~
14 ~~buildings.~~

15 ~~(h) The Department of City Planning may establish more definitive requirements for shower and~~
16 ~~locker facilities in accordance with this Section.~~

17 **~~SEC. 155.4. BICYCLE PARKING REQUIRED IN NEW AND RENOVATED COMMERCIAL~~**
18 **~~BUILDINGS.~~**

19 ~~(a) Definitions. All definitions set forth in Section 155.1(a) and Section 155.3(a) are~~
20 ~~incorporated into this Section. For the purposes of this Section, commercial shall mean commercial,~~
21 ~~industrial, and institutional uses.~~

22 ~~(b) Applicability.~~

23 ~~(1) New Commercial Buildings. A commercial or industrial building for which a~~
24 ~~building permit is issued on or after the effective date of this Section.~~

1 ~~(2) Major Renovation. Any construction or renovation project (i) for which a building~~
2 ~~permit is issued commencing on or after the effective date of this Section (ii) which involves an~~
3 ~~enlargement of an existing commercial building and (iii) which has an estimated construction cost of at~~
4 ~~least \$1,000,000.00.~~

5 ~~(3) Major Change of Use. Any change of use involving half or more of the building's~~
6 ~~square footage, or 10,000 or more square feet.~~

7 ~~(4) Addition of Parking. Any increase in the amount of off street automobile parking.~~

8 ~~(e) Requirements. Commercial buildings making any of the changes specified in subsection (b),~~
9 ~~as a condition of approval, shall provide bicycle parking in that building in accordance with this~~
10 ~~Section. Where a building undergoes major renovations, its total square footage after the renovation~~
11 ~~shall be used in calculating how many, if any, bicycle parking spaces are required.~~

12 ~~(d) Types of Bicycle Parking. New commercial buildings and commercial buildings with major~~
13 ~~renovations shall offer either Class 1 bicycle parking, as defined in Section 155.1(a)(6), or Class 2~~
14 ~~bicycle parking, as defined in Section 155.1(a)(7), or a combination of Class 1 and Class 2 bicycle~~
15 ~~parking.~~

16 ~~(e) Bicycle Parking Spaces – Professional Services. Except in the C-3-O(SD) District, for new~~
17 ~~commercial buildings and commercial buildings with major renovations, including individual buildings~~
18 ~~of large, multiple-building developments, whose primary use consists of medical or other professional~~
19 ~~services, general business offices, financial services, general business services, business and trade~~
20 ~~schools, colleges and universities, research and development or manufacturing, the following schedule~~
21 ~~of required bicycle parking applies:~~

22 ~~(1) Where the gross square footage of the floor area exceeds 10,000 square feet but is no~~
23 ~~greater than 20,000 feet, 3 bicycle spaces are required.~~

24 ~~(2) Where the gross square footage of the floor area exceeds 20,000 square feet but is no~~
25 ~~greater than 50,000 feet, 6 bicycle spaces are required.~~

1 (3) ~~Where the gross square footage of the floor area exceeds 50,000 square feet, 12~~
2 ~~bicycle spaces are required.~~

3 (4) ~~In the C-3-O(SD) District, the following bicycle parking requirements apply: One~~
4 ~~Class 1 space for every 3,000 square feet for buildings containing less than 75,000 gross square feet of~~
5 ~~the uses described in subsection (d) above. For buildings containing greater than 75,000 gross square~~
6 ~~feet of such uses, 20 Class 1 spaces plus one Class 1 space for every 5,000 square feet in excess of~~
7 ~~75,000. Additionally, one Class 2 space is required for every 50,000 gross square feet of such uses.~~
8 ~~Class 2 spaces are intended for short term use by visitors and shall be located in a highly visible~~
9 ~~publicly accessible location at street grade, or no more than one level above or below street grade if~~
10 ~~accessible by ramp and clear directional signage is available at street level.~~

11 ~~(f) Bicycle Parking Spaces—Retail and Hotel. For new commercial buildings and commercial~~
12 ~~buildings with major renovations whose primary use consists of retail, eating and drinking or personal~~
13 ~~service, the following schedule of required bicycle parking applies:~~

14 ~~(1) Where the gross square footage of the floor area exceeds 25,000 square feet but is no~~
15 ~~greater than 50,000 feet, 3 bicycle spaces are required.~~

16 ~~(2) Where the gross square footage of the floor area exceeds 50,000 square feet but is no~~
17 ~~greater than 100,000 feet, 6 bicycle spaces are required.~~

18 ~~(3) Where the gross square footage of the floor area exceeds 100,000 square feet, 12~~
19 ~~bicycle spaces are required.~~

20 ~~(g) Notice of Bicycle Parking. New commercial buildings and commercial buildings with major~~
21 ~~renovations subject to this Section must provide adequate signs or notices to advertise the availability~~
22 ~~of bicycle parking.~~

23 ~~(h) Layout of Spaces. Owners of new commercial buildings and commercial buildings with~~
24 ~~major renovations subject to this Section are encouraged to follow the requirements set forth in Section~~
25 ~~155.1(d) (Layout of Spaces) in installing Class 1 and Class 2 bicycle parking. The number of required~~

1 ~~automobile parking spaces may be lowered in buildings where Class 1 bicycle parking is provided. The~~
2 ~~number of otherwise required automobile parking spaces may be reduced, commensurate with the~~
3 ~~space necessary to provide Class 1 or Class 2 bicycle parking spaces, in an amount that meets or~~
4 ~~exceeds the requirements of this section. This provision only applies to the explicit area used for Class~~
5 ~~1 or Class 2 bicycle parking.~~

6 ~~(i) Owners of Existing Buildings Encouraged to Provide Bicycle Parking Spaces. The City~~
7 ~~encourages building owners whose buildings are not subject to this Section to provide bicycle parking~~
8 ~~spaces in such buildings.~~

9 ~~(j) Exemption. Where a new commercial building or building with major renovations includes~~
10 ~~residential uses, the building's total non-residential square footage shall be used in calculating how~~
11 ~~many, if any, bicycle parking spaces are required. Building owners shall be required to allow tenants to~~
12 ~~bring their bicycles into buildings unless Class 1 bicycle parking is provided.~~

13 ~~(k) This Section shall not be interpreted to interfere with the Planning Department's authority to~~
14 ~~require more than the minimum bicycle parking spaces required by this Section as a condition of~~
15 ~~approval of a project, where appropriate.~~

16 ~~**SEC. 155.5. BICYCLE PARKING REQUIRED FOR RESIDENTIAL USES.**~~

17 ~~(a) For buildings of 4 dwelling units or more, bicycle parking shall be provided in the minimum~~
18 ~~quantities specified in Table 155.5, regardless of whether off-street car parking is available. The~~
19 ~~maximum requirement is 400 spaces. Use of bicycle parking required by this section shall be provided~~
20 ~~at no cost or fee to building occupants and tenants.~~

21 ~~(b) Definitions. See Section 155.1(a).~~

22 ~~(c) Layout. If more than 100 spaces is required, up to one-third of the spaces may require the~~
23 ~~bicycle to be parked in a vertical position. Large developments with multiple buildings are encouraged~~
24 ~~to site required bicycle parking in smaller facilities located close to residential entries for each~~
25 ~~building, rather than in one large centralized garage space. Required bicycle parking spaces shall not~~

1 ~~be provided within dwelling units, balconies, or required open space. Bicycle parking must otherwise~~
2 ~~meet the standards set out for Class 1 parking as described in Section 155.1(d).~~

3 *Table 155.5*

4 **BICYCLE PARKING SPACES**

5 **REQUIRED FOR RESIDENTIAL USES**

6

7

8

9

	<i>Minimum Number of Bicycle Parking Spaces Required</i>
<i>Dwelling units in all Districts</i>	<i>For projects up to 50 dwelling units, one Class 1 space for every 2 dwelling units.</i>
	<i>For projects over 50 dwelling units, 25 Class 1 spaces plus one Class 1 space for every 4 dwelling units over 50.</i>
<i>Group housing in all Districts</i>	<i>One Class 1 space for every 3 bedrooms.</i>
<i>Dwelling units dedicated to senior citizens or physically disabled persons</i>	<i>None required</i>

10

11

12

13

14

15

16

17

18

19 Section 3. The San Francisco Planning Code is hereby amended by adding Sections
20 155.1 through 155.4, to read as follows:

21 **SEC. 155.1. BICYCLE PARKING: DEFINITIONS AND STANDARDS.**

22 *(a) Definitions. The following definitions are listed alphabetically and shall govern Sections*
23 *155.1 through 155.4. For the purpose of these Sections, all terms defined below will be in initial caps*
24 *throughout these Sections.*

1 "Attended Facility." A location in which the bicycle is delivered to and left with an attendant
2 with provisions for identifying the bicycle's owner. The stored bicycle is accessible only to the
3 attendant.

4 "Class 1 Bicycle Parking Space(s)." Spaces in secure, weather-protected facilities intended
5 for use as long-term, overnight, and work-day bicycle storage by dwelling unit residents, non-
6 residential occupants, and Employees.

7 "Class 2 Bicycle Parking Space(s)." Bicycle racks located in a publicly-accessible, highly
8 visible location intended for transient or short-term use by visitors, guests, and patrons to the building
9 or use.

10 "Director." Director of the Planning Department.

11 "Employees." Individuals employed by any entity operating or doing business on the subject
12 lot.

13 "Landlord." Any person who leases space in a building to the City. The term "Landlord" does
14 not include the City.

15 "Locker." A fully enclosed and secure bicycle parking space accessible only to the owner or
16 operator of the bicycle or owner and operator of the Locker.

17 "Monitored Parking." A location where Class 2 parking spaces are provided within an area
18 under constant surveillance by an attendant or security guard or by a monitored camera.

19 "New Building." A building or structure for which a new construction building permit is
20 issued after the effective date of the Section as determined in Section 155.1(f).

21 "Person." Any individual, proprietorship, partnership, joint venture, corporation, limited
22 liability company, trust, association, or other entity that may enter into leases.

23 "Responsible City Official." The highest ranking City official of an agency or department
24 which has authority over a City-owned building or parking facility or of an agency or department for
25 which the City is leasing space.

1 "Restricted Access Parking." A location that provides Class 2 bicycle racks within a locked
2 room or locked enclosure accessible only to the owners of bicycles parked within.

3 "Stacked Parking." Bicycle parking spaces where racks are stacked and the racks that are not
4 on the ground accommodate mechanically-assisted lifting in order to mount the bicycle.

5 "U-lock." A rigid bicycle lock, typically constructed out of hardened steel composed of a solid
6 U-shaped piece whose ends are connected by a locking removable crossbar.

7 "Vertical Bicycle Parking." Bicycle Parking that requires both wheels to be lifted off the
8 ground, with at least one wheel that is no more than 12 inches above the ground.

9 "Workspace." Any designated office, cubicle, workstation, or other normal work area at which
10 an employee typically performs daily work duties and not typically accessible to the public (such as in
11 the case of retail, restaurant, classroom, theater or similar settings) and is not used for circulation. A
12 Workspace shall also exclude any place where storage of a bicycle would be hazardous because of the
13 nature of the work being performed in the immediate vicinity, such as in an industrial or medical
14 setting.

15 (b) Standards for Location of bicycle Parking Spaces. These standards apply to all bicycle
16 parking subject to section 155.2, as well as bicycle parking for City-owned and leased buildings,
17 parking garages and parking lots subject to Section 155.3. Bicycle racks shall be located in highly
18 visible areas as described in subsections below in order to maximize convenience and minimize theft
19 and vandalism.

20 (1) Class 1 spaces shall be located with direct access for bicycles without requiring use
21 of stairs. The location of such spaces shall allow bicycle users to ride to the entrance of the space or
22 the entrance of the lobby leading to the space. The design shall provide safe and convenient access to
23 and from bicycle parking facilities. Safe and convenient means include, but are not limited to, ramps
24 and wide hallways as described below. Escalators and stairs are not considered safe and convenient
25 means of ingress and egress and shall not be used. Use of elevators to access bicycle parking spaces

1 shall be minimized for all uses and if necessary shall follow the requirements below. Bicycle parking
2 shall be at least as conveniently located as the most convenient nondisabled car parking provided for
3 the subject use. Residential buildings shall not use space in dwelling units, balconies or required
4 private open space for required Class 1 bicycle parking. Class 1 bicycle parking can be stored within
5 the allowable 100 square feet yard obstruction described in Section 136(c)(23) of this Code. Class 1
6 bicycle parking spaces shall be located:

7 (A) On the ground floor within 100 feet of the major entrance to the lobby. There
8 shall be either: (i) convenient access to and from the street to the bicycle parking space and another
9 entrance from the bicycle parking space to the lobby area, or (ii) a minimum five foot wide hallway or
10 lobby space that leads to the bicycle parking major entrance, where direct access to bicycle parking
11 space from the street does not exist. Such access route may include up to two limited constriction
12 points, such as doorways, provided that these constrictions are no narrower than three feet wide and
13 extend for no more than one foot of distance.

14 (B) In the off-street automobile parking area, where lot configurations or other
15 limitations do not allow bicycle parking spaces to be located near the lobby as described in subsection
16 (A) above. Bicycle parking spaces shall be located on the first level of automobile parking either above
17 or below grade and still be located near elevators or other pedestrian entrances to the building.

18 (C) One level above or below grade, where the two options above will not be
19 possible due to an absence of automobile parking, small or unusual lot configurations, or other unique
20 limitations. In such cases, ramps or elevators shall be provided to access the bicycle parking space and
21 the bicycle parking spaces shall be near the elevators or other entrance to that story. At least one
22 designated access route meeting the dimensional requirements described in (A) above shall connect a
23 primary building entrance to the bicycle parking facility. For non-residential uses, any elevator
24 necessary to access bicycle parking facilities larger than 50 spaces shall have clear passenger cab
25 dimensions of at least 70 square feet and shall not be less than seven feet in any dimension.

1 (2) Class 2 spaces shall be located, as feasible, near all main pedestrian entries to the
2 uses to which they are accessory, and should not be located in or immediately adjacent to service, trash
3 or loading areas. Further standards for specific uses include:

4 (A) All uses, except non-accessory garages and parking lots, may locate Class 2
5 bicycle parking in a public right-of-way, such as on a sidewalk or in place of an on-street auto parking
6 space, within 100 feet of a main entry to the subject building, subject to demonstration of preliminary
7 approval by the necessary City agencies. If existing Class 2 bicycle parking in the required quantities
8 already exists in a public right-of-way immediately fronting the subject lot, and such spaces are not
9 satisfying bicycle parking requirements for another use, such parking shall be deemed to meet the
10 Class 2 requirement for that use. Parking meters, poles, signs, or other street furniture shall not be
11 used to satisfy Class 2 bicycle parking requirements, unless other public agencies have specifically
12 designed and designated these structures for the parking of a bicycle.

13 (B) Non-residential uses other than non-accessory garages and parking lots, may
14 locate Class 2 spaces in required non-residential open space (such as open space required by Sections
15 135.3 and 138 of this Code), provided that such bicycle parking does not occupy more than five percent
16 of the open space area or 120 square feet, whichever is greater, and does not affect pedestrian
17 circulation in the open space.

18 (C) Non-Accessory Garages and Parking Lots shall place Class 2 spaces within
19 the garage in a location that will protect them from wind-driven rain near a primary entrance.

20 (3) All bicycle parking spaces

21 (A) Stadiums, Arenas, and Amphitheaters shall provide Class 1 bicycle parking
22 for on-site Employees in a separate location from Class 2 parking provided as specified below:

23 (i) Such uses shall provide at least 75 percent but not more than 90
24 percent of Class 2 parking in the form of an Attended Facility for patrons. The facilities shall
25 continuously staff the Attended Facility and make it available to patrons of events from not later than

1 one hour before the event begins to not earlier than one hour after the event finishes during all events
2 with an expected attendance of greater than 2,000 people.

3 (ii) Class 2 parking that is not provided in an Attended Facility per
4 subsection (i) above shall be appropriately dispersed around the subject use in convenient and visible
5 surrounding public spaces and rights-of-way within 500 feet of the perimeter of subject use.

6 (B) Developments with multiple buildings shall disperse required bicycle
7 parking, for both Class 1 and Class 2 spaces, in smaller facilities located close to primary occupant
8 and visitor entries for each building, as appropriate, rather than in a large centralized facility serving
9 the multiple buildings.

10 (c) Design Standards for Bicycle Parking Spaces. These design standards apply to all bicycle
11 parking spaces subject to Sections 155.2 and 155.3. Bicycle parking shall follow the design standards
12 established in Zoning Administrator Bulletin No. 9, which includes specific requirements on bicycle
13 parking layout and acceptable types of Class 1 and Class 2 bicycle parking spaces.

14 (1) Class 1 spaces shall protect the entire bicycle, its components and accessories
15 against theft and inclement weather, including wind-driven rain. Acceptable forms of Class 1 spaces
16 include (A) individual Lockers, (B) Attended Facilities, (C) Monitored Parking, (D) Restricted Access
17 Parking, and (E) Stacked Parking, as defined in Section 155.1 and further detailed in Zoning
18 Administrator Bulletin No. 9. When Class 1 spaces are provided as Restricted Access Parking, bicycle
19 racks shall follow the specifications in subsection 2 below. Stacked Parking spaces may be used to
20 satisfy any Class 1 required space. However, Class 1 spaces shall not require manually lifting the
21 entire bicycle more than three inches to be placed in the space, except as provided in subsection (3)
22 below for Vertical Bicycle Parking.

23 (2) Class 2 spaces shall meet the following design standards:

24 (A) Bicycle racks shall permit the locking of the bicycle frame and one wheel to
25 the rack with a U-lock without removal of the wheel, and shall support the bicycle in a stable, upright

1 position without damage to wheels, frame or components. Class 2 spaces are encouraged, but not
2 required, to include weather protection, as feasible and appropriate.

3 (B) The surface of bicycle parking spaces need not be paved, but shall be
4 finished to avoid mud and dust.

5 (C) All bicycle racks shall be securely anchored to the ground or building
6 structure, with tamper-resistant hardware.

7 (D) Bicycle parking spaces may not interfere with pedestrian circulation.

8 (3) **Vertical Bicycle Parking.** Vertical Bicycle Parking shall enable the bicycle to be
9 locked to a rack or other object permanently affixed to a wall. Vertical Bicycle Parking may satisfy
10 required bicycle parking pursuant to Section 155.2 and 155.3 where:

11 (A) Such parking is primarily an Attended Facility where facility staff parks the
12 bicycles or such racks provide mechanical assistance for lifting the bicycle; or

13 (B) No more than one-third of the required Class 1 bicycle parking is provided
14 as Vertical Bicycle Parking; or

15 (C) Class 2 spaces for Personal Services, Restaurants, Limited Restaurants, and
16 Bars, as defined in Table 155.2(.16) are provided either indoors or outdoors. In such cases, no more
17 than one-third of all required Class 2 bicycle parking shall be provided as Vertical Bicycle Parking.
18 Class 2 bicycle parking for uses other than those defined in Table 155.2(.16) shall not provide any of
19 the required spaces as Vertical Bicycle Parking.

20 (4) **Signage requirements for bicycle parking.** Where Class 2 bicycle parking areas are
21 not located in an outdoor location clearly visible to bicyclists approaching from adjacent public
22 roadways or paths, signs shall indicate the locations of the facilities on the exterior of the building at
23 each major entrance and in other appropriate locations. Such signs shall be not less than 12 inches
24 square and shall use the template provided in Zoning Administrator Bulletin No. 9. Where necessary,
25 additional directional signage to the bicycle parking area shall be provided.

1 (d) Reduction of Auto Parking. When fulfilling bicycle parking requirements, the number of
2 required automobile parking spaces on any lot may be reduced in the following cases per Section
3 150(e) of this Code:

4 (1) Existing buildings subject to Section 155.2(a)(2) through 155.2(a)(5) or for City-
5 owned properties subject to Section 155.3:

6 (2) Existing buildings not subject to any bicycle parking requirements; or

7 (3) New Buildings subject to Section 155.2(a)(1).

8 When replacing automobile parking space with bicycle parking, layout and design standards in
9 Section 155.1 (c) and the Zoning Administrator Bulletin No. 9 shall be followed.

10 (e) Other Rules and Standards. This Section shall apply to all bicycle parking subject to
11 Sections 155.2 or 155.3, except as indicated.

12 (1) Except for non-accessory parking garages, bicycle parking required by Section
13 155.2 shall be provided at no cost or fee to building occupants, tenants and visitors.

14 (2) Required bicycle parking shall be provided on the subject lot except where
15 alternative locations are allowed in sections 155.2(e), 155.3(d), and 307(k) of this Code.

16 (3) The building, lot or garage may not establish unreasonable rules that interfere with
17 the ability of cyclists to conveniently access bicycle parking. Such unreasonable rules include hours of
18 operation and prohibitions on riding bicycles in areas where driving automobiles is permitted. The
19 rules may require cyclists to walk bicycles through areas that are pedestrian only and where motorized
20 vehicles are not permitted.

21 (4) All plans submitted to the Department containing bicycle parking intended to satisfy
22 the requirements of Sections 155.2 and 155.3 shall indicate on said plans the location, dimensions, and
23 type of bicycle parking facilities to be provided, including the model or design of racks to be installed
24 and the dimensions of all aisle, hallways, or routes used to access the parking.

1 (f) Effective Date. The effective date of the requirements for bicycle parking for different uses
2 shall be the date that the Planning Code provisions pertaining to bicycle parking requirements for a
3 particular use first became effective, or the date subsequent modifications to the requirements for that
4 use, if any, became effective. The effective day for bicycle parking requirements for:

5 (A) Commercial and industrial uses shall be either September 7, 2001, when Ordinance
6 193-01 became effective, or the date subsequent modifications, if any, to the bicycle parking
7 requirements for commercial and industrial uses became effective.

8 (B) Residential uses shall be either August 19, 2005, when Ordinance 217-05 became
9 effective, or the date subsequent modifications, if any, to the bicycle parking requirements for
10 residential uses became effective.

11 (C) Non-accessory parking garages shall be either November 19, 1998, when
12 Ordinance 343-98 became effective, or the date a subsequent modification, if any, became effective.

13 (D) City-owned buildings, leased or purchased by the City shall be either January 11,
14 1996, when Ordinance 31-96 became effective, or the date a subsequent modification, if any, became
15 effective.

16 **SEC. 155.2. BICYCLE PARKING: APPLICABILITY AND REQUIREMENTS FOR SPECIFIC**
17 **USES.**

18 Bicycle parking spaces are required in at least the minimum quantities specified in Table 155.2.
19 Bicycle parking shall meet the standards in Section 155.1.

20 (a) Applicability. The requirements of this Section apply in all the following cases regardless
21 of whether off-street automobile parking is available except if indicated:

22 (1) New Building; or

23 (2) addition of a dwelling unit to an existing building where off-street vehicle parking
24 exists; or

1 (3) addition to a building or lot that increases the building's gross floor area by more
2 than 20 percent; or

3 (4) change of occupancy or increase in intensity of use which would increase the
4 number of total required bicycle parking spaces (inclusive of Class 1 and 2 spaces in aggregate) by 15
5 percent; or

6 (5) where DBI determines that an addition or alteration meets the bicycle parking
7 thresholds set in the State Law California Title 24, Part 11, Sec 5.710.6.2 ; or

8 (6) addition or creation of new gross square footage or an increase in the capacity of
9 off-street vehicle parking spaces for an existing building or lot, regardless of whether such vehicle
10 parking is considered accessory or a principally or conditionally permitted use.

11 **(b) Rules for Calculating bicycle parking requirements**

12 (1) Under no circumstances may total bicycle parking provided for any use, building, or
13 lot constitute less than five percent of the automobile parking spaces for the subject building, as
14 required by the State Law California Title 24, Part 11, Sec 5.710.6.2.

15 (2) Calculations of bicycle parking requirements shall follow the rules of Section 153(a)
16 of this Code.

17 (3) Where bicycle parking is required per subsection (a)(2) above, bicycle parking shall
18 be provided for all dwelling units at the same ratio as existing off-street vehicle parking is provided
19 relative to the amount of off-street vehicle parking that is required by this Code.

20 (4) Where bicycle parking is required due to addition, conversion, or renovation of an
21 existing building, per subsection (a)(3) above, the bicycle parking shall be calculated based on the total
22 square footage of the building or lot for all uses after the addition, conversion, renovation or parking
23 expansion.

24 (5) Where bicycle parking is required due to change of use, per subsection (a)(4) above,
25 the bicycle parking shall be calculated based on the occupied area of uses changed.

1 (6) Where a project proposes to construct new non-residential uses or increase the area
 2 of existing non-residential uses, for which the project has not identified specific uses at the time of
 3 project approval by the Planning Department or Planning Commission, the project shall provide the
 4 amount of non-residential bicycle parking required for Retail Sales per Table 155.2.

5 Table 155.2

6 BICYCLE PARKING SPACES REQUIRED

	<u>Use</u>	<u>Minimum Number of Class 1 Spaces Required</u>	<u>Minimum Number of Class 2 Spaces Required</u>
<u>155.2.10</u>	<u>Dwelling Units (on lots with 3 units or less)</u>	<u>No racks required. Provide secure, weather protected space meeting dimensions set in Zoning Administrator Bulletin No. 9, one per unit, easily accessible to residents and not otherwise used for automobile parking or other purposes.</u>	<u>None</u>
<u>.11</u>	<u>Dwelling units (including SRO units and student housing that are dwelling units)</u>	<u>One Class 1 space for every dwelling unit. For buildings containing more than 100 dwelling units, 100 Class 1 spaces plus one Class 1 space for every four dwelling units over 100. Dwelling units that are also considered Student Housing per</u>	<u>One per 20 units Dwelling units that are also considered Student Housing per Section 102.36 shall provide 50 percent more spaces than would otherwise be required.</u>

		<u>Section 102.36 shall provide 50 percent more spaces than would otherwise be required.</u>	
<u>.12</u>	<u>Group housing (including SRO units and student housing that are group housing)</u>	<u>One Class 1 space for every four beds.</u> <u>For buildings containing over 100 beds, 25 Class 1 spaces plus one Class 1 space for every five beds over 100.</u> <u>Group housing that is also considered Student Housing per Section 102.36 shall provide 50 percent more spaces than would otherwise be required.</u>	<u>Minimum two spaces. Two Class 2 spaces for every 100 beds.</u> <u>Group housing that is also considered Student Housing per Section 102.36 shall provide 50 percent more spaces than would otherwise be required.</u>
<u>.13</u>	<u>Dwelling units dedicated to senior citizens or persons with physical disabilities:</u> <u>Residential</u> <u>Care facilities</u>	<u>One Class 1 space for every 10 units or beds, whichever is applicable.</u>	<u>Minimum two spaces. Two Class 2 spaces for every 50 units or beds, whichever is applicable.</u>
<u>.14</u>	<u>Offices</u>	<u>One Class 1 space for every 5,000 occupied square feet</u>	<u>Minimum two spaces for any office use greater than 5,000 gross square feet, one Class 2</u>

			<u>space for each additional 50,000 occupied square feet.</u>
<u>.15</u>	<u>Retail Sales, including grocery stores</u>	<u>One Class 1 space for every 7,500 square feet of occupied floor area.</u>	<u>Minimum two spaces. One Class 2 space for every 2,500 sq. ft. of occupied floor area For uses larger than 50,000 gross square feet, 10 Class 2 spaces plus one Class 2 space for every additional 10,000 occupied square feet.</u>
<u>.16</u>	<u>Personal Services, Financial Services, Restaurants, Limited Restaurants and Bars</u>	<u>One Class 1 space for every 7,500 square feet of occupied floor area.</u>	<u>Minimum two spaces. One Class 2 space for every 750 square feet of occupied floor area.</u>
<u>.17</u>	<u>Retail space devoted to the handling of bulky merchandise such as motor vehicles, machinery or</u>	<u>Minimum two spaces. One Class 1 space for every 15,000 square feet of occupied floor area.</u>	<u>Minimum two spaces. One Class 2 space for every 10,000 square feet of occupied floor area.</u>

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

	<u>furniture, excluding grocery stores</u>		
<u>.18</u>	<u>Post-secondary educational institution, including trade school</u>	<u>One Class 1 space for every 20,000 square feet of occupied floor area</u>	<u>Minimum two spaces. One Class 2 space for every 10,000 square feet of occupied floor area.</u>
<u>.19</u>	<u>Elementary School</u>	<u>Two Class 1 spaces for every classroom.</u>	<u>One Class 2 space for every classroom.</u>
<u>.20</u>	<u>Secondary School (Middle School and High School)</u>	<u>Four Class 1 spaces for every classroom.</u>	<u>One Class 2 space for every classroom.</u>
<u>.21</u>	<u>Hospitals or In- Patient Clinic</u>	<u>One Class 1 space for every 15,000 square feet of occupied floor area.</u>	<u>One Class 2 space for every 30,000 square feet of occupied floor area, but no less than four located near each public pedestrian entrance.</u>

.22	<u>Medical Offices</u> <u>or Out-patient</u> <u>Clinic</u>	<u>One Class 1 space for every</u> <u>5,000 square feet of occupied</u> <u>floor area.</u>	<u>One Class 2 space for every</u> <u>15,000 square feet of occupied</u> <u>floor area, but no less than four</u> <u>located near each public</u> <u>pedestrian entrance.</u>
.23	<u>Theaters,</u> <u>Assembly and</u> <u>Entertainment,</u> <u>Amusement</u> <u>Arcade,</u> <u>Bowling Alley,</u> <u>Religious</u> <u>Facility</u>	<u>Five Class 1 spaces for</u> <u>facilities with a capacity of less</u> <u>than 500 guests; 10 Class 1</u> <u>spaces for facilities with</u> <u>capacity of greater than 500</u> <u>guests.</u>	<u>One Class 2 space for every 50</u> <u>seats or for every portion of each</u> <u>50 person capacity.</u>
.24	<u>Stadium, Arena,</u> <u>Amphitheater or</u> <u>other venue of</u> <u>public</u> <u>gathering with</u> <u>a capacity of</u> <u>greater than</u> <u>2,000 people</u>	<u>One Class 1 space for every 20</u> <u>Employees during events.</u>	<u>Five percent of venue capacity,</u> <u>excluding Employees. A portion</u> <u>of these must be provided in</u> <u>Attended Facilities as described</u> <u>in Section 155.1 (b) (3)</u>
.25	<u>Hotel, Motel,</u> <u>Hostel</u>	<u>One Class 1 space for every 30</u> <u>rooms.</u>	<u>Minimum two spaces. One Class</u> <u>2 space for every 30 rooms.</u> <u>- Plus -</u> <u>One Class 2 space for every</u>

			<u>5,000 square feet of occupied floor area of conference, meeting or function rooms.</u>
<u>.26</u>	<u>Self-Storage, Warehouse, Greenhouse or Nursery (Non-Retail)</u>	<u>One Class 1 space for every 40,000 sq. f.t.</u>	<u>None.</u>
<u>.27</u>	<u>Light Manufacturing, Wholesale Sales, Trade Shop, Catering Service, Business Goods and Equipment Repair, Business Service, Laboratory, Integrated PDR, Small Enterprise Workspace, Greenhouse or</u>	<u>One Class 1 space for every 12,000 square feet of occupied floor area, except not less than two Class 1 spaces for any use larger than 5,000 occupied square feet.</u>	<u>Minimum of two spaces. Four Class 2 spaces for any use larger than 50,000 gross square feet.</u>

	<u>Nursery (Retail)</u>		
.28	<u>Public Uses including Museum, Library, Community Center and Arts Activities</u>	<u>Minimum two spaces or One Class 1 space for every 5,000 square feet.</u>	<u>Minimum two spaces or One Class 2 space for every 2,500 occupied square feet of publicly-accessible or exhibition area</u>
.29	<u>Non-accessory automobile garage or lot, whether publicly or privately accessible</u>	<u>None are required. However, if Class 1 spaces that can be rented on an hourly basis are provided, they may count toward the garage's requirement for Class 2 spaces.</u>	<u>One Class 2 space for every 20 auto spaces, except in no case less than six Class 2 spaces.</u>
.30	<u>Child Care</u>	<u>Minimum two spaces or 1 space for every 20 children.</u>	<u>One Class 2 space for every 20 children.</u>
.31	<u>Mortuary</u>	<u>None.</u>	<u>None.</u>

(c) Contractual Limits on Liability. Requirements for non-accessory garages and parking lots subject to Table 155.2(29) shall not interfere with the rights of a parking garage owner to enter into agreements with parking garage patrons or take other lawful measures to limit the parking garage owner's liability to patrons with respect to bicycles parked in the parking garage, provided that such agreements or measures are in accordance with the requirements of this subsection.

1 (d) In Lieu Fee for Required Class 2 Bicycle Parking. An applicant may satisfy some or all of
2 the requirements to provide Class 2 bicycle parking by paying the Bicycle Parking In Lieu Fee
3 provided in Section 430 of this Code.

4 (e) Alternative locations, Waivers and Variances. The Zoning Administrator may
5 administratively waive or grant a variance from bicycle parking requirements or approve alternative
6 locations for bicycle parking under the procedures of Sections 305 and 307(k) of this Code.

7 **SEC. 155.3. BICYCLE PARKING REQUIREMENTS FOR CITY-OWNED AND LEASED**
8 **PROPERTIES.**

9 (a) Applicability. This Section applies to the installation of bicycle parking in existing buildings
10 owned, leased or purchased by the City and City-owned non-accessory parking garages and parking
11 lots.

12 (b) Requirements. For all City-owned or leased buildings, non-accessory garages, and parking
13 lots, regardless of whether off-street vehicle parking is available, the Responsible City Official, as
14 defined in Section 155.1, shall provide bicycle parking according to the use categories specified in
15 Table 155.2. All required bicycle parking provided per this Section shall conform to the standards of
16 Sections 155.1 and 155.2. The provisions of this Section shall not apply in any case where the City
17 occupies property as a tenant under a lease, the term of which does not exceed one year.

18 (c) Lease Provisions.

19 (1) Lease provisions apply to all City leases for buildings that are subject to the
20 requirements of subsection 155.3 and under which the City is a tenant. Such leases shall specifically
21 provide that the Landlord agrees to make space available in the building for bicycle parking facilities.
22 These facilities shall be available for the term of the lease. These leases shall also provide that the
23 Responsible City Official may install, at no cost to the Landlord, bicycle parking facilities that are in
24 compliance with subsection (b).

1 (2) This subsection (c) does not in any way limit the ability of the Zoning Administrator
2 to approve alternative locations for bicycle parking under provision of Section 307(k). In the event that
3 an exemption is granted or an alternative location is approved allowing the installation of bicycle
4 parking facilities on property that is not included in a building leased by the Responsible City Official,
5 or on property that belongs to the Landlord, subsection (c) does not apply. If the alternative location is
6 on property that is owned by the Landlord, but is not inside the building to be leased by the Responsible
7 City Official, the lease provision of subsection (c) is required and shall identify that property as the
8 location of the bicycle parking facility.

9 (d) Alternative Locations, Reductions or Exemptions. In the event that compliance with
10 Section 155.3(b) for Class 1 bicycle parking may not be feasible because of demonstrable hardship
11 including but not limited to absence of an off-street automobile garage on the subject lot, the
12 Responsible City Official may apply to the Zoning Administrator under the procedures of Section
13 307(k)(1) for approval of an alternative storage location, reduction or exemption from the
14 requirements. Waivers and Variances for Class 2 bicycle parking required by subsection (b) above
15 would be subject to the same measures as Section 307(k)(2).

16 (e) Implementation. Except as provided in subsection (g)(2), all City-owned buildings and
17 parking garages subject to Section 155.3 shall comply and install the required bicycle parking and
18 associated signage within one year of the effective date of this Ordinance No. _____.

19 (1) Where this Section imposes requirements on the City, the Responsible City Official
20 shall be responsible for fulfilling such requirements.

21 (2) If during the one-year implementation period set forth in subsection (e) the demand
22 for the bicycle parking facilities is less than 80 percent of the spaces within 20 consecutive non-holiday
23 weekdays, the parking garage may apply to the Zoning Administrator under the procedures of Section
24 307(k)(1)(B) for permission to delay full compliance with subsection(b). In the case of a parking
25 garage that is not predominantly used during the regular work week (for example, a parking garage

1 near an event venue), the Zoning Administrator may designate an alternative period other than "non-
2 holiday weekdays" for purposes of evaluating an exemption from the full requirements of subsection
3 (b). Such alternative period may include, but not be limited to, 10 consecutive weekends or 20 days on
4 which the parking garage primarily serves customers attending an event at a nearby venue.

5 (3) Except as provided in subsection (g)(2), existing City-owned buildings and garages
6 with existing substandard racks, which do not comply with acceptable rack types defined in 155.1(c),
7 shall have one year from the effective date of this Section to replace them with conforming racks.

8 (f) **Monitoring.** The Planning Department shall, every five years, beginning with 2013, survey
9 the amount, location, and usage of both Class 1 and Class 2 bicycle parking spaces at (A) City Hall,
10 (B) the Main Library, (C) the 25 other City-owned or leased buildings which have the highest square
11 footage as identified in a list published by the City's Department of Real Estate, and (D) City-owned
12 garages in order to report compliance with this Section and to ascertain whether current requirements
13 are adequate to meet demand for such parking spaces. Such survey of usage shall be conducted during
14 the months of March through October and shall document usage on at least two fair-weather non-
15 holiday week days. A report on such findings shall be submitted to the Planning Commission and the
16 San Francisco Municipal Transportation Agency Board of Directors. If current requirements are
17 inadequate, the Director shall draft and submit to the Board of Supervisors proposed legislation that
18 would remedy the deficiency. For the purposes of this subsection, "inadequate" shall mean an
19 occupancy of greater than 85 percent or in cases where bicycles are clearly parked in non-standard
20 locations due to crowding of the provided facilities.

21 (g) **Miscellaneous Standards and Requirements.**

22 (1) In any City-owned or leased building, non-accessory parking garage, or parking lot
23 that contains more than the required number of bicycle parking spaces as set forth above, the
24 Responsible City Official or private parking garage owner shall not remove such additional bicycle
25 parking spaces without petitioning the Zoning Administrator. Such a petition may not be filed until at

1 least one year after the effective date of this Section. That petition shall demonstrate that the spaces the
 2 Responsible City Official or private parking garage owner seeks authority to remove have not been
 3 necessary to meet the demand of Employees and other building users.

4 (2) For existing buildings owned, leased or purchased by the City and City-owned
 5 parking garages, the Responsible City Official shall comply with this Section 155.3. The Board of
 6 Supervisors does not intend to impose requirements of this Section on any Responsible City Official
 7 where such application would impair obligations of contract.

8 **SEC. 155.4. REQUIREMENTS FOR SHOWER FACILITIES AND LOCKERS**

9 (a) Applicability. Requirements for shower facilities and lockers are applicable under the
 10 provisions of Section 155.2 (a)(1) through (a)(4) for uses defined under subsection (c) below. Subject
 11 uses shall provide shower and clothes locker facilities for short-term use of the tenants or Employees in
 12 that building. When shower facilities and lockers are required due to additions to, conversion, or
 13 renovation of uses, facilities shall be calculated based on the total square footage of the building or lot
 14 after the addition, conversion or renovations.

15 (b) Effective Date. The effective date of the requirements of this Section, shall be either
 16 November 19, 1998, which is the date that the requirements originally became effective by Ordinance
 17 343-98, or the date a subsequent modification, if any, became effective.

18 (c) **Requirements**

<u>Uses</u>	<u>Minimum Shower Facility and Lockers Required</u>
<u>Offices: Post-Secondary educational institution, including trade school; Elementary and Secondary School; Child Care; Hospitals and In-Patient Clinic, Medical Offices or Out-Patient Clinic; Public Uses including Museum.</u>	<p data-bbox="876 1543 1445 1722"><u>- One shower and six clothes lockers where the occupied floor area exceeds 10,000 square feet but is no greater than 20,000 square feet..</u></p> <p data-bbox="876 1732 1445 1837"><u>-Two showers and 12 clothes lockers where the occupied floor area exceeds 20,000</u></p>

<p>1 <u>Library, Community Center, and Art Services;</u> 2 <u>Light Manufacturing, Wholesale sales, Trade</u> 3 <u>Shop, Catering Services, Business Goods and</u> 4 <u>Equipment Repair, Business Service,</u> 5 <u>Laboratory, Integrated PDR, Small Enterprise</u> 6 <u>Workspace;</u></p>	<p><u>square feet but is no greater than 50,000 square</u> <u>feet.</u> <u>-Four showers and 24 clothes lockers are</u> <u>required where the occupied floor area exceeds</u> <u>50,000 square feet.</u></p>
<p>7 <u>Retail Sales, Restaurant, Limited Restaurants,</u> 8 <u>Bars; Personal Services</u></p>	<p><u>- One shower and six clothes lockers where</u> <u>the occupied floor area exceeds 25,000 square feet</u> <u>but is no greater than 50,000 square feet.</u> <u>- Two showers and 12 clothes lockers where</u> <u>the occupied floor area exceeds 50,000 square</u> <u>feet.</u></p>

14 (d) Exemptions. An owner of an existing building subject to the requirements of this Section
15 155.4 shall be exempt from subsection (c) upon submitting proof to the Zoning Administrator that the
16 owner has made arrangements with a health club or other facility, located within three blocks of the
17 building, to provide showers and lockers at no cost to the Employees who work in the owner's building.

18 Section 4. The San Francisco Planning Code is hereby amended by adding Sections
19 430 and 430.1 and renumbering existing Section 430, to read as follows:

20 **SEC. 430. BICYCLE PARKING IN LIEU FEE.**

21 (a) Application of Fee. A project sponsor may satisfy some or all of the requirement to provide
22 Class 2 bicycle parking under this Code by paying the Bicycle Parking In Lieu Fee provided in this
23 Section.

1 (1) The sponsor may elect to pay an in lieu fee to satisfy up to 50 percent of the Class 2
2 bicycle parking requirement for the uses specified in Table 155.2, provided that no more than 20
3 required Class 2 bicycle parking spaces are satisfied through the in lieu payment under this subsection.

4 (2) Notwithstanding subsection (a)(1), the sponsor may elect to pay an in lieu fee to
5 satisfy up to 100 percent of the requirement for uses required by Table 155.2 to provide four or fewer
6 Class 2 bicycle parking spaces.

7 (3) The sponsor shall pay the in lieu fee for all Class 2 bicycle parking spaces for which
8 a variance or waiver is sought and granted by the Zoning Administrator under Sections 305 and 307(k)
9 of this Code.

10 (b) Amount of Fee. The amount of the in lieu fee shall be \$400 per Class 2 bicycle parking
11 space. This fee shall be adjusted pursuant to Sections 409 and 410 of this Code.

12 (c) Department Notice to Development Fee Collection Unit at the Department of Building
13 Inspection ("DBI"). If the project sponsor has elected to pay the Bicycle Parking In Lieu Fee to satisfy
14 some or all required Class 2 bicycle parking spaces, the Department shall immediately notify the
15 Development Fee Collection Unit at DBI of its determination, in addition to the other information
16 required by Section 402(b) of this Article.

17 (d) COLLECTION OF BICYCLE PARKING IN LIEU FEE. The Bicycle Parking In Lieu Fee
18 is due and payable to the Development Fee Collection Unit at DBI prior to issuance of the first
19 construction document in accordance with Section 107A.13.15 of the San Francisco Building Code.

20 (e) Process for Revisions of Determination of Requirements. In the event that the Department
21 or the Commission takes action affecting any development project subject to this Section 430 and such
22 action is subsequently modified, superseded, vacated, or reversed by the Board of Appeals, the Board
23 of Supervisors, or by court action, the Department shall determine any revisions of the bicycle parking
24 requirement, including the in lieu fee, as applied to the project, following the procedures of Section
25 402(c) of this Article.

1 **SEC. 430.1. BICYCLE PARKING FUND.**

2 *There is hereby established a separate fund set aside for a special purpose entitled the Bicycle*
3 *Parking Fund ("Fund"). This fund shall be administered by the San Francisco Municipal*
4 *Transportation Agency. DBI shall deposit in the Fund all monies it collects under Section 430. The*
5 *City shall use all monies deposited in the Fund solely to install and maintain bicycle parking in areas*
6 *of the City with inadequate public short-term bicycle parking facilities.*

7 **SEC. 430 431. SEVERABILITY.**

8 In the event that a court or agency of competent jurisdiction holds that federal or state
9 law, rule or regulation invalidates any clause, sentence, paragraph or section of this Article or
10 the application thereof to any person or circumstances, it is the intent of the Board of
11 Supervisors that the court or agency sever such clause, sentence, paragraph or section so
12 that the remainder of this Article shall remain in effect.

13 Section 5. The San Francisco Planning Code is hereby amended by amending
14 Sections 150, 153, 157.1, 249.46, 305, and 307 to read as follows:

15 **SEC. 150. OFF-STREET PARKING AND LOADING REQUIREMENTS.**

16 (a) **General.** This Article 1.5 is intended to assure that off-street parking and loading
17 facilities are provided in amounts and in a manner that will be consistent with the objectives
18 and policies of the San Francisco General Plan, as part of a balanced transportation system
19 that makes suitable provision for walking, cycling, public transit, private vehicles, and the
20 movement of goods. With respect to off-street parking, this Article is intended to require
21 facilities where needed but discourage excessive amounts of automobile parking, to avoid
22 adverse effects upon surrounding areas and uses, and to encourage effective use of walking,
23 cycling, and public transit as alternatives to travel by private automobile.

24 (b) **Spaces Required.** Off-street parking and loading spaces, according to the
25 requirements stated in this Article 1.5, shall be provided for any structure constructed, and any

1 use established, whether public or private, after the original effective date of any such
2 requirement applicable to such structure or use.

3 (c) **Additions to Structure and Uses.**

4 (1) For any structure or use lawfully existing on such effective date, off-street
5 parking and loading spaces need be provided only in the case of a major addition to such
6 structure or use, and only in the quantity required for the major addition itself. Any lawful
7 deficiency in off-street parking or loading spaces existing on such effective date may be
8 carried forward for the structure or use, apart from such major addition.

9 (2) For these purposes, a "major addition" is hereby defined as any
10 enlargement, alteration, change of occupancy or increase in intensity of use which would
11 increase the number of off-street parking spaces required for dwelling units by two or more
12 spaces; which would increase the number of off-street parking spaces required for uses other
13 than dwelling units by at least 15 percent or by at least five spaces, whichever is greater; or
14 which would increase the requirement for off-street loading spaces by at least 15 percent.

15 (3) Successive additions made after the effective date of an off-street parking
16 or loading requirement shall be considered cumulative, and at the time such additions become
17 major in their total, off-street parking and loading spaces shall be provided as required for
18 such major addition.

19 (d) **Spaces to be Retained.** Once any off-street parking or loading space has been
20 provided which wholly or partially meets the requirements of this Code, such off-street parking
21 or loading space shall not thereafter be reduced, eliminated or made unusable in any manner;
22 provided, however, that in the Outer Clement Neighborhood Commercial District a maximum
23 of one off-street parking space may be used for the storage of materials for a commercial use
24 if the commercial use is on a lot contiguous to the lot on which the parking space is located
25 and if access between the commercial use and the storage is available without the use of a

1 public sidewalk or other public right-of-way and if the storage occurred prior to 1985. Any
2 required residential parking space may be leased or rented on a monthly basis as provided
3 under Section 204.5(b)(1) of this Code, and such lease or rental shall not be considered a
4 reduction or elimination of required spaces.

5 (e) Reduction and Replacement of Off-Street Parking Spaces. Notwithstanding subsection (d)
6 above, off-street parking spaces may be reduced and replaced by bicycle parking spaces based on
7 standards provided in Section 155.1(d) of this Code. Once bicycle parking spaces replace an
8 automobile parking space, such bicycle parking shall not be reduced or eliminated. Such bicycle
9 parking spaces may be converted back to automobile parking space, provided that the required
10 numbers of bicycle parking spaces subject to Sections 155.2 and 155.3 of this Code are still met after
11 removal of bicycle parking spaces.

12 ~~(e)~~ (f) **Parking in Excess of the Maximum Permitted.** Any off-street parking space or
13 spaces which existed lawfully at the effective date of this Section and which have a total
14 number in excess of the maximum permitted off-street parking spaces permitted under
15 Section 151.1 shall be considered noncomplying features pursuant to Section 180(a)(2) and
16 shall be regulated as set forth in Section 188.

17 **SEC. 153. RULES FOR CALCULATION OF REQUIRED SPACES.**

18 (a) In the calculation of off-street parking, ~~and~~ freight loading spaces, ~~and bicycle parking~~
19 ~~spaces~~ required under Sections 151, 152, ~~and~~ 152.1, 155.2, 155.3 and 155.4 of this Code, the
20 following rules shall apply:

21 (1) In the case of mixed uses in the same structure, on the same lot or in the
22 same development, or more than one type of activity involved in the same use, the total
23 requirements for off-street parking and loading spaces shall be the sum of the requirements
24 for the various uses or activities computed separately, including fractional values.

1 (2) Where an initial quantity of floor area, rooms, seats or other form of
2 measurement is exempted from off-street parking or loading requirements, such exemption
3 shall apply only once to the aggregate of that form of measurement. If the initial exempted
4 quantity is exceeded, for either a structure or a lot or a development, the requirement shall
5 apply to the entire such structure, lot or development, unless the contrary is specifically stated
6 in this Code. In combining the requirements for use categories in mixed use buildings, all
7 exemptions for initial quantities of square footage for the uses in question shall be
8 disregarded, excepting the exemption for the initial quantity which is the least among all the
9 uses in question.

10 (3) Where a structure or use is divided by a zoning district boundary line, the
11 requirements as to quantity of off-street parking and loading spaces shall be calculated in
12 proportion to the amount of such structure or use located in each zoning district.

13 (4) Where seats are used as the form of measurement, each 22 inches of space
14 on benches, pews and similar seating facilities shall be considered one seat.

15 (5) When the calculation of the required number of off-street parking or freight
16 loading spaces results in a fractional number, a fraction of $\frac{1}{2}$ or more shall be adjusted to the
17 next higher whole number of spaces, and a fraction of less than $\frac{1}{2}$ may be disregarded.

18 (6) In C-3, MUG, MUR, MUO, UMU, and South of Market Districts, substitution
19 of two service vehicle spaces for each required off-street freight

20 (b) The requirements for off-street parking and loading for any use not specifically
21 mentioned in Sections 151 and 152 shall be the same as for a use specified which is similar,
22 as determined by the Zoning Administrator.

23 (c) For all uses and all districts covered by Section 151.1, the rules of calculation
24 established by subsection (a) shall apply to the determination of maximum permitted spaces
25 al allowed by Section 151.1.

1 **SEC. 157.1. CONDITIONAL USE APPLICATIONS FOR NON-ACCESSORY PARKING**
2 **GARAGES IN EASTERN NEIGHBORHOODS MIXED USE DISTRICTS AND DTR**
3 **DISTRICTS.**

4 (a) In considering a Conditional Use application for a non-accessory parking garage in
5 Eastern Neighborhoods Mixed Use Districts and DTR Districts, the Planning Commission
6 shall affirmatively find that such facility meets all the criteria and standards of this Section, as
7 well as any other requirement of this Code as applicable.

8 (b) A non-accessory garage permitted with Conditional Use may not be permitted
9 under any condition to provide additional accessory parking for specific residential or non-
10 residential uses if the number of spaces in the garage, in addition to the accessory parking
11 permitted in the subject project or building, would exceed those amounts permitted as-of-right
12 or as a Conditional Use by Section 151.1.

13 (c) **Criteria.**

14 (1) Such facility shall meet all the design requirements for setbacks from
15 facades and wrapping with active uses at all levels per the requirements of Section 145.1; and

16 (2) Such parking shall not be accessed from any protected Transit or
17 Pedestrian Street described in Section 155(r); and

18 (3) Such parking garage shall be located in a building where the ratio of gross
19 square footage of parking uses to other uses that are permitted or Conditionally permitted in
20 that district is not more than 1 to 1; and

21 (4) Such parking shall be available for use by the general public on equal terms
22 and shall not be deeded or made available exclusively to tenants, residents, owners or users
23 of any particular use or building except in cases that such parking meets the criteria of
24 subsection (d) or (e) below; and

1 (5) Such facility shall provide spaces for car sharing vehicles per the
2 requirements of Section 166 and bicycle parking per the requirements of Sections 155.1 and
3 155.2; and

4 (6) Such facility, to the extent open to the public per subsection (4) above, shall
5 meet the pricing requirements of Section 155(g) and shall generally limit the proposed parking
6 to short-term occupancy rather than long-term occupancy; and

7 (7) Vehicle movement on or around the facility does not unduly impact
8 pedestrian spaces or movement, transit service, bicycle movement, or the overall traffic
9 movement in the district; and

10 (8) Such facility and its access does not diminish the quality and viability of
11 existing or planned streetscape enhancements.

12 (d) **Parking of Fleet Vehicles.** Parking of fleet of commercial or governmental
13 vehicles intended for work-related use by Employees and not used for parking of Employees'
14 personal vehicles may be permitted with Conditional Use provided that the Commission
15 affirmatively finds all of the above criteria except criteria (4) and (6).

16 (e) **Pooled Residential Parking.** Non-accessory parking facilities limited to use by
17 residents, tenants or visitors of specific off-site development(s) may be permitted with
18 Conditional Use provided that the Commission affirmatively finds all of the above criteria
19 under (c) except criteria (4) and (6), and provided that the proposed parking on the subject lot
20 would not exceed the maximum amounts permitted by Section 151.1 with Conditional Use or
21 309.1 and 329 exception as accessory for the uses in the off-site residential development. For
22 the purpose of this subsection, an "off-site development" is a development which is existing or
23 has been approved by the Planning Commission or Planning Department in the previous 12
24 months, is located on a lot other than the subject lot, and does not include any off-street
25

1 parking. A Notice of Special Restrictions shall be recorded on both the off-site and subject
2 development lot indicating the allocation of the pooled parking.

3 **SEC. 249.46 VETERANS COMMON SPECIAL USE DISTRICT**

4 In order to facilitate the development of the Veterans Commons Project for homeless
5 veterans, ~~that~~ there shall be a special use district known as the Veterans Commons Special
6 Use District, consisting of Assessor's Block No. 3513, Lot No. 07, at the street location
7 address 150 Otis Street, and as designated on Sheet SU07 of the Zoning Map of the City and
8 County of San Francisco. The following provisions shall apply within the Veterans Common
9 Special Use District:

10 (a) **Construction of Affordable Housing Project.** The property in the Veterans
11 Commons Special Use District may be converted from public institutional special to a
12 residential housing project with attendant meeting rooms, community kitchens and ancillary
13 services, and property management offices.

14 (b) **Controls.** Notwithstanding any other provisions of this Code, the following controls
15 shall govern uses in this Special Use District:

16 (1) This Special Use District shall permit uses consistent with the RTO
17 (Residential Transit Oriented) subject to the exceptions listed below:

18 ~~(i)~~ (A) **Rear Yard.** The rear yard requirements under Section 134 shall
19 not apply.

20 ~~(ii)~~ (B) **Usable Open Space.** The usable open space requirements under
21 Section 135(d) shall not apply.

22 ~~(iii)~~ (C) **Sunlight and Dwelling Unit Exposure.** The sunlight and
23 dwelling unit exposure requirements of Section 140 shall not apply to any west facing units.

24 ~~(iv)~~ (D) Section ~~155.5155.2~~ **Bicycle Parking.** Bicycle parking requirements
25 under Section ~~155.5155.2~~ shall not apply.

1 ~~(F)~~ (E) Section 207.6 **Dwelling Unit Mix**. The two-bedroom unit
2 requirements under Section 207.6 shall not apply.

3 (2) **Density**. Notwithstanding the density requirements of Section 209, the
4 Special Use District shall allow up to 76 dwelling units (or a ratio of no less than 89.41 sq.
5 ft./dwelling) in a single building.

6 (3) **On-site Social Services**. The area dedicated to on-site social
7 services/special service provision shall be no greater than 6,300 sq. ft. and shall be located in
8 or below the ground story.

9 **SEC. 305. VARIANCES.**

10 (a) **General**. The Zoning Administrator shall hear and make determinations regarding
11 applications for variances from the strict application of quantitative standards in this Code. He
12 shall have power to grant only such variances as may be in harmony with the general purpose
13 and intent of this Code and in accordance with the general and specific rules contained
14 herein, and he shall have power to grant such variances only to the extent necessary to
15 overcome such practical difficulty or unnecessary hardship as may be established in
16 accordance with the provisions of this Section. No variance shall be granted in whole or in
17 part which would have an effect substantially equivalent to a reclassification of property; or
18 which would permit any use, any height or bulk of a building or structure, or any type or size or
19 height of sign not expressly permitted by the provisions of this Code for the district or districts
20 in which the property in question is located; or which would grant a privilege for which a
21 conditional use procedure is provided by this Code; or which would change a definition in this
22 Code; or which would waive, reduce or adjust the inclusionary housing requirements of
23 Sections ~~315~~ 415 through ~~315.9~~ 415.9; or which would reduce or waive any portion of the
24 usable open space ~~fees~~ applicable under certain circumstances in the Eastern Neighborhoods
25 Mixed Use Districts pursuant to Section 135~~(i)(f)~~ and 135.3(d); or which would waive or reduce

1 the quantity of bicycle parking required by Sections 155.2 through 155.3 where off-street automobile
2 parking is proposed or existing. A variance may be granted for the bicycle parking layout requirements
3 in Section 155.1 of this Code. If the relevant Code provisions are later changed so as to be more
4 restrictive before a variance authorization is acted upon, the more restrictive new provisions,
5 from which no variance was granted, shall apply. The procedures for variances shall be as
6 specified in this Section and in Sections 306 through 306.5.

7 (b) **Initiation.** A variance action may be initiated by application of the owner, or
8 authorized agent for the owner, of the property for which the variance is sought.

9 (c) **Determination.** The Zoning Administrator shall hold a hearing on the application,
10 provided, however, that if the variance requested involves a deviation of less than 10 percent
11 from the Code requirement, the Zoning Administrator may at his option either hold or not hold
12 such a hearing. No variance shall be granted in whole or in part unless there exist, and the
13 Zoning Administrator specifies in his findings as part of a written decision, facts sufficient to
14 establish:

15 (1) That there are exceptional or extraordinary circumstances applying to the
16 property involved or to the intended use of the property that do not apply generally to other
17 property or uses in the same class of district;

18 (2) That owing to such exceptional or extraordinary circumstances the literal
19 enforcement of specified provisions of this Code would result in practical difficulty or
20 unnecessary hardship not created by or attributable to the applicant or the owner of the
21 property;

22 (3) That such variance is necessary for the preservation and enjoyment of a
23 substantial property right of the subject property, possessed by other property in the same
24 class of district;
25

1 (4) That the granting of such variance will not be materially detrimental to the
2 public welfare or materially injurious to the property or improvements in the vicinity; and

3 (5) That the granting of such variance will be in harmony with the general
4 purpose and intent of this Code and will not adversely affect the *Master General Plan*.

5 Upon issuing his written decision either granting or denying the variance in whole or in
6 part, the Zoning Administrator shall forthwith transmit a copy thereof to the applicant. The
7 action of the Zoning Administrator shall be final and shall become effective 10 days after the
8 date of his written decision except upon the filing of a valid appeal to the Board of *Permit*
9 Appeals as provided in Section 308.2.

10 (d) **Conditions.** When considering an application for a variance as provided herein
11 with respect to applications for development of "dwellings" as defined in Chapter 87 of the
12 San Francisco Administrative Code, the Zoning Administrator, or the Board of Appeals on
13 appeal, shall comply with that Chapter which requires, among other things, that the Zoning
14 Administrator and the Board of Appeals not base any decision regarding the development of
15 "dwellings" in which "protected class" members are likely to reside on information which may
16 be discriminatory to any member of a "protected class" (as all such terms are defined in
17 Chapter 87 of the San Francisco Administrative Code). In addition, in granting any variance as
18 provided herein, the Zoning Administrator, or the Board of *Permit* Appeals on appeal, shall
19 specify the character and extent thereof, and shall also prescribe such conditions as are
20 necessary to secure the objectives of this Code. Once any portion of the granted variance is
21 utilized, all such specifications and conditions pertaining to such authorization shall become
22 immediately operative. The violation of any specification or condition so imposed shall
23 constitute a violation of this Code and may constitute grounds for revocation of the variance.
24 Such conditions may include time limits for exercise of the granted variance; otherwise, any
25 exercise of such variance must commence within a reasonable time.

1 **SEC. 307. OTHER POWERS AND DUTIES OF THE ZONING ADMINISTRATOR.**

2 In addition to those specified in Sections 302 through 306, and Sections 316 through
3 316.68 of this Code, the Zoning Administrator shall have the following powers and duties in
4 administration and enforcement of this Code. The duties described in this Section shall be
5 performed under the general supervision of the Director of Planning, who shall be kept
6 informed of the actions of the Zoning Administrator.

7 ****

8 (k) Waiver or Modification of Required Bicycle Parking. The Zoning Administrator shall
9 conduct the review of any administrative waiver under Section 307(k) as part of, and incorporate into,
10 a related building permit application or other required project authorization and shall not require an
11 additional fee or application.

12 (1) Waiver or modification for Class 1 bicycle parking requirements.

13 (A) Alternative locations. The Zoning Administrator may grant approval that
14 Class 1 bicycle parking be located on an off-site lot, under certain circumstances. Uses subject to
15 Section 155.2 may apply for alternative locations approval only when off-street automobile parking
16 does not exist on the subject lot. Existing City-owned buildings subject to 155.3 may apply for
17 alternative locations approval when compliance with subsection 155.3 (b) may not be feasible because
18 of demonstrable hardship including when off-street automobile parking does not exist on the subject
19 lot. In acting upon all these cases, the Zoning Administrator shall be guided by the following criteria:

20 (i) Such alternative facilities shall be well lit and secure.

21 (ii) The alternative facility bicycle entrance shall be no more than 500
22 feet from the entrance of the primary building, unless there are no feasible locations within a 500 foot
23 radius that can be provided. However, in no event shall an alternative location be approved that is
24 farther from the entrance of the building than the closest automobile parking garage.

1 (B) Temporary Exemptions. The Zoning Administrator may issue a temporary
2 exemption for bicycle parking subject to Section 155.3 of this Code for one year, under the following
3 circumstances:

4 (i) For required Class 1 bicycle parking requirements in City-owned and
5 leased buildings, if no feasible alternative parking facility exists nearby that can be approved pursuant
6 to Subsection (k)(1)(A) above, or securing an alternative location would be unduly costly and pose a
7 demonstrable hardship on the Landlord, or on the City where the City owns the building. In order to
8 obtain this an exemption, the Responsible City Official shall certify to the Zoning Administrator in
9 writing that the Landlord, or the City where the City owns the building, will not prohibit Employees
10 from storing a bicycle in a Workspace provided that such bicycles are stored in a way that the Fire
11 Code is not violated and that the normal business of the building is not disrupted. The Responsible City
12 Official shall provide the required bicycle parking within one year of the issuance of such exemption,
13 or shall obtain a new exemption for each year until such bicycle parking is provided.

14 (ii) For required bicycle parking in non-accessory automobile
15 garages or lots with 500 or more spaces. In order to obtain this exemption, the Responsible
16 City Official shall provide to the Zoning Administrator in writing an analysis demonstrating that
17 the demand for bicycle parking in that location is less than the amount required by Section
18 155.3 of this Code. This exemption may only be provided for any required bicycle parking
19 above fifty Class 2 spaces. The exemptions for these garages may be issued for up to one
20 year. The Responsible City Official shall provide the required bicycle parking within one year
21 of the issuance of such exemption, or shall obtain a new exemption for each year until such
22 bicycle parking is provided.

23 (2) Temporary exemptions, w~~an~~ waiver or modification of Required Class 2 Bicycle
24 Parking. Temporary exemptions for Class 2 bicycle parking shall be granted as allowed in
25 subsection 1(B) above. The Zoning Administrator may administratively waive some or all of the

1 Class 2 bicycle parking requirement in any case when all of findings (A)-(D) are affirmatively met for
2 some or all of the Class 2 requirements:

3 (A) No off-street auto parking is provided on-site in a garage or lot;

4 (B) No on-site publicly-accessible open space is provided where it would be
5 appropriate to locate some or all of the required Class 2 bicycle parking as allowed per Section
6 155.1(b)(2) of this Code;

7 (C) The provision of on-site Class 2 bicycle parking is not desirable or feasible
8 based on the physical character, pedestrian circulation, historic character or urban design of the
9 building and block;

10 (D) The San Francisco Municipal Transportation Agency, Department of Public
11 Works, or other relevant agency will not grant approval to install Class 2 bicycle racks in the public
12 right-of-way adjacent to the subject lot sufficient to meet the requirements because the bicycle rack
13 would: (i) interfere with utilities or the general public welfare or (ii) adversely affect the design and
14 configuration of existing or planned streetscape improvements.

15 (E) In lieu Fee in case of Waiver or Variance for Class 2 Parking. For each
16 required Class 2 bicycle parking space that the Zoning Administrator waives as a result of a variance
17 per Section 305 or waives in accordance with subsection (D)(ii) above, the project sponsor shall pay an
18 in lieu bicycle parking fee as provided by Section 430 et seq. of this Code.

19 Section 6. The San Francisco Environment Code is hereby amended by amending
20 Section 402, to read as follows:

21 **SEC. 402. TENANT BICYCLE PARKING IN EXISTING COMMERCIAL BUILDINGS.**

22 (a) **Scope.** This Section shall apply to a building the principal occupancy of which is a
23 commercial use, as defined in the Planning Code, that

24 (1) is in existence on the operative date of this Section, or is proposed to be
25 constructed under an already issued permit but is not yet constructed, and

1 (2) is not subject to the applicability measures established in Section 155.2(a) of
2 the Planning Code for bicycle parking requirements provisions of Planning Code Section 155.4.

3 (b) **Bicycle Access to Commercial Buildings.**

4 (1) **Applicability.** Beginning January 1, 2012, or 30 days after the effective
5 date of this Section, whichever is later, an owner, lessee, manager, or other person who
6 controls a building within the scope of Section 402 shall allow tenants to bring bicycles into the
7 subject building.

8 (2) **Request for Limited Access.** The owner, lessee, manager, or other person
9 who controls a building within the scope of Section 402 who wishes to prescribe specific
10 details and limitations on bicycle access to the subject building shall complete a Bicycle
11 Access Plan in accordance with subsection (b)(3) below.

12 (3) **Bicycle Access Plan.**

13 (A) **Completion of Plan.** The Bicycle Access Plan ("Plan") shall be in
14 writing on a form provided by the Department of the Environment. Bicycle access shall be
15 granted to the requesting tenant or ~~subtenant~~ and its employees in accordance with the Plan.

16 (B) **Plan Information.** The Plan shall include:

- 17 (i) the location of entrances;
- 18 (ii) route to elevators and/or stairs that accommodate bicycle
19 access;
- 20 (iii) the route to a designated area for bicycle parking on an
21 accessible level if such bicycle parking is made available; and
- 22 (iv) such other information as the Department of the Environment
23 may require.

24 The Plan shall provide that bicycle access is available, at a minimum, during the
25 regular operating hours of the subject building.

1 (C) **Plan Amendment.** The Plan may be amended from time to time to
2 accommodate requests from other tenants or *subtenants* to provide bicycle access under this
3 Section 402.

4 (4) **Exception.**

5 (A) **Application.** The owner, lessee, manager, or other person who
6 controls a building may apply to the Director of the Department of the Environment for an
7 exception if:

8 (i) the building's elevators are not available for bicycle access
9 because unique circumstances exist involving substantial safety risks directly related to the
10 use of such elevator; or

11 (ii) there is alternate covered off-street parking or alternate indoor
12 no-cost bicycle parking that meets the *layout and security requirements for Class 1 and Class 2*
13 *bicycle parking spaces as established by* of Planning Code Sections 155.1 and 155.2 ~~(a)(6) and (7)~~
14 and is available on the premises or within three blocks or 750 feet, whichever is less, of the
15 subject building sufficient to accommodate all tenants or *subtenants* of the building requesting
16 bicycle access.

17 The application for an exception shall be submitted to the Department of the
18 Environment in the manner required by that Department. The application shall include the
19 reasons for the application for an exception and supporting documentation.

20 (B) **Department of Environment's Consultation with Department of**
21 **Building Inspection and Municipal Transportation Agency.**

22 (i) If an exception is sought under subsection (b)(4)(A)(i) above,
23 the Department of Environment shall request the Department of Building Inspection to
24 conduct an inspection of the building and advise the Department of Environment whether, in
25

1 the opinion of the Department of Building Inspection, bicycle access to the building involves
2 substantial safety risks.

3 (ii) If an exception is sought under subsection (b)(4)(A)(ii) above,
4 the Department of Environment shall request the Livable Streets Subdivision of the Municipal
5 Transportation Agency and/or designated bicycle planner to conduct an inspection of the
6 secure alternate covered off-street or secure indoor no-cost bicycle parking and advise the
7 Department of Environment whether, in its opinion, the proposed bicycle parking is adequate.

8 (C) **Department of Environment's Decision on Application.** The
9 Department of Environment shall make a determination on the application for an exception
10 within a reasonable period of time after receiving the advice of the Department of Building
11 Inspection and/or the Municipal Transportation Agency provided for in subsection (b)(4)(B)
12 above. The Department of Environment's letter of exception or denial shall be sent to the
13 owner, lessee, manager, or other person in control of the building by certified mail, return
14 receipt requested.

15 (5) **Posting and Availability of Bicycle Access Plan or Letter of Exception.**

16 (A) Every owner, lessee, manager, or other person in control of a
17 building subject to this Section 402 shall post in the building lobby each Bicycle Access Plan
18 that is in effect and any letter of exception granted by the Department of Environment, or shall
19 post a notice indicating that the Plan or letter of exception is available in the office of the
20 building manager upon request. Such posting shall be made within five days of completion
21 and implementation of the Plan or Plans or any amendment thereto or within five days of the
22 Department of the Environment's granting of an exception. If the Department of Environment
23 denies an application for an exception, a Bicycle Access Plan shall be posted within twenty
24 days of receipt of such determination.

25 (B) The above posting shall either

1 (i) notify the requesting tenants ~~and subtenants~~ of their right to
2 bicycle access in accordance with the Plan or

3 (ii) include the basis or bases for the exception and, if applicable,
4 the route to alternate off-street or indoor parking.

5 (6) **Space for Bicycles.** Nothing in this Section 402 shall be construed to
6 require an owner, lessee, manager, or other person who is in control of a building within the
7 scope of this Section 402 to provide space outside the tenant ~~or subtenant's~~ leased space for
8 bicycles brought into such building.

9 (7) **Unsafe Conditions.** Nothing in this Section 402 shall be construed to
10 require an owner, lessee, manager, or other person who is in control of a building within the
11 scope of this Section 402 to permit a bicycle to be parked in a manner that violates building or
12 fire codes or any other applicable law, rule, or code, or which otherwise impedes ingress or
13 egress to such building. In an emergency, whenever elevator use is prohibited, bicycles shall
14 not be permitted to be transported through any means of egress.

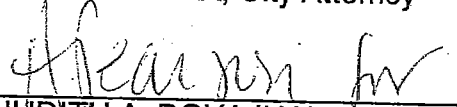
15 Section 7. This section is uncodified. If a development project has received its
16 entitlements prior to the effective date of this Ordinance and the project sponsor subsequently
17 files an application to modify the project, the modified project is exempt from the development
18 fees provided in Section 430 of the Planning Code on condition that the application to modify
19 is filed prior to the effective date of this Ordinance.

20 Section 8. Effective Date. This Ordinance shall become effective 30 days from the
21 date of passage.

22 Section 9. In enacting this ordinance, the Board intends to amend only those words,
23 phrases, paragraphs, subsections, sections, articles, numbers, punctuation, charts, diagrams,
24 or any other constituent part of the Planning Code that are explicitly shown in this legislation
25

1 as additions, deletions, Board amendment additions, and Board amendment deletions in
2 accordance with the "Note" that appears under the official title of the legislation.

3
4 APPROVED AS TO FORM:
5 DENNIS J. HERRERA, City Attorney

6 By: 
7 JUDITH A. BOYAJIAN
8 Deputy City Attorney

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
n:\egana\as2013\1300363\00860093.doc

REVISED LEGISLATIVE DIGEST
(7/9/2013, Substituted)

[Planning, Environment Codes - Bicycle Parking Standards; In Lieu Fee]

Ordinance amending the Planning Code to revise the bicycle parking standards, allow a portion of the bicycle parking requirements to be satisfied by payment of an in lieu fee, allow automobile parking spaces to be reduced and replaced by bicycle parking spaces, and authorize the Zoning Administrator to waive or modify required bicycle parking; amending the Environment Code to revise cross-references to the Planning Code and make technical amendments; and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1.

Existing Law

Existing Planning Code Sections 155.1 through 155.5 require City-owned and leased buildings, existing City-owned and privately-owned parking garages, new and renovated commercial buildings, and residential buildings of four units or more to provide specified numbers of bicycle parking spaces. Shower facilities and lockers are required for tenants and employees in new commercial buildings (including public or privately-owned buildings containing employees working for City agencies or departments), new industrial buildings, and existing buildings undergoing major renovations.

Amendments to Current Law

The proposed ordinance repeals existing Planning Code Sections 155.1 through 155.5 in their entirety and replaces them with new Sections 155.1 through 155.4. These new provisions would expand the existing bicycle parking space requirements by applying the requirements to more uses and, where the current Code now requires bicycle parking, generally to require the provisions of a greater number of spaces. It expands to additional uses the requirement to provide shower and lockers for tenants or employees.

The ordinance has a Table showing the required number of bicycle parking spaces for various uses, specifies layout and design standards for the parking spaces, and has specific requirements for City-owned and leased properties. Section 430 is added to the Code to allow a project sponsor to pay a fee in lieu of providing some or all of the required bicycle parking spaces. The off-street parking requirements in Section 150 are amended to allow automobile parking spaces to be reduced and replaced by bicycle parking spaces. Section 153 is amended to make bicycle parking requirements subject to the rules for calculation of required spaces. Sections 305 and 307 are amended to allow the Zoning Administrator to waive or modify the bicycle parking requirements under specified circumstances; such waiver or modification would require the payment of an in-lieu fee.

Section 402 of the Environment Code and various other sections of the Planning Code are modified to correct section references and make other technical corrections.

Background Information

Bicycle parking requirements were first adopted in San Francisco in 1996 for City-owned and leased buildings in San Francisco. These requirements were subsequently expanded on a piecemeal basis to City-owned and privately-owned garages in 1998, commercial and industrial uses in 2001, and residential uses in 2005. These requirements have not undergone a holistic review since then. Meanwhile, bike ridership in San Francisco has surged significantly in the past decade.

The US Census Bureau's American Community Survey (ACS) shows a 66 percent increase in bicycle commuters in San Francisco from 2002 (2.1 percent of work trips) to 2010 (3.5 percent of work trips). This figure is even higher than 5 percent in some areas of San Francisco including the Mission, Richmond, Sunset, and Outer Mission. San Francisco MTA's annual bicycle counts have more than doubled between 2006 (4,862 riders) and 2011 (10,139 riders) at sampled locations. Additionally, local surveys and traffic modeling estimates show about 75,000 bike trips are being made each day out of over 2 million total trips by all modes (3.7 percent).

The San Francisco Bicycle Plan, adopted by the Board of Supervisors in 2009 (Ordinance No. 188-09) set as one of its major goals to "ensure plentiful, high quality bike parking" in San Francisco. In order to achieve this goal, SFMTA has asked that the existing Planning Code be amended to better address bicycle parking. The Plan identifies changes that would expand and increase these requirements and also organize and consolidate the existing Code sections.

n:\egana\as2013\1300363\00858791.doc



SAN FRANCISCO PLANNING DEPARTMENT

May 22, 2013

Ms. Angela Calvillo, Clerk
Board of Supervisors
City and County of San Francisco
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Re: Transmittal of Planning Department Case Number 2011.0397M,T:
Two Proposed Ordinances:

1. General Plan Amendments with Amended CEQA Findings Related to the 2009 Bicycle Plan
BOS File No: 130527 (pending)
2. Planning Code Amendments Related to New Bicycle Parking Requirements
BOS File No: 130528 (pending)

Planning Commission Recommendation: Approval of Two Proposed Ordinances

Dear Ms. Calvillo,

This transmittal includes Planning Commission Resolutions on two pieces of Planning Commission proposed legislation:

- 1) General Plan Amendments related to the 2009 Bicycle Plan: Ordinance proposing to re-adopt the General Plan Amendments related to the 2009 Bicycle Plan with amended CEQA findings pursuant to a Court of Appeal decision on January 14, 2013.
- 2) Planning Code Amendments on Bicycle Parking: Ordinance proposing to repeal the existing Planning Code requirements for bicycle parking and adding new requirements, which are summarized below.

On August 9th, 2012 the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the initiation of a proposed Ordinance on bicycle parking requirements.

On April 4th, 2013 the Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider the initiation of a proposed Ordinance re-adopting the General Plan Amendments related to the 2009 Bicycle Plan.

On May 16th, 2013 the Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider adoption of both proposed Ordinances.

www.sfplanning.org

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

The Ordinance amending the General Plan includes revisions to the Transportation Element, the Downtown Area Plan, and corresponding revisions to the Land Use Index of the General Plan. This Ordinance would re-adopt the General Plan amendments originally adopted by the Board of Supervisors in August 2009 in Ordinance 188-09. On January 14, 2013, the California Court of Appeal found that although the environmental impact report prepared for the 2009 Bicycle Plan was adequate in all respects, also found that the City failed to make a handful of findings related to the infeasibility of alternatives identified in the EIR and findings related to significant environmental impacts that cannot be mitigated. This Ordinance re-adopts the General Plan Amendments and makes findings under CEQA which have been amended to address the issues found by the Court of Appeal.

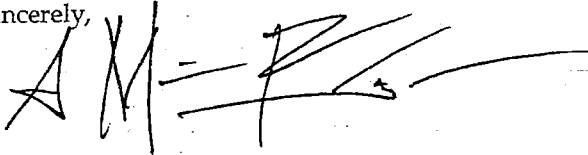
The proposed Ordinance amending the Planning Code regulations related to bicycle parking would repeal Sections 155.1 to 155.5 of the Planning Code in their entirety and add new Sections 155.1 to 155.4 regarding bicycle parking requirements. This Ordinance also amends other sections of the Code to update requirements related to bicycle parking. The major proposals of this Ordinance include but are not limited to:

- Increasing bicycle parking requirements and calibrating the requirements for all use categories;
- Differentiate requirements for long-term (Class 1) and short-term (Class 2) requirements;
- Establishing clear and easy to implement triggers for bicycle parking requirements: addition of a dwelling unit, enlargement by 20%, change of use when bicycle parking requirement would increase by 15%, addition of vehicle parking, and alterations when DBI determines such alteration would trigger the bicycle parking requirements per State law.
- Allowing conversion of auto parking to bicycle parking
- Requiring City-owned buildings to comply with new requirements within one year since this Ordinance is effective

The Planning Commission certified an environmental impact report on the 2009 Bicycle Plan in Resolution 17912 on June 25, 2009, which was affirmed by the Board of Supervisors in Motion M09-136. On May 9, 2013, the Planning Department staff determined that no further environmental review was required in relation to the Planning Code amendments herein.

At the May 16th hearing, the Commission voted to recommend approval of the two proposed Ordinances to amend: 1) the Planning Code as described above and 2) to readopt the previously adopted General Plan Amendments with amended CEQA findings. Please find attached documents relating to the Commission's action. If you have any questions or require further information please do not hesitate to contact me or project planner, Kimia Haddadan.

Sincerely,



AnMarie Rodgers
Manager of Legislative Affairs

Cc via electronic transmittal:
Mayor's Office, Jason Elliot
Supervisor David Chiu
Supervisor Scott Weiner
Supervisor Jane Kim
Supervisor John Avalos
City Attorneys Judy Boyajian, and Audrey Pearson

Attachments (one copy of the following):

Planning Commission Resolution No. 18870

Planning Commission Resolution No. 18871

Planning Commission Executive Summary for Case No. 2011.0397T,M: Note this Executive Summary is being provided as a stand-alone document, only certain attachments that were before the Commission are included (Exhibit A, B, and D). Other attachments are available by contacting the Planning Department at 1650 Mission Street, Suite 400, San Francisco, CA 94103.

Amended CEQA Findings for the General Plan Amendments in track changes -- for informational purposes

Draft Ordinance: General Plan Amendments related to the 2009 Bicycle Plan (original sent via interoffice mail)

Draft Ordinance: Planning Code Amendments for Bicycle Parking Legislation (original sent via interoffice mail)



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Resolution No. 18871 Planning Code Amendment

HEARING DATE: MAY 16, 2013

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Date: May 9, 2013
Case No.: 2011.0397T
Project Address: Planning Code Amendments for Bicycle Parking Requirements
Initiated by: John Rahaim, Director of Planning
Staff Contact: Kimia Haddadan – (415) 575-9068
kimia.haddadan@sfgov.org
Reviewed by: AnMarie Rodgers, Manager, Legislative Affairs
anmarie.rodgers@sfgov.org
Recommendation: Approval

RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT AN ORDINANCE WITH AMENDMENTS TO THE SAN FRANCISCO PLANNING CODE BY (A) REPEALING SECTIONS 155.1 THROUGH 155.5 REGARDING BIKE PARKING REQUIREMENTS IN THEIR ENTIRETY TO REVISE THE BICYCLE PARKING STANDARDS; (B) RENUMBERING SECTION 430 AS SECTION 431 AND ADDING A NEW SECTION 430 THAT ALLOWS PORTIONS OF BICYCLE PARKING REQUIREMENTS TO BE SATISFIED WITH AN IN LIEU FEE; (C) AMENDING SECTION 150 TO ALLOW CONVERSION OF AUTOMOBILE PARKING TO BICYCLE PARKING; (D) AMENDING SECTION 307 TO ALLOW WAIVERS FROM THE BICYCLE PARKING REQUIREMENTS BY THE ZONING ADMINISTRATOR; AND (E) AMENDING SECTIONS 102.9 , 155(J), 157.1, 249.46, AND 305 TO MAKE CONFORMING CHANGES; AND TO THE SAN FRANCISCO ENVIRONMENT CODE SECTION 402 TO REVISE CROSS-REFERENCES TO THE SAN FRANCISCO PLANNING CODEMAKING ENVIRONMENTAL FINDINGS AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND PRIORITY POLICIES OF PLANNING CODE SECTION 101.1.

PREAMBLE

WHEREAS, On August 9, 2012, the Planning Commission approved initiation of an ordinance to repeal the existing Planning Code sections 155.1 through 155.5 regarding bike parking requirements in their entirety, adding new sections 155.1 through 155.4 and sections 428(b) through 428(b)(2); and to make other Planning Code and Environmental Code amendments for consistency; and

WHEREAS, the Planning Commission held an informational hearing on December 13, 2012 presenting the proposed changes in this Ordinance in detail; and

WHEREAS, since the initiation and informational hearing Planning Department staff have worked closely with different stakeholders to improve this Ordinance; and

WHEREAS, In June 2009, the City adopted the San Francisco Bike Plan, which among other goals calls for plentiful and high quality bike parking; and

WHEREAS, recent data signifies a surge in bike ridership in San Francisco which intensifies the need for higher quantity and quality bike parking; and

WHEREAS, comparing the current bike requirements with other cities that have similar bike ridership, and also with the most recent bike parking standards, exhibit a need for updating San Francisco's bike parking requirements ; and

WHEREAS, the proposed legislation is intended to resolve the aforementioned issues; and

WHEREAS, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on May 16, 2013; and

Whereas, On June 25, 2009, by Motion No. 17912, the Planning Commission certified as adequate, accurate and complete the Final Environmental Impact Report ("FEIR") for the 2009 San Francisco Bicycle Plan. On August 4, 2009 in Motion M09-136, the San Francisco Board of Supervisors affirmed the decision of the Planning Commission to certify the FEIR and rejected the appeal of the FEIR certification. In accordance with the actions contemplated herein, the Commission has reviewed the FEIR, and the note to the Bicycle Plan Project file dated May 9, 2013, and adopts and incorporates by reference, as though fully set forth herein, the findings, including a statement of overriding considerations and the mitigation monitoring and reporting program, pursuant to the California Environmental Quality Act (California Public Resources Code section 21000, et seq), adopted by the Planning Commission on _____ in Motion _____; and

WHEREAS, the Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of Department staff and other interested parties; and

WHEREAS, the all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

WHEREAS, the Commission has reviewed the proposed Ordinance;

MOVED, that the Commission hereby adopts this Resolution to recommend approval to the Board of Supervisors of the draft Ordinance that would amend the Planning Code, as amended to remove bicycle parking from the definition of ground floor active uses in the Planning Code.

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The US Census Bureau's American Community Survey (ACS) shows a 66% increase in bicycle commuters in San Francisco from 2002 (2.1% of work trips) to 2010 (3.5% of work trips), third in the nation behind Portland, Oregon (6%) and Seattle, Washington (3.5%) in ridership among major US cities. Other local surveys also reflect increase in bicycle use. San Francisco MTA's annual bicycle counts have more than doubled between 2006 (4,862 riders) and 2011 (10,139) at sampled locations. Additionally, local surveys and traffic modeling estimates show about 75,000 bike trips are being made each day out of over 2 million total trips by all modes (3.7%).
2. The San Francisco Bike Plan adopted in 2009¹, and re-adopted in 2013 with modified CEQA findings, set as one of its major goals to 'ensure plentiful, high quality bike parking' in San Francisco. In order to achieve this goal, the Planning Code would be amended to better address bicycle parking. The plan identifies changes that would expand and increase these requirements and also organize and consolidate the existing Code sections. The proposed legislation would help implement many of these actions specified in the adopted San Francisco Bike Plan.
3. The existing Code requires the Department to conduct an annual survey of all city-owned facilities. If the survey finds that the current required bicycle parking is inadequate, the Code states: that "the Director shall draft and submit to the Board of Supervisors proposed legislation that would remedy the deficiency."
4. A comparison of San Francisco Bicycle Parking requirements with cities with similar urban characteristics as well as national standards revealed that existing bicycle parking requirements in San Francisco need significant revisions. These best practices recognized that different types of uses generate different demand for bicycle parking and therefore requirements are tailored specifically for different use categories. San Francisco's existing required quantity of bicycle parking fell significantly short of recommended best practices and national standards.
5. **General Plan Compliance.** The proposed Ordinance is, on balance, consistent with the following Objectives and Policies of the General Plan:

Transportation Element

OBJECTIVE 2

USE THE TRANSPORTATION SYSTEM AS A MEANS FOR GUIDING DEVELOPMENT AND IMPROVING THE ENVIRONMENT.

POLICY 2.5

Provide incentives for the use of transit, carpools, vanpools, walking and bicycling and reduce the need for new or expanded automobile and automobile parking facilities.

OBJECTIVE 12

DEVELOP AND IMPLEMENT PROGRAMS IN THE PUBLIC AND PRIVATE SECTORS, WHICH WILL SUPPORT CONGESTION MANAGEMENT AND AIR QUALITY OBJECTIVES, MAINTAIN MOBILITY AND ENHANCE BUSINESS VITALITY AT MINIMUM COST.

POLICY 12.1

Develop and implement strategies which provide incentives for individuals to use public transit, ridesharing, bicycling and walking to the best advantage, thereby reducing the number of single occupant auto trips.

Such strategies may include the provision of secure bicycle parking and shower facilities for bicyclists and walkers, subsidized transit passes, and "cash-out" parking programs for persons who do not drive to facilities where automobile parking is subsidized.

OBJECTIVE 14

DEVELOP AND IMPLEMENT A PLAN FOR OPERATIONAL CHANGES AND LAND USE POLICIES THAT WILL MAINTAIN MOBILITY AND SAFETY DESPITE A RISE IN TRAVEL DEMAND THAT COULD OTHERWISE RESULT IN SYSTEM CAPACITY DEFICIENCIES.

POLICY 14.8

Implement land use controls that will support a sustainable mode split, and encourage development that limits the intensification of automobile use.

Land use controls that will lead to a sustainable mode split, and reduced congestion could include:

- Establishing parking caps for residential and commercial uses
- Encouraging increased bicycle use by providing bicycle parking and related facilities, including showers and lockers at employment centers
- Requiring secure bicycle parking in new multifamily housing developments

The Proposed Ordinance would help implement such policies by requiring more and better bicycle parking to be provided when new construction or certain renovations occur. This would help ease the use of bicycles as a mode of commute by providing the necessary infrastructure.

San Francisco Bike Plan

Chapter 2 Goal:

Ensure Plentiful, High-Quality Bicycle Parking

Chapter 2 Objectives:

- Provide secure short-term and long-term bicycle parking, including support for bike stations and attended bicycle parking facilities, at major events and destinations; and
 - Provide current and relevant information to bicyclists regarding bicycle parking opportunities through a variety of formats.
6. This Resolution is consistent with the eight General Plan priority policies set forth in Section 101.1 in that:
- A) The existing neighborhood-serving retail uses will be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses will be enhanced.
- The proposed Ordinance would help enhance the neighborhood-serving retail uses by improving the bicycling infrastructure which would encourage the use of bicycles. Studies have shown that retail stores would directly benefit from higher bicycle traffic.*
- B) The existing housing and neighborhood character will be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.
- The proposed Ordinance would not affect the existing housing and cultural and economic diversity of neighborhoods.*
- C) The City's supply of affordable housing will be preserved and enhanced.
- The City's supply of affordable housing would not be affected by the proposed Ordinance.*
- D) The commuter traffic will not impede MUNI transit service or overburden our streets or neighborhood parking.
- The proposed Ordinance would help transit service by improving bicycle infrastructure and providing incentive to use bicycles as a mode of transportation.*
- E) A diverse economic base will be maintained by protecting our industrial and service sectors from displacement due to commercial office development. And future opportunities for resident employment and ownership in these sectors will be enhanced.
- The proposed Ordinance would not affect industrial uses.*
- F) The City will achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.
- The proposed Ordinance would not affect the City's preparedness for earthquake.*
- G) That landmark and historic buildings will be preserved.

The proposed Ordinance would not affect historic buildings.

- H) Parks and open space and their access to sunlight and vistas will be protected from development.

The proposed Ordinance would not affect sunlight to parks and open spaces.

I hereby certify that the foregoing Resolution was ADOPTED by the San Francisco Planning Commission on May 16, 2013.

Jonas P. Ionin
Acting Commission Secretary

AYES: Antonini, Borden, Fong, Hillis, Moore, Sugaya

NOES:

ABSENT: Wu

DATE: May 23, 2013



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary General Plan and Planning Code Amendment HEARING DATE: MAY 16, 2013

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Date: May 9, 2013
Case No.: 2011.0397T.M
Project: General Plan and Planning Code Amendments for Bicycle Parking
Initiated by: John Rahaim, Director of Planning
Staff Contact: Kimia Haddadan – (415) 575-9068
kimia.haddadan@sfgov.org
Reviewed by: AnMarie Rodgers, Manager, Legislative Affairs
anmarie.rodgers@sfgov.org
Recommendation: Approval

INTRODUCTION

This Executive Summary describes both the proposed Ordinance to amend the General Plan (see Exhibit F) and the proposed Ordinance to amend the Planning Code (See Exhibit G). The San Francisco Planning Commission (hereinafter "Commission") will be considering adoption of both Ordinances at the May 16, 2013 hearing. On August 9, 2012, the Commission initiated amendments to the Planning Code requirements for bicycle parking. On April 4, 2013, the Commission initiated amendments to re-adopt the previously adopted General Plan Amendments, including changes to the Transportation Element and the Downtown Area Plan of the General Plan. As this Commission has previously adopted the same amendments to the General Plan in 2009 (as further explained below), the bulk of this report will focus on the new action: amending the Planning Code to create new bicycle requirements.

I. GENERAL PLAN AMENDMENTS

The amendments to the General Plan include revisions to the Transportation Element, the Downtown Area Plan, and corresponding revisions to the Land Use Index of the General Plan. These General Plan Amendments were originally recommended by the Planning Commission to the Board of Supervisors for the Board's approval on June 25, 2009 in Resolution 17914. On June 25, 2009 (in Resolution 17912), the Planning Commission certified an environmental impact report (EIR) prepared for the 2009 Bicycle Plan, and (in Resolution 17913), adopted findings pursuant to CEQA, including a statement of overriding considerations and a mitigation monitoring and reporting program. In August 2009, the San Francisco Board of Supervisors adopted the recommended General Plan Amendments in Ordinance 188-09, incorporating by reference the Planning Commission's environmental findings in Resolution 17913. On January 14, 2013, in *Anderson v. City and County of San Francisco*, A129910, the California Court of Appeal found that the 2009 Bicycle Plan EIR complied with CEQA but that the findings adopted pursuant to the CEQA in connection with the General Plan Amendments did not adequately set forth the reasons for rejecting as infeasible the alternatives identified in the EIR, and did not adequately discuss several significant environmental impacts that cannot be mitigated. This action therefore re-adopts the previously adopted General Plan Amendments as described above, with environmental findings modified to address

the Court of Appeals concerns. The action only recommends re-adoption of the General Plan Amendments previously adopted in Ordinance 188-09 with these modified environmental findings; no other changes are proposed. The Commission initiated the re-adoption of these General Plan Amendments on April 4, 2013. On May 7, 2013, the San Francisco Municipal Transportation Agency re-adopted the 2009 Bicycle Plan, with similarly modified environmental findings.

The following is a description of the General Plan Amendments (attached in full in Exhibit F) as noted in the original Case Report from the 2009 hearing:

"Section 4.105 of the San Francisco Charter empowers the Planning Commission to establish and update the City's General Plan, and calls for the General Plan to contain "goals, policies and programs for the future physical development of the City and County of San Francisco." The Charter calls for the Planning Commission to periodically recommend for approval or rejection to the Board of Supervisors proposed amendments to the General Plan, in response to changing physical, social, economic, environmental or legislative conditions. The proposed General Plan amendments are related to increasing bicycle use and bicycle safety in San Francisco. The proposal would revise Objectives, Policies, text, and figures/maps to the Transportation Element and the Downtown Area Plan of the General Plan. Bicycle use in San Francisco and across the nation is increasing and the proposed amendment acknowledges the shifts in transportation modes. It would revise the General Plan to encourage additional bicycle use, particularly in the downtown and in other dense neighborhoods where parking is limited. The amendment call for transit providers to allow bicycle users to also use transit to reach their destinations where appropriate, and to encourage alternatives to single-occupant vehicular use. Although the General Plan already contains policies regarding bicycle use, more people are using bicycles to reach their destinations in the City and throughout the region. Though the objectives, policies and figures were accurate at the time that the General Plan was published, they no longer accurately characterize increasing use of alternative travel modes, including increased use of transit, bicycle and walking."

"The proposed General Plan amendments, if approved, would enable the Planning Commission to recommend finding the 2009 Bicycle Plan, published by the San Francisco Municipal Transportation Agency, in conformity with the General Plan, incorporate the 2009 Bicycle Plan by reference into the General Plan, and to find individual bicycle projects that are described in the Bicycle Plan and proposed to be implemented in the short term, in-conformity with the General Plan to the extent such project fall within Planning Commission jurisdiction. Long range projects and projects that the Bicycle Plan does not describe in detail would require submittal to the Planning Department for Environmental Review and General Plan referral determination(s). The General Plan amendments also would revoke the 2005 General Plan amendments related to the 2005 Bicycle Plan, in accordance with the Superior Court's directive."

II. PLANNING CODE AMENDMENTS

The proposed Ordinance would amend the San Francisco Planning Code (hereinafter "Code") by (1) repealing Sections 155.1 through 155.5 regarding bike parking requirements in their entirety; to revise the bicycle parking standards; (2) renumbering Section 430 as Section 431 and adding a new Section 430 that allows portions of bicycle parking requirements to be satisfied with an in lieu fee; (3) amending Section 145 to define bicycle parking as an active use; (4) amending Section 150 to allow conversion of automobile parking to bicycle parking; and (5) amending Sections 102.9, 155(j), 157.1, 249.46 and 307 to make conforming changes. The Ordinance would also amend the San Francisco Environment Code Section 402 to revise cross-references to the Code. The Commission initiated these proposed amendments on August 9, 2012 and held an informational hearing on December 13, 2012.

The Way It Is Now:

The bicycle parking requirements in the Code are currently spread across Sections 155.1-155.5 based on ownership and use representing the order in which the Sections were added to the Code. The existing Sections are organized as follows:

- Section 155.1 City-Owned And Leased Buildings,
- Section 155.2 City-Owned And Privately Owned Parking Garages,
- Section 155.3 Shower Facilities And Lockers Required In New Commercial And Industrial Buildings And Existing Buildings Undergoing Major Renovations,
- Section 155.4 Bicycle Parking Required In New And Renovated Commercial Buildings, and
- Section 155.5 Bicycle Parking Required For Residential Uses.

The Way It Would Be:

The proposed changes would organize bicycle parking controls thematically in an order similar to other Code sections as follows:

- Section 155.1: Bicycle Parking: Definitions and Standards,
- Section 155.2: Bicycle Parking: Applicability and Requirements for Specific Uses,
- Section 155.3: Bicycle Parking: Requirements for Existing City-Owned and Leased Buildings and Garages,
- Section 155.4: Bicycle Parking: Requirements for Shower Facilities and Lockers,
- Section 307 (k): Zoning Administrator (hereinafter "ZA") Procedures for Bicycle Parking Requirement Waivers, and
- Section 430 : Bicycle Parking in Lieu Fee.

In addition, following modifications are being proposed:

- Section 145 Frontages, Outdoor Activity Areas, Walkup Facilities, And Ground Floor Uses And Standards In Commercial, Residential-Commercial, Neighborhood Commercial, Mixed Use, And Industrial Districts: amend to define bicycle parking as an active use,
- Section 150 Off-Street Parking And Loading Requirements.: amend to allow conversion of auto parking to bicycle parking, and
- Section 305 Variances: amend to limit application for variance from bicycle parking only when off-street automobile parking does not exist.

A Zoning Administrator Bulletin would provide additional clarity on how the Department will implement Section 155.2. Exhibit C illustrates a draft of the proposed Zoning Administrator Bulletin. This is a document that will be published under the auspices of the Zoning Administrator after the proposed Ordinance is finalized by the Board of Supervisors.

Background

As San Francisco's economy grows, the transportation network endures more strains. The US Census Bureau's American Community Survey (ACS) shows a 66% increase in bicycle commuters in San Francisco from 2002 (2.1% of work trips) to 2010 (3.5% of work trips), third in the nation behind Portland, Oregon (6%) and Seattle, Washington (3.5%) in ridership among major US cities. Other local surveys also reflect increase in bicycle use. San Francisco MTA's annual bicycle counts have more than doubled between 2006 (4,862 riders) and 2011 (10,139) at sampled locations. Additionally, local surveys and traffic modeling estimates show about 75,000 bike trips are being made each day out of over 2 million total trips by all modes (3.7%).

San Franciscans need higher quality and quantity bicycle infrastructure as they lean more towards commuting by bicycles. Cities benefit from bicycling with regards to public health and economic development. A study on Bicycling and Walking in the United States indicate that states with low obesity rates have high levels of bicycling and walking rates. In addition, this study highlights the economic benefits of bicycling: "... communities that invest in these modes have higher property values, create new jobs, and attract tourists. In addition, these communities save money by decreasing traffic congestion and commute times and improving air quality and public health"¹. SFMTA also lists the costs and benefits of bicycling in comparison with other modes of transportation, which indicates high levels of benefits on public health and economic development (Exhibit A). When San Francisco made Valencia Street better for bicyclists and pedestrians, nearly 40% of merchants reported increased sales and 60% reported more area residents shopping locally due to reduced travel time and convenience. Two-thirds of merchants said the increased levels of bicycling and walking improved business². A study in Portland also confirms such findings. The Bureau of Transportation of the City of Portland found that merchants are interested in removing on-street car parking to replace them with on-street bicycle parking³. Such increasing demand and interest towards bicycling instigates higher quality bicycle infrastructure including bicycle parking.

1 "Bicycling and Walking in the United States: 2012 Benchmarking Report", Alliance for Biking and Walking, retrieved at <http://peoplepoweredmovement.org/site/images/uploads/2012%20Benchmarking%20Report%20-%20Final%20Draft%20-%20WEB.pdf> on February 22, 2013.

2 "Complete Streets Spark Economic Revitalization", National Complete Streets Coalition, retrieved at <http://www.smartgrowthamerica.org/documents/cs/factsheets/cs-revitalize.pdf> on February 21, 2013.

3 "How Portland Benefits from Bicycle Transportation". City of Portland Bureau of Transportation, retrieved at <http://www.portlandoregon.gov/transportation/article/371038> on February 22, 2013.

Bicycle parking requirements were first adopted in San Francisco in 1996 for City-owned and leased buildings in San Francisco. These requirements were subsequently expanded on a piecemeal basis to City-owned and privately owned garages in 1998, commercial and industrial uses in 2001, and residential uses in 2005.

The San Francisco Bike Plan adopted in 2009⁴ set as one of its major goals to 'ensure plentiful, high quality bike parking' in San Francisco. In order to achieve this goal, SFMTA has asked that the existing Planning Code be amended to better address bicycle parking. The plan identifies changes that would expand and increase these requirements and also organize and consolidate the existing Code sections. The proposed legislation would help implement many of these actions specified in the adopted San Francisco Bike Plan. The re-adoption of the San Francisco Bicycle Plan does not propose any changes to this policy or any other policy in this Plan and it would only re-adopt the Bike Plan with new environmental findings.

Outreach and Engagement

The Commission initiated these proposed amendments on August 9, 2012. At the initiation hearing, the Commission requested that the Department engage in additional outreach. Since the initiation hearing, the Department has reached out to and consulted with many stakeholders including: San Francisco Bike Coalition, Building Owners and Managers of San Francisco (BOMA), San Francisco Residential Building Associations (RBA), Union Square CBD, Real Estate Department, Department of Environment, and SFMTA. Staff received comments from many of these stakeholders. The participation process included iterative revisions and coordination with these stakeholders.

Research on Best Practices

Staff conducted further research on best practices of bicycle parking in comparable cities that have comparable or higher rates of bicycle commute and share similar urban characteristics with San Francisco. These cities include Portland, Vancouver, and New York, as well as the national standards established by the Association of Pedestrian and Bicyclist Professionals. Exhibit B illustrates the detailed comparison of bicycle parking requirements based on parsing of uses in those cities. This comparison revealed that existing bicycle parking requirements in San Francisco need significant revisions. These best practices recognize that different types of uses generate different demand for bicycle parking and therefore requirements are tailored specifically for different use categories. This comparison also found that San Francisco's existing required quantity of bicycle parking fell significantly short of recommended best practices and national standards.

⁴ The Board of Supervisors adopted the Bicycle Plan with Ordinance Number 188-09:
<http://www.sfbos.org/ftp/uploadedfiles/bdsupvrs/ordinances09/o0188-09.pdf>

The Proposed New Planning Code Requirements:

Proposed Ordinance

Learning from stakeholders, best practices, national standards, as well as the trends in rate of bicycling as a mode of commute, this Ordinance proposed many changes to the bicycle parking requirements which are explained below. Overall, this Ordinance would modify the bicycle parking requirements by aligning requirements based on different demand generated by different types of uses, upgrading the quantity of bicycle parking to minimum 5% of trips generated by bicycle and national standards, and defining detailed design and layout requirements.

Increasing and Expanding Bike Parking Requirements

Looking at cities with similar urban characteristics to San Francisco and the City's increasing high bike ridership, staff found the existing bicycle parking requirements do not provide sufficient infrastructure for the existing bicycle use in the City. The surge in use of bicycles calls planning for an infrastructure that could sufficiently accommodate the increasing demand. Exhibit B shows bicycle parking requirements for different uses in comparable cities such as Vancouver, Portland, New York, as well as the American Pedestrian and Bicycling Standards. For example, for residential uses both Portland and Vancouver require more than one Class One parking for each unit while the existing requirements in San Francisco is 0.5 spaces per unit for the first 50 units and one space for each four units for any portions above 50 spaces. The proposed Ordinance requires one Class One space per each unit for buildings with four units or more and reduce the requirement for buildings over 100 unit to one spacer per four units for any portion above 100 bicycle parking spaces. The San Francisco Building Code's Green Building Requirements currently mandate provision of bicycle parking equivalent of 5% of vehicle parking requirements- which in some cases are more than the exiting requirements in the Planning Code. Based on these comparisons, the proposed Ordinance establishes separate requirements for Class 1 (secure, weather-proof parking for employees and residents) and Class 2 (highly visible parking for the general public) bicycle parking for multiple use categories. This Ordinance would also update the quantity of such requirements to modern standards (See Exhibit C).

The current bicycle parking requirements only differentiate between residential and commercial uses. This existing parsing of uses in is inconsistent with other standards in the Code. For example, commercial uses are defined to include professional services, retail, industrial, and even some institutional and research and development. The proposed Ordinance (Section 155.2) would tailor the bike parking requirements to specific uses, consistent with other requirements in the Code such as automobile parking. Not only would this format result in consistency and easing of implementation, but also this change acknowledges that some use types have a higher demand for bike parking than others. Examples of use categories include schools and colleges, general retail, offices, grocery stores, manufacturing, medical services, childcare, cultural centers and so forth. For more details see the draft Ordinance in Exhibit C.

Triggers for Bike Parking Requirements in Existing Uses

Currently, the Code defines three criteria that trigger existing commercial buildings to provide bicycle parking: major renovation, major change of use, and the addition of automobile parking. Major renovation includes enlargement that costs more than \$1 million, while major change of use remains

unclear and difficult to implement. The proposed Ordinance would modify such triggers to align with triggers of other established requirements in the Code. The new criteria would include: addition of a dwelling unit, enlargement by 20%, change of use when bicycle parking requirement would increase by 20%, and addition of parking. The existing Building Code also has some triggers for providing bicycle parking subject to the State Green Building Requirements. State Law California Title 24, Part 11, Sec 5.701.6.2 requires that under no circumstances may total bicycle parking provided for any use, building, or lot constitute less than five (5) percent of the automobile parking spaces for the subject building. The State requirements are attached in Exhibit D. The proposed Ordinance would incorporate the State Law triggers for providing bicycle parking so that when DBI determines that an alteration would trigger the bicycle parking requirements per State Law, they will route such projects to the Planning Department.

Bike Parking Design Standards

The existing bike parking requirements specify the minimum size of a bike parking space as two feet by six feet. It also requires a 5 feet wide pathway to enter or exit the facility. Upon discussions with the Residential Builders Association, such pathways can be narrowed to three feet at maximum of two points (See Public Comment section below for further descriptions of such discussions). The proposed Ordinance provides clearer and more detailed requirements for placement and design of bike parking. A new Zoning Administrator Bulletin would establish design and layout requirements, updated based on more modern bike parking space design and layout standards⁵ and would better direct project sponsors on locating and designing usable bicycle parking within their projects. This Zoning Administrator Bulletin would describe specific allowable bicycle facilities as well as the process for securing ZA approval of new types of racks and parking facilities.

Bike Parking Fund

The proposed Ordinance would establish an alternative method to satisfy Class 2 bike parking requirements. Project sponsors could elect to pay a \$400 in lieu fee per space to fulfill up to 50% of the Class 2 bike parking requirements for up to 20 bike spaces. The in lieu fee was established by SFMTA based upon the cost of installing a bike parking space⁶. The Ordinance would establish a bike parking fund to maintain these fees. SFMTA would administer this fund and would use the monies to provide on-street bike parking where deficiency exists. The option of paying in lieu fee would also be available when project sponsors seek a waiver for their requirements. Providing this option could streamline the process of installing bike parking on public right-of-ways. Currently project sponsors who choose to satisfy the Class 2 bike parking within the public right-of-way need to secure permits through the Department of Public Works (DPW). The in lieu fee would satisfy the requirement without placing the permit burden on the project sponsor. Instead, through fee payment, DPW and SFMTA would install the bike racks with less required administrative process.

⁵ Such as Guidelines from Association of Pedestrian and Bicycle Professionals.

⁶ Similarly the Code's existing in lieu fee for street trees in Section 428 was developed by SF DPW based upon the cost of providing street trees.

Bike Parking as an Active Use

Like other facility users, bike users feel safe when parking their bikes in a highly visible and well lit facility. They also prefer easy access to the facility as opposed to needing to walk their bikes for a long time, or carry their vehicle up or down the stairs. A space near the lobby of buildings can accommodate accessibility, visibility, and safety. The proposed Ordinance would incentivize designating a space near lobby area for bicycle parking by including bicycle parking in the Active Use definition, Section 145 of the Planning Code. Such policy would allow project sponsors to count the bicycle parking space as space eligible for a five foot height bonus in certain zoning districts of the City. This policy also limits the combined lobby and bicycle parking space frontage to 40 feet or 25% of the lot frontage. It requires a direct entrance from the sidewalk into the bicycle parking facility, as well as visibility of the space through window openings. This change is one that the Department anticipates will assist the developers of small projects, which currently have a difficult time meeting the Active Use requirements in the Code.

Conversion of Auto Parking to Bike Parking

The existing bike parking requirements allow the voluntary conversion of automobile parking to bicycle parking where Class 1 bike parking is required. However, this provision in the Code does not specify the details of such conversion and therefore remains unclear and difficult to implement. The proposed Ordinance adds details for such conversion. It would allow conversion of car parking to bicycle parking for both Class 1 and Class 2 requirements, with a minimum of eight bike parking spaces, of any combination, per one auto parking space. Section 150 of the Planning Code explains the requirements for automobile parking. The proposed Ordinance would also amend this Section of the Code so that existing buildings not subject to any bike parking requirements could voluntarily convert their auto parking space to bike parking.

It is important to note that this provision continues to simply allow project sponsors and property owners to convert their auto parking space to bike parking space and does not mandate such conversion.

Bike Parking Requirements for Existing Private Garages

In 1998, legislation⁷ was passed that required private garages to provide bicycle parking. This legislation not only applied to proposed new garages, but also to all existing private garages. It provided 18 months since the enactment of the legislation for garages to comply with the requirements. Since this 18 months implementation period has already terminated, the language has been removed from the proposed Ordinance and the same requirements is reflected in the requirements for private garages. New garages would be subject to the updated bicycle parking requirements of the proposed Ordinance while there would be no change in bike parking requirements for existing private parking garages.

City-owned and Leased Buildings and Garages

⁷ Ordinance 343-98, November 19, 1998.

The City values being a leader on green building design and the proposed Ordinance continues this tradition. As mentioned earlier in this report, requirements for City-owned buildings were the first bicycle parking requirements that were codified in San Francisco. The existing Code has requirements for Class 1 and Class 2 bicycle parking for City-owned and leased buildings. The Code requires the Department to conduct an annual survey of all these facilities. If the survey finds that the current required bicycle parking is inadequate, the Code states: "the Director shall draft and submit to the Board of Supervisors proposed legislation that would remedy the deficiency."

This proposed Ordinance would require City-owned buildings and garages to comply with the new bicycle parking requirements. This would modify the existing requirements for City-owned and leased buildings. Instead of basing the bike parking requirement on the number of employees, the new requirement would be based on the amount of occupied square feet. While the number of employees of offices constantly changes, building size is constant and represents a more suitable variable to which the bike parking requirements should relate. In consultation with the City's Real Estate Department, City-owned and leased buildings and garages will be given a year to comply with the new requirements after the Ordinances went into effect. Further extensions for compliance may be granted by the Zoning Administrator.

Waivers, Variances and Added Flexibility

The proposed Ordinance (Section 307 (k)) establishes that the Zoning Administrator (hereinafter "ZA") could grant waivers from the bicycle parking requirements. Class 1 bicycle parking requirements could not be waived, but could be allowed at alternative locations, under certain circumstances. All or portions of Class 2 bicycle parking requirements could be waived under certain circumstances. The Ordinance explicitly defines the findings which the ZA would use to make his or her decision. Currently, the Code identifies the Department's Director as the responsible party for granting exemptions for City-owned and public and private garages. The change of making the ZA the arbiter would align bicycle parking exemption processes with existing procedures of obtaining a waiver or variance from other requirements in the Planning Code. The proposed Ordinance also amends Section 305 of the Code, which regulates obtaining Variances. These changes would allow obtaining a variance from the quantity of bicycle parking required only if off-street auto parking does not exist. Obtaining a variance from design and layout requirements would be permissible. Additionally, if project sponsors propose racks that are not listed in the Zoning Administrator Bulletin, such racks cannot be approved until the ZA makes a determination of equivalency in consultation with the SFMTA.

Requirements for Showers and Lockers

The existing requirements for showers and lockers target commercial and industrial uses. Consistent with the proposed parsing of uses, this Ordinance would align uses that would be required to provide showers and lockers with other use references in the Code. The provision of showers would not expand beyond the broad categories of commercial and industrial uses but this Section would be amended to match other Code references to specific use types within the commercial and industrial categories. Additionally, the existing requirements mandate two lockers for every one shower. A survey conducted by SFMTA indicated that lockers are more important as amenities for cyclists than showers. Gym facilities with showers usually accommodate more than two lockers per shower. Upon the

recommendation of SFMTA, the proposed Ordinance would adjust these ratios to 1 to 4 showers to lockers.

~~2.0~~ Bicycle Parking in the Environment Code

In March 2012 legislation⁸ was passed that amended the Environment Code to require owners of existing commercial uses to allow their tenants to bring their bikes into the building. The Tenant Bicycle Access Law in the Environment Code requires such owners to provide a bicycle parking facility per Planning Code requirements, if these existing building owners decide not to allow their tenants to bring their bikes into the building. Staff consulted with the Department of Environment who manages implementation of the Environment Code as well as BOMA who represents the owners of buildings that need to comply with the Environment Code. The proposed Ordinance would make small amendments to the language of the Environment Code regarding the Tenant Bicycle Access Law to clarify that only buildings that are not subject to the Planning Code would be subject to this law.

~~2.0~~ Consolidation and organizing

A substantial portion of the proposed changes can be classified as "good government" measures meant to improve the clarity of the Planning Code. These changes would consolidate definitions, parking layout, and requirements scattered throughout all the four sections and organize them in two sections. Such changes would help decision makers, Department staff, and the public to better understand, interpret, and implement the requirements of the Code.

REQUIRED COMMISSION ACTION

The General Plan and Planning Code Amendments are before the Commission for adoption.

RECOMMENDATION

The Planning Department recommends that the Commission adopt the Resolution recommending adoption of the General Plan Amendments and the Planning Code Amendments.

ENVIRONMENTAL REVIEW

The Planning Commission certified an environmental impact report on the 2009 Bicycle Plan in Resolution 17912 on June 25, 2009, which was affirmed by the Board of Supervisors in Motion M09-136. On May 9, 2013, the Planning Department staff determined that no further environmental review was required in relation to the Planning Code amendments herein.

⁸ Ordinance 46-12, March 16, 2012

PUBLIC COMMENT

The Planning Department has received comments from different stakeholders throughout the process of drafting and revising the Ordinance since the initiation date on August 9th, 2012. Below are the summary of these comments:

- **BOMA** expressed concern on implementation of the Environment Code regarding tenant bicycle parking requirements. The proposed Ordinance originally intended to require that existing commercial buildings subject to the Tenant Bicycle Access Law to be subject to the new requirements, when owners choose to provide a bicycle facility instead of allowing their tenants to bring their bicycles to their workspace. While BOMA was one of the main supporters of the Tenant Bicycle Parking, their members were concerned that the new Planning Code requirements would incur a significant burden on the property owners. In such cases, BOMA found the new requirements of the Planning Code too stringent for existing commercial buildings. Lack of enough space in the building and need for significant remodeling to accommodate a bicycle facility that complies with the proposed requirements were two major areas of concern for BOMA members. After multiple meetings with BOMA and the Department of Environment, staff decided to remove such provision from the proposed Ordinance. As proposed now, buildings subject to the Environment Code's Tenant Bicycle Access Law would not need to comply with the proposed requirements.
- **Department of Environment (DOE)** also focuses on the implementation of the Environment Code. Having heard from many tenants whose employers are subject to the Environment Code, DOE has found out that the existing Environment Code does not specify the bicycle parking requirements clearly, in cases where owners choose to provide a bicycle facility instead of allowing their tenants to bring their bicycles inside the building. This has raised an issue of owners providing inadequate bicycle parking facilities in order to satisfy the requirements of the Environment Code. However, as mentioned above, after discussions with BOMA, the Department of Environment determined that further outreach and engagement with the existing commercial building owners may be necessary to resolve such issues.
- **San Francisco Bicycle Coalition** provided input specifically on incentives for owners and project sponsors to provide more bicycle parking. SFBC specifically emphasized on allowing conversion of automobile parking to bicycle parking. SFBC also stressed on the importance of locating bicycle parking where bicyclists can ride their bikes to the facility. This also includes prohibiting unreasonable rules that require bikers to walk their bikes in a parking garage.
- **Residential Builders Association** expressed concerns regarding the design and layout requirements for bicycle parking facilities. The RBA is concerned that in smaller scale projects sufficient space would not be available to allow for clearances required between bicycle racks per the proposed Zoning Administrator Bulletin. Staff worked closely with the RBA over several meetings and a site visit to address this issue. The ZA Bulletin, as proposed, now includes specific options for space efficient bicycle racks such as mechanically assisted stacked racks as well as vertical bicycle parking. In consultation with MTA bicycle parking staff, the proposed ZA

bulletin lowers the aisle requirements of the existing code, which is 5 feet from the front or rear of the bicycle to the wall, to 4' from the front or rear of the bicycle to the wall. RBA also expressed concern regarding the five foot requirement for the width of a hallway that leads to the bicycle facility and requested for added flexibility. Staff accommodated such concern by allowing constrictions to narrow down the hallway at maximum two points to be as narrow as 3 feet wide. Finally, the RBA requested to exempt projects that have already received Planning Commission approval and have not yet received their building permits to be subject to the new requirements in order not to incur a cost burden on project sponsors to re-design their project. Staff modified the proposed Ordinance to exempt such projects.

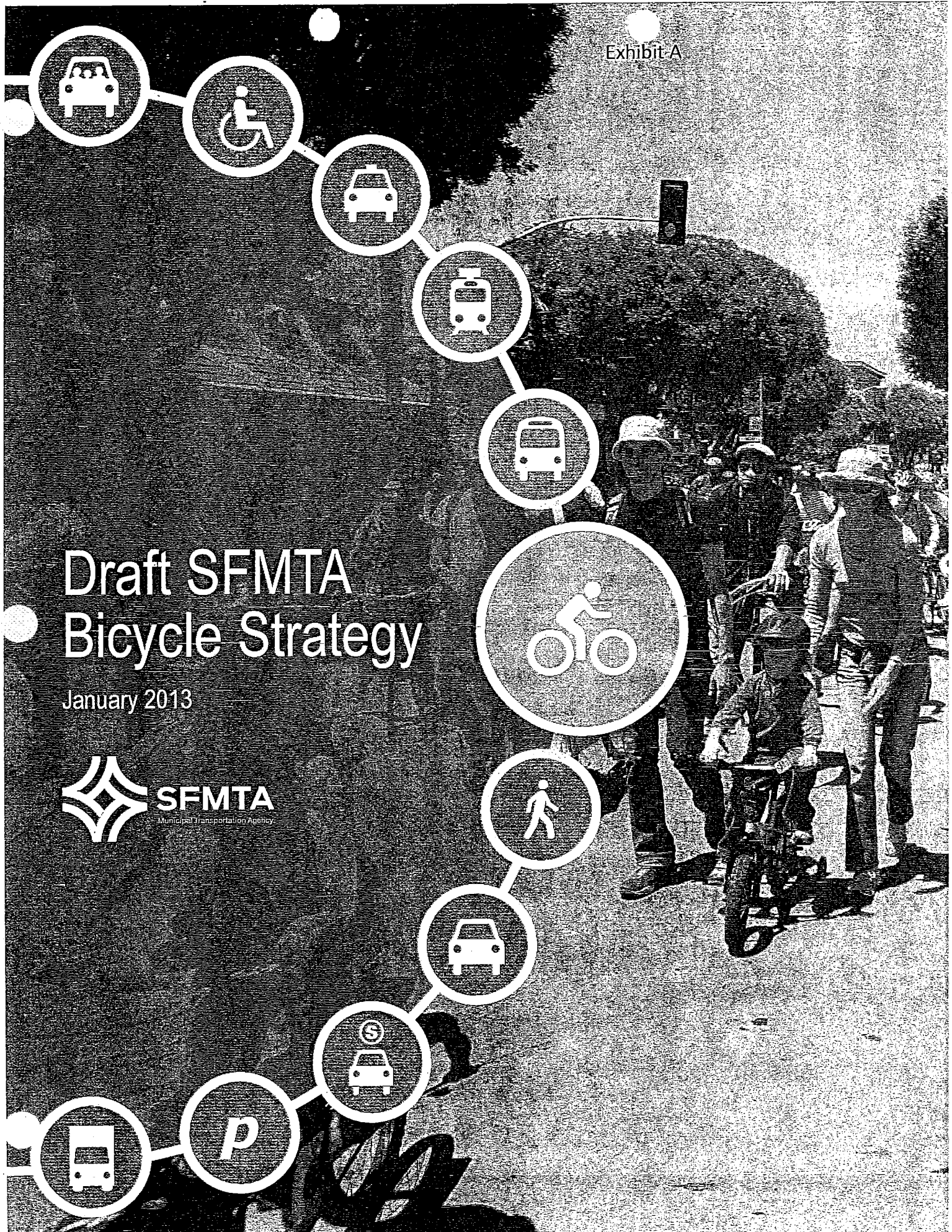
- Department of Real Estate (DRE) manages the City-owned and leased buildings and therefore reviewed the requirements for such buildings. The DRE expressed concerns focused on how the new requirements would apply to existing buildings, specifically historic buildings with limitations in space. Some minor adjustments were made to the requirements to address such concerns. The DRE concluded that a one year period would be reasonable to update the bicycle parking facilities owned and leased by the City. The DRE felt that, at times, conflicts could arise between pedestrian and bicyclists inside of garages.. To address this concern, legal provisions in the proposed Ordinance would allow certain limiting rules for bikers in case of liability concerns.
- Finally, staff worked closely with SFMTA in a collaborative process to develop this Ordinance. SFMTA provided input on many aspects of this Ordinance including: definitions of bicycle parking types, quantity of bicycle parking specifically visitor parking, bicycle parking in lieu fee, and most significantly on layout and design requirements.

Attachments

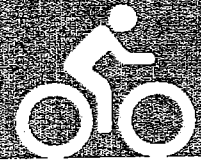
- Exhibit A: Excerpt from SFMTA's Bicycling Strategy on benefits of bicycling.
Exhibit B: Bicycle Parking in Cities Similar to San Francisco
Exhibit C: Draft Zoning Administrator Bulletin (Not included in this packet)
Exhibit D: CalGreen State Requirements for Bicycle Parking
Exhibit E: Draft Resolution for General Plan Amendments (Not included in this packet)
Exhibit F: Draft Signed Ordinance for General Plan Amendments (Not included in this packet)
Exhibit G: Draft Signed Ordinance for Planning Code Amendments (Not included in this packet)
Exhibit H: Draft Resolution for Planning Code Amendments (Not included in this packet)

Draft SFMTA Bicycle Strategy

January 2013



Bicycling in Context



Bicycling is the most cost and time effective catalyst for mode shifts when combined with complementary investments in sustainable modes. It is the most convenient, affordable, quickest, and healthiest way to make the average trip within the city (2 to 3 miles).

1. Bicycling is an affordable and convenient transportation option for those who rely on sustainable modes.

- With low initial cost and negligible operating costs, bicycling is substantially cheaper than driving.
- Bicycles improves the personal mobility of those without cars, particularly children, teenagers, seniors, and people with disabilities.

2. More connected neighborhoods, safer street intersections and quieter neighborhood circulation.

- Bicycle traffic is quiet, results in less wear and tear on roads, and uses little road and parking space.
- People on bicycles establish a personal presence, creating safer neighborhoods by adding eyes on the street.

3. Transit and bicycling create multiple synergies that increase public transit's performance

- Bicycling extends the reach of transit by replacing a long walk trip with a short bicycle trip.
- Transit operates better when short peak trips are diverted to the bicycle.
- Transit complements bicycling for long trips outside the bicycle's comfortable range.
- Bicycling allows for more spontaneous shopping in commercial neighborhood areas and the city center.

4. Improved air quality and public health.

- Bicycling does not produce greenhouse gases or other pollutants. A recent life cycle cost analysis of average CO2 per passenger mile by mode shows that bicycling is the most energy efficient mode of transport available
- Replacing automobile traffic with bicycling traffic improves neighborhood quality of life by reducing air pollution and ambient noise.
- Even short periods of bicycling can improve personal fitness, resulting in better short and long-term health. As a fun way to travel, bicycling can reduce personal stress and improve mood.

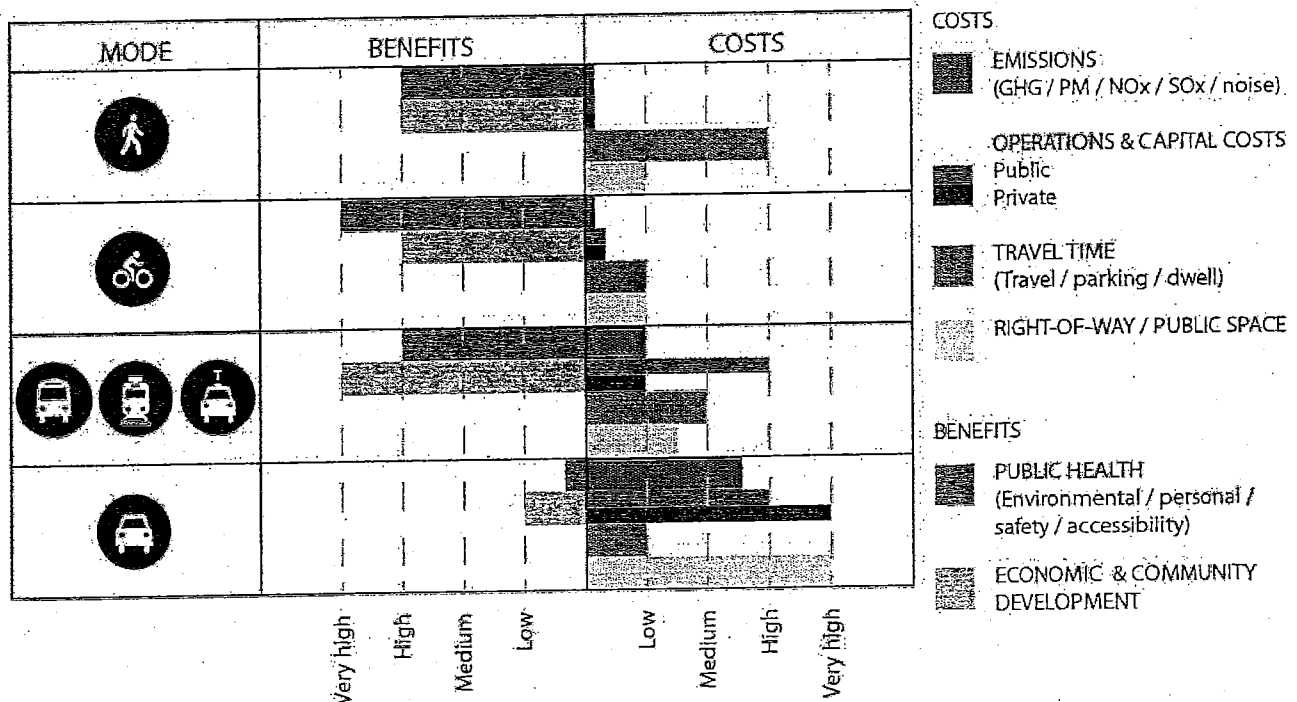


Exhibit B - Bicycle Parking Requirements in Comparable Cities and National Standards

San Francisco - Proposed			Portland			Vancouver			New York City			APBP, 2010	
Use Category	Min. Class 1	Min. Class 2	Specific Uses	Long-term Spaces	Short-term Spaces	Specific Use	Class A	Class B	Enclosed	Unenclosed	Use Category	Long-term	Short-term
Dwelling units (including SRO units and student housing that are dwelling units)	One Class 1 space for every dwelling unit. For buildings containing over 100 dwelling units, 100 Class 1 spaces plus one Class 1 space for every four dwelling units over 100. Dwelling units which are also considered Student Housing per Section 102.36 shall provide 50% more spaces than would otherwise be required.	Minimum 2 spaces, 1 per 20 units Dwelling units which are also considered Student Housing per Section 102.36 shall provide 50% more spaces than would otherwise be required.	Multi-dwelling	1.5 per 1 unit in Central City plan district; 1.1 per 1 unit outside Central City plan district	2, or 1 per 20 units	Dwelling	min. 1.25 per unit for each 20 units in certain district	min. 6 spaces for each 20 units	1 per 2 units		Multi-Family	None if private garage exists, 0.5 space for each bedroom, min. of 2 spaces	0.1 spaces for each bedroom (Min. of 2 spaces)
Group housing (including SRO units and student housing that are group housing)	One Class 1 space for every four beds. For buildings containing over 100 beds, 25 Class 1 spaces plus one space for every 100 beds. Class 1 space for every five beds over 100. Group housing which is also considered Student Housing per Section 102.36 shall provide 50% more spaces than would otherwise be required.	Minimum 2 spaces, Two Class 2 spaces, Two Class 2 spaces for every 100 beds. Group housing which is also considered Student Housing per Section 102.36 shall provide 50% more spaces than would otherwise be required.	Group living	2, or 1 per 20 residents	None				1 per 2,000 sq. ft.	only when open parking areas accessory to commercial, or community facility uses, with 16 or more spaces or greater than 6,000 sq. ft. in area.			
Dwelling units dedicated to senior citizens (including assisted living facilities)	One Class 1 space for every 10 units or beds, whichever is applicable.	Minimum 2 spaces, Two Class 2 spaces for every 50 beds.	Dormitory	1 per 8 residents	None	Senior/ Assisted housing	0.1 to 0.25 per unit based on site and type	min. 6 spaces for each 20 units/ none based on type	1 per 10,000 sq. ft.		Senior housing	0.5 spaces for each bedroom, min. 2 spaces	0.1 spaces for each bedroom, min. 2 spaces

Exhibit B - Bicycle Parking Requirements in Comparable Cities and National Standards

San Francisco - Proposed			Portland			Vancouver			New York City			APBP, 2010			
Use Category	Min. Class 1	Min. Class 2	Use Category	Specific Uses	Long-term Spaces	Short-term Spaces	Specific Use	Class A	Class B	Specific Use	Enclosed	Unenclosed	Use Category	Long-term	Short-term
Retail Sales	One Class 1 space for every 7,500 square feet of occupied floor area. Minimum two spaces	Minimum 2 spaces. One Class 2 space for every 2,500 sq. ft. of occupied floor area. For use larger than 50,000 square feet of occupied floor area, 10 Class 2 spaces plus one Class 2 space for every additional 10,000 occupied square feet.	Retail Sales And Service		2, or 1 per 12,000 sq. ft. of net building area	2, or 1 per 5,000 sq. ft. of net building area	retail and service	1 per 500 sq. meters	5 for 1,000 sq. meters	General Retail	1 per 10,000 sq. ft.		General food sales or services	1 space for each 10,000 s.f. min. 2 spaces	1 space for each 2,000 s.f. min. 2 spaces
Personal Services, Financial Services, Restaurants, Limited Restaurants and Bars	Minimum two spaces. One Class 1 space for every 7,500 square feet of occupied floor area.	Minimum two spaces. One Class 2 space for every 750 square feet of occupied floor area.													
Retail Trade (limited to the building of bulky merchandise such as public vehicles, machinery or furniture)	Minimum 2 spaces. One Class 1 space for every 15,000 square feet of occupied floor area.	Minimum 2 spaces. One Class 2 space for every 10,000 square feet of occupied floor area.													
Office	One Class 1 space for every 5,000 occupied square feet	Minimum two spaces for any office use greater than 5,000 square feet. One Class 2 space for every additional 5,000 occupied square feet.	Office		2, or 1 per 10,000 sq. ft. of net building area	2, or 1 per 40,000 sq. ft. of net building area	Office	1 space per 500 sq. meters	5 spaces for 2,000 sq. meters	Use Group 68 (Office)	1 per 7,500 sq. ft.	only when open parking areas accessory to commercial, or community facility uses, with 18 or more spaces or greater than 6,000 sq. ft. in area.	General Retail	1 space for each 10,000 s.f. min. 2 spaces	1 space for each 5,000 s.f. min. 2 spaces
Hotel/Motel/Hotel	One Class 1 space for every 30 rooms.	Minimum 2 spaces. One Class 2 space for every 30 rooms, - Plus - One Class 2 space for every 2,000 occupied square feet of conference, meeting or function rooms.	Temporary Lodging		2, or 1 per 20 rentable rooms	2, or 1 per 20 rentable rooms	Hotel	1 for 30 units (none for bike)	6 spaces for 75 units						

Exhibit B - Bicycle Parking Requirements in Comparable Cities and National Standards

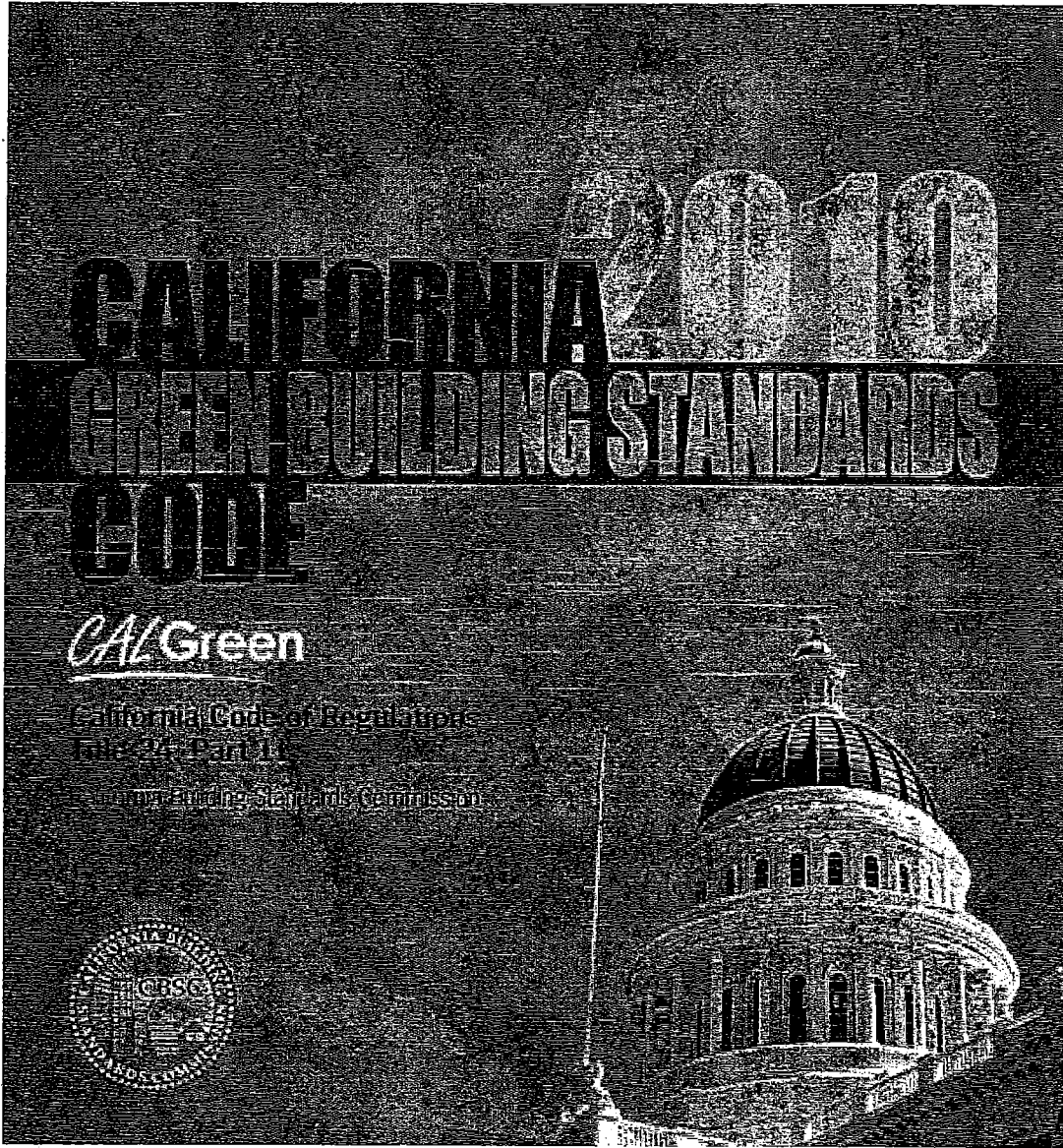
San Francisco - Proposed				Portland				Vancouver				New York City				APBP, 2010	
Use Category	Min. Class 1	Min. Class 2	Use Category	Specific Uses	Long-term Spaces	Short-term Spaces	Specific Uses	Class A	Class B	Specific Use	Enclosed	Unenclosed	Use Category	Long-term	Short-term		
Stadium/ Arena Athletic Center College/ University Public Works Convention Center Civic Center Cultural Center Theater/ Assembly and Entertainment Amusement/ Arcade Bowling Alley/ Billiard Facility	One Class 1 space for every use square footage during events.	Five percent of venue capacity, excluding employees.	Commercial/ Office/ Retail/ Recreation		10, or 1 per 20 auto spaces	None	Cultural and Recreational (including theaters, auditoriums, fitness centers)	min 1 for each 500 sq. meters to 1 per 250 sq. meters	min 6 spaces per 1500 sq. meters or 1 per 300 seats/ games or tables (billiard)	Use Group AA, and 1A (Assembly)	1 per 20,000 sq. ft.		* Assembly (church, theaters, stadiums, parks, beaches, etc.)	1.5 spaces for each 20 employees, min. 2 spaces	Spaces for 5% of maximum expected daily attendance		
Theater/ Assembly and Entertainment Amusement/ Arcade Bowling Alley/ Billiard Facility	Five Class 1 spaces for facilities with a capacity of less than 500 guests; 10 Class 1 spaces for facilities with capacity of greater than 500 guests.	One Class 2 space for every 50 seats or for every portion of each 50 person capacity.	Major Events Entertainment		10, or 1 per 40 seats or per CU review	None								1.5 spaces for each 20 employees, min. 2 spaces	Spaces for 5% of maximum expected daily attendance		
Light Manufacturing Wholesale Sales/ Trade Shop/ Catalog Service Business/ Office and Equipment Repair Business Services Laboratory/ Integrated Packaging/ Distribution Warehouse/ Distribution (Retail)	One Class 1 space for every 12,000 occupied square feet, except not less than two Class 1 spaces for any use larger than 50,000 occupied square feet.	Minimum of 2 spaces. Four Class 2 spaces for any use larger than 50,000 occupied square feet.	Manufacturing and Production		2, or 1 per 15,000 sq. ft. of net building area	None	Transportation and storage, utility and communication, wholesale	1 for 1000 sq. meters or 1 per 17 whichever greater	none			only when open parking areas accessory to commercial, or community facility	Manufacturing and production	1 space per 12,000	No. determined by Director, consider minimum of 2 spaces at each public building entrance.		
Auto Storage Warehouse/ Nursery (High Retail)	One Class 1 space for every 40,000 sq. ft.	None	Warehouse and Freight Movement		2, or 1 per 40,000 sq. ft. of net building area	None							Auto sales (retail/wholesale), automotive servicing, repair, and cleaning	1 space for each 10,000 s.f. min. 2 spaces	1 space for each 10,000 s.f. min. 2 spaces		
Non-accessory automobile storage or other vehicle storage	None	One Class 2 space for every 20 auto spaces, except in no case less than six Class 2 spaces.	Community Parking		10, or 1 per 20 auto spaces	None	Parking	determined by Planning Director	determined by Planning Director	Public parking garages	1 per 10 auto parking spaces		off-street parking lots and streets	1 space per 20 automobiles 2	Min. of 6 spaces or 1 per 10 auto spaces		
Public Uses including Mission/ Library/ Child Care/ Community Center/ Arts Activities	Minimum two spaces or One Class 1 space for every 5,000 square feet of publicly-accessible or exhibition area	Minimum 2 spaces or One Class 2 space for every 2,500 occupied square feet of publicly-accessible or exhibition area	Basic/ Utility/ Community Services	Light rail stations, transit centers	8 2, or 1 per 10,000 sq. ft. of net building area	None						only when open parking areas accessory to commercial, or community facility	Non-assembly (cultural/ library/ government buildings, etc.)	1.5 spaces for each 10 employees, min. 2 spaces	1 space for each 8,000 sq. ft. of floor area, Min. 2 spaces		
			Parks and Open Areas	Park and ride	10, or 5 per acre Per CU review	None							Assembly (church, theaters, stadiums, parks, beaches, etc.)	1.5 spaces for each 20 employees, min. 2 spaces	Spaces for 5% of maximum expected daily attendance		

Exhibit B - Bicycle Parking Requirements in Comparable Cities and National Standards

Use Category	San Francisco- Proposed			Portland			Vancouver			New York City			APBP, 2010	
	Min. Class 1	Min. Class 2	Use Category	Specific Uses	Long-term Spaces	Short-term Spaces	Specific Use	Class A	Class B	Enclosed	Unenclosed	Use Category	Long-term	Short-term
Elementary School	Two Class 1 spaces for every classroom	One Class 2 space for every classroom.	School	Grades 1 through 5	2 per classroom, or per CU or IMP review	None	Elementary	1 per 17 employees	1 space for every 20 students			Kindergarten and elementary (K-5)	1.5 per 10 employees, min 2 spaces	1.5 space for each 20 students of planned capacity min. 2 spaces.
Secondary School (Middle School and High School)	Four Class 1 spaces for every classroom	One Class 2 space for every classroom.	School	Grades 6 through 12	4 per classroom, or per CU or IMP review	None						Grade 4-12	1.5 per 10 employees, and 1.4 space for each 20 students of planned capacity, min 2 spaces	1.5 space for each 10 students of planned capacity, min. 2 spaces.
Post-secondary educational institution including trade school	One Class 1 space for every 20,000 square feet of occupied floor area	Minimum two spaces. One Class 2 space for every 20,000 square feet of occupied floor area.	College	Excluding dormitories (see Group Living, above)	2, or 1 per 20,000 sq. ft. of net building area, or per CU or IMP review	2, or 1 per 30,000 sq. ft. of net building area, or per CU or IMP review	Secondary or College	0.4 space for every 10 students	0.6 for every 10 students	1 per 5,000 sq. ft.		College and universities	1.5 spaces for each 10 employees plus 1 space for each 10 min 2 spaces.	1 space for each 10 students of planned capacity, or 1 space per 20,000 s.f., whichever greater
Hospital or Inpatient Clinic	One Class 1 space for every 50,000 square feet of occupied floor area.	One Class 2 space for every 40,000 square feet of occupied floor area, but no less than four located near each public pedestrian entrance.	Medical Center		2, or 1 per 70,000 sq. ft. of net building area, or per CU or IMP review	2, or 1 per 40,000 sq. ft. of net building area, or per CU or IMP review	Hospital or similar use	1 per 17 employees on a max worksheet				Healthcare/hospital	1.5 space for each 20 employees or 1 space for each 50,000 sq. ft. whichever greater. Min of 2 spaces	1 space for each 20,000 s.f. min 2 spaces
Medical Offices or Outpatient Clinic	One Class 1 space for every 5,000 square feet of occupied floor area	One Class 2 space for every 15,000 square feet of occupied floor area, but no less than four located near each public pedestrian entrance.	Healthcare Institution		2, or 1 per 4,000 sq. ft. of net building area	2, or 1 per 2,000 sq. ft. of net building area	Office of worship	None	min. 6 spaces					
Child Care	Minimum 2 spaces or 1 per 7,500 square feet of occupied floor area.	One Class 2 space for every 20 children.	Daycare		2, or 1 per 10,000 sq. ft. of net building area	None	Child day care facility	None	None			Daycare	1.5 for each 20 employees, min 2	1 space for each 20 students of planned capacity, min 2 spaces

Guide to the (Non-Residential) California Green Building Standards Code

Including changes effective July 1, 2012



*An educational publication by the
California Building Standards Commission
Third Edition January 2012*

CALGreen Section: 5.710.6.2 Bicycle parking. Comply with Sections 5.710.6.2.1 and 5.710.6.2.2; or meet the applicable local ordinance, whichever is stricter.

5.710.6.2.1 Short-term bicycle parking. If the project is anticipated to generate visitor traffic and adds 10 or more vehicular parking spaces, provide permanently anchored bicycle racks within 200 feet of the visitors' entrance, readily visible to passers-by, for 5% of the additional visitor motorized vehicle parking capacity, with a minimum of one two-bike capacity rack.

5.710.6.2.2 Long-term bicycle parking. For buildings with over 10 tenant-occupants that add 10 or more vehicular parking spaces, provide secure bicycle parking for 5% of additional motorized vehicle parking capacity, with a minimum of one space. Acceptable parking facilities shall be convenient from the street and may include:

1. Covered, lockable enclosures with permanently anchored racks for bicycles;
2. Lockable bicycle rooms with permanently anchored racks; and
3. Lockable, permanently anchored bicycle lockers.

Intent:

The Intent of this section and subsections require additional bicycle parking when 10 or more parking spaces are added as part of an addition or alteration project, thus encouraging additional building occupants to use alternate forms of transportation to standard automobiles.

Compliance and Enforcement: See § 5.106.4 of this guide

CALGreen Section: 5.710.6.3 Designated parking. For projects that add 10 or more vehicular parking spaces, provide designated parking for any combination of low-emitting, fuel-efficient, and carpool/van pool vehicles as shown in Table 5.106.2.2 of Division 5.1 based on the number of additional spaces.

5.106.5.2.1 Parking stall marking. Paint, in the paint used for stall striping, the following characters such that the lower edge of the last word aligns with the end of the stall striping and is visible beneath a parked vehicle:

CLEAN AIR/
VANPOOL/EV

Note: Vehicles bearing Clean Air Vehicle stickers from expired HOV lane programs may be considered eligible for designated parking spaces.

Intent:

Change for 2012: The intent of this section and subsections requires additional designated parking stalls when 10 or more parking spaces are added as part of an addition or alteration project, thus encouraging additional building occupants to use alternate forms of transportation to standard automobiles.

Compliance and Enforcement: See § 5.106.5.2 of this guide

NEW DIVISION for 2012

DIVISION 5.7 ADDITIONS AND ALTERATIONS TO EXISTING NONRESIDENTIAL BUILDINGS

This is a new division proposed to include standards for additions and alterations to existing nonresidential buildings. The reason for this proposal is to extend the benefits of reduction in greenhouse gas emissions, water use, and polluting finish products to a larger class of buildings than newly constructed buildings. It is modeled after similar provisions recently adopted locally by the City of Los Angeles for its considerable body of construction projects. It proposes and scopes some of the provisions from Divisions 5.3 through 5.5 for which cost benefit analysis was prepared last cycle for the mandatory code. The provisions are those readily applicable to additions and renovations.

SECTION 5.701 – ADMINISTRATION

CALGreen Section: 5.701.1 Scope. For those occupancies subject to section 103 of this code, the provisions of this division shall apply to the planning, design, operation, construction, use and occupancy of additions to buildings or structures unless otherwise indicated in this code. The provisions of this Division shall only apply to the portions of the building being added or altered within the scope of the permitted work. Compliance for additions and alterations is required on or after the dates shown in Table 5.701

TABLE 5.701

<u>Effective date of compliance</u>	<u>Square footage of addition</u>	<u>Permit valuation or estimated construction cost of alteration</u>
July 1, 2012	2000	\$500,000
<u>Effective date of the 2013 California Building Standards Code</u>	1000	\$200,000

Notes:

- 1) The effective date of the 2013 California Building Standards Code is currently projected to be January 1, 2014.
- 2) This division does not apply to additions and alterations of qualified historical buildings.

Intent: Scope for additions and alterations to existing nonresidential buildings is limited to 2000 s.f. for additions and \$500,000 for alterations, with that limit to drop in the next edition of the code. At the request of the Division of the State Architect, this section also includes an exception for qualified historic buildings regulated by that agency.

Existing Law or Regulation:

Building standards generally apply to additions and alterations for which a permit is applied. CALGreen has an exception, applying only to newly constructed buildings, so this division aligns CALGreen with other Parts of Title 24. There may be a more stringent local ordinance in place.

Compliance Method:

Determine if the addition or alteration triggers compliance (see Section 5.701 above and Section 7.502 Definitions) then comply with the specific provisions applicable.

Enforcement:

Plan Intake: The reviewer and/or plan checker should review the plans, specifications for the areas of additions and construction cost estimates for alterations for to confirm the need for compliance.

On-Site Enforcement: The inspector should review the permit set of plans and product data sheets for compliance with specific provisions, following.



Green Building Ordinance: Specific Local Requirements
Table 3: Other New Non-Residential Occupancies, Additions,
and Alterations (Sheet 1 of 2)

Attachment B
Table 3

This table is a summary, provided for reference. See San Francisco Building Code 13C for details. The following summarizes requirements for new non-residential buildings that are not otherwise required to meet a green building standard (E, F, H, L, S, U occupancy of any size, or A, B, I, or M occupancy <25,000 sq. ft.), and for non-residential additions of ≥2,000 sq ft or alterations of ≥\$500,000 value required by CBC Part 11 Division 5.7. Applicability of measures to additions and alterations may depend on the presence of the regulated system, as well as additional criteria identified in CBC Part 11 Division 5.7.

Specific Locally Required Measures The following measures are mandatory in San Francisco, but may be different or not required elsewhere.	Other New Non-Residential	Non-Residential Additions & Alterations
Construction and demolition debris diversion – 100% of mixed debris must be transported by a registered hauler to a registered facility and be processed for recycling.	SF Construction and Demolition Debris Diversion Ordinance (Ord. No.27-06)	
Recycling by occupants: Provide adequate space and equal access for storage, collection and loading of compostable, recyclable and landfill materials.	SFBC 106A.3.3 and other local regulations (See DBI Administrative Bulletin 088 for details)	
15% Energy reduction compared to Title-24 2008	13C.5.201.1.1	N/A
Construction site runoff pollution prevention - Provide a construction site Stormwater Pollution Prevention Plan and implement SFPUC Best Management Practices.	13C.5.106.1 or CBC Part 11 Section 5.710.6, as well as NPDES Phase II General Permit and other local regulations.	
Stormwater Control Plan - Projects disturbing ≥5,000 square feet of ground surface must implement a Stormwater Control Plan meeting SFPUC Stormwater Design Guidelines.	SF Public Works Code Article 4.2, Sec. 147	
Water efficient irrigation - Projects that include 1,000 square feet or more of new or modified landscape must comply with the San Francisco Water Efficient Irrigation Ordinance.	SF Admin Code 63 (See the guide, <i>Complying with San Francisco's Water Efficient Irrigation Requirements</i> at www.sfwater.org/landscape.)	
Additional Required Measures The following California Green Building Standards Code (Title 24, Part 11) requirements for new construction have been integrated into San Francisco Building Code 13C.		
Bicycle parking - Provide short-term and long-term bicycle parking for 5% of total motorized parking capacity each, or meet San Francisco Planning Code Sec 155, whichever is greater.	13C.5.106.4	CBC Part 11 Section 5.710.6.2 - If 10 more more parking stalls are added
Fuel efficient vehicle and carpool parking - Mark 8% of total parking stalls for low-emitting, fuel efficient, and carpool/van pool vehicles.	13C.5.106.5	CBC Part 11 Section 5.710.6.3 - If 10 more more parking stalls are
Light pollution reduction - Contain lighting within each source. No more than .01 horizontal footcandles 15 feet beyond site.	13C.5.106.8	N/A
Water meters - Provide submeters for spaces projected to consume more than 1,000 gal/day, or more than 100 gal/day if in building over 50,000 sq. ft.	13C.5.303.1	CBC Part 11 Section 5.712.3.1
Indoor water efficiency - Reduce overall use of potable water within the building by 20% for showerheads, lavatories, kitchen faucets, wash fountains, water closets, and urinals.	13C.5.303.2	CBC Part 11 Section 5.712.3.1. See also SFBC 13A, Commercial Water Conservation Requirements.
Commissioning - For new buildings greater than 10,000 square feet, commissioning shall be included in the design and construction of the project to verify that the building systems and components meet the owner's project requirements. OR for buildings less than 10,000 square feet, testing and adjusting of systems is required.	13C.5.410.2 for buildings >10,000 square feet 13C.5.410.4 for buildings ≤ 10,000 square feet	CBC Part 11 Section 5.713.10.4-
Ventilation system protection during construction - Protect openings and mechanical equipment from dust and pollutants during construction	13C.5.504.3	CBC Part 11 Section 5.714.4.1
Adhesives, sealants, and caulks - Comply with VOC limits in SCAQMD Rule 116B VOC limits and California Code of Regulations Title 17 for aerosol adhesives.	13C.5.504.4.1	CBC Part 11 Section 5.714.4.4.1
Paints and coatings - Comply with VOC limits in the Air Resources Board Architectural Coatings Suggested Control Measure and California Code of Regulations Title 17 for aerosol paints.	13C.5.504.4.3	CBC Part 11 Section 5.714.4.4.3
Carpet - All carpet must meet one of the following: 1. Carpet and Rug Institute Green Label Plus Program 2. California Department of Public Health Standard Practice for the testing of VOCs (Specification 01350) 3. NSF/ANSI 140 at the Gold level 4. Scientific Certifications Systems Sustainable Choice AND Carpet cushion must meet CRI Green Label, AND Carpet adhesive must not exceed 50 g/L VOC content.	13C.5.504.4.4	CBC Part 11 Section 5.714.4.4.4
Composite wood - Meet CARB Air Toxics Control Measure for Composite Wood.	13C.5.504.4.5	CBC Part 11 Section 5.714.4.4.5
Resilient flooring systems - For 50% of floor area receiving resilient flooring, install resilient flooring complying with the VOC-emission limits defined in the 2009 Collaborative for High Performance Schools (CHPS) criteria or certified under the Resilient Floor Covering Institute (RFCI) FloorScore program.	13C.5.504.4.6	CBC Part 11 Section 5.714.4.4.6
Air Filtration - Provide at least MERV-8 filters in regularly occupied spaces of mechanically ventilated buildings.	13C.5.504.5.3	CBC Part 11 Section 5.714.4.5.3
Acoustical control - Wall and roof-ceilings STC 50, exterior windows STC 30, party walls and floor-ceilings STC 40.	13C.5.507.4	CBC Part 11 Section 5.714.7.1
CFCs and halons - Do not install equipment that contains CFCs or Halons.	13C.5.508.1	CBC Part 11 Section 5.714.8.1
Sprinklers - Design and maintain landscape irrigation systems to prevent spray on structures.	13C.5.407.2.1	CBC Part 11 Section 5.713.7.2.1
Entries and openings - Design exterior entries and/or openings subject to foot traffic or wind-driven rain to prevent water intrusion into buildings.	13C.5.407.2.2	CBC Part 11 Section 5.713.7.2.2

1) Requirements for additions or alterations apply to applications received on or after July 1, 2012.



Green Building Ordinance: Specific Local Requirements
Table 1: Requirements for projects meeting a LEED Standard
 (Sheet 1 of 2)

Attachment B
Table 1

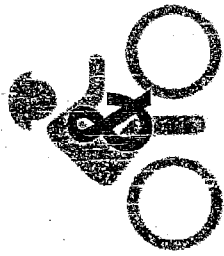
This table is a summary, provided for reference. See San Francisco Building Code 13C for details.

		New/Large Commercial	New Mid Rise Residential	New High Rise Residential	Commercial Interior	Commercial Alteration	Residential Alteration
Locally Required LEED Measures	LEED Credit	Code Reference					
Construction Waste Management – 75% Diversion AND comply with San Francisco Construction & Demolition Debris Ordinance	LEED MR c2 (2 points)	13C.5.103.1.2	Meet C&D ordinance only	13C.4.103.2.3	Meet C&D ordinance only		
15% Energy Reduction Compared to Title-24 2008 (or ASHRAE 90.1-2007)	LEED EA c1 (3 points)	13C.5.103.1.7	13C.4.201.1.1	13C.4.201.1.1	LEED prerequisite (EAp2 Minimum energy performance)		
Enhanced Commissioning of Building Energy Systems	LEED EA c3	13C.5.103.1.3	LEED prerequisite (EAp1.2 Testing & Verification)	LEED prerequisite (EAp1 Fundamental Commissioning)			
Renewable Energy - Effective Jan 1, 2012, permit applicants must either: generate 1% of energy on-site with renewables, OR purchase renewable power, OR achieve an additional 10% beyond Title 24 2008.	LEED EA c2 OR EA c6 OR EA c1	13C.5.103.1.5	-	-	-	-	-
Indoor Water Efficiency - Reduce overall use of potable water within the building by specified percentage for showerheads, lavatories, kitchen faucets, wash fountains, water closets, and urinals.	LEED WE c3	13C.5.103.1.2 (30% reduction)	-	13C.4.103.2.2 (30% reduction)	LEED WE prerequisite1 (20% reduction below UPC/IPC 2006, et al)		
Stormwater Control Plan - Projects disturbing ≥5,000 square feet of ground surface must implement a Stormwater Control Plan meeting SFPUC Stormwater Design Guidelines.	LEED SS c5.1/ SS c6.2	13C.5.103.1.6	13C.4.103.1.2	13C.4.103.2.4	SF Public Works Code 4.2 (SFPUC stormwater ordinance)		
Construction Site Runoff Pollution Prevention - Provide a construction site Stormwater Pollution Prevention Plan and implement SFPUC Best Management Practices.	LEED SS p1	13C.5.103.1.6	13C.4.103.1.2	13C.4.103.2.4.1	NPDES Phase II General Permit and other regulations.		
Water Efficient Irrigation - Projects with ≥ 1,000 square feet of new or modified landscape must comply with the San Francisco Water Efficient Irrigation Ordinance.	LEED WE c1	SF Admin Code 63 (See "Complying with San Francisco's Water Efficient Irrigation Requirements" at www.sfwater.org/landscape.)					
Enhanced Refrigerant Management- Do not install equipment that contains CFCs or Halons	LEED EA c4	13C.5.508.1.2	-	-	-	-	-
Indoor Air Quality Management During Construction - Meet SMACNA Guidelines for Occupied Buildings Under Construction, protect materials from moisture damage, protect return air grills	LEED EQ c3.1	13C.5.103.1.8	-	-	-	-	-
Low-Emitting Adhesives, Sealants, and Caulks - Adhesives and Sealants meet VOC materials meeting SCAQMD Rule 1168, aerosol adhesives meet Green Seal standard GS-36	LEED EQ c4.1	13C.5.103.1.9	-	-	13C.5.103.4.2	13C.5.103.3.2	13C.4.103.2.2
Low-Emitting Paints and Coatings - Architectural paints and coatings meet Green Seal GS-11 standard, anti-corrosive paints meet GC-03, and other coatings meet VOC limits of SCAQMD Rule 1113	LEED EQ c4.2	13C.5.103.1.9	-	-	13C.5.103.4.2	13C.5.103.3.2	13C.4.103.2.2
Low-Emitting Flooring, including Carpet - Hard surface flooring (vinyl, linoleum, laminate, wood, ceramic, and/or rubber must be Resilient Floor Covering Institute (RFCI) FloorScore certified; Carpet must meet Carpet and Rug Institute (CRI) Green Label Plus; Carpet Cushion must meet CRI Green Label; Carpet Adhesive must meet LEED EQc4.1.	LEED EQ c4.3	13C.5.103.1.9	-	-	13C.5.103.4.2	13C.5.103.3.2	13C.4.103.2.2
Low-Emitting Composite Wood - Composite wood and aggrifiber must contain no added urea-formaldehyde resins, and meet applicable CARB Air Toxics Control Measure.	LEED EQ c4.4	13C.5.103.1.9	-	-	13C.5.103.4.2	13C.5.103.3.2	13C.4.103.2.2
Recycling by Occupants: Provide adequate space and equal access for storage, collection and loading of compostable, recyclable and landfill materials. Exceeds requirements of LEED MR prerequisite 1.	LEED MRp1	SFBC 106A.3.3 and 13C.5.410.1; (See DBI Administrative Bulletin 088 for details)					
Bicycle parking: Provide short-term and long-term bicycle parking for 5% of total motorized parking capacity each, or meet San Francisco Planning Code Sec 155, whichever is greater.	LEED SSC4.2	13C.5.106.4 and SF Planning Code Sec 155	SF Planning Code Sec 155	SF Planning Code Sec 155			

1) New residential projects of 75' or greater to the highest occupied floor must use the "New Residential High Rise" column. New residential projects with 4 or more occupied floors which are less than 75 feet to the highest occupied floor may use GreenPoint Rated (see table B2) or the LEED for Homes Mid Rise Rating System (see "New Mid Rise Residential" column in this table.)

File Nos. 130527 & 130528
7/15/13 Presented in Committee

Re-Adoption of Bicycle Policies



New Bicycle Parking Requirements

Land Use Committee Hearing

July 15th, 2013

August Count

September Count

10,139

7,793

7,532

6,943

5,504

4,862

2011

2010

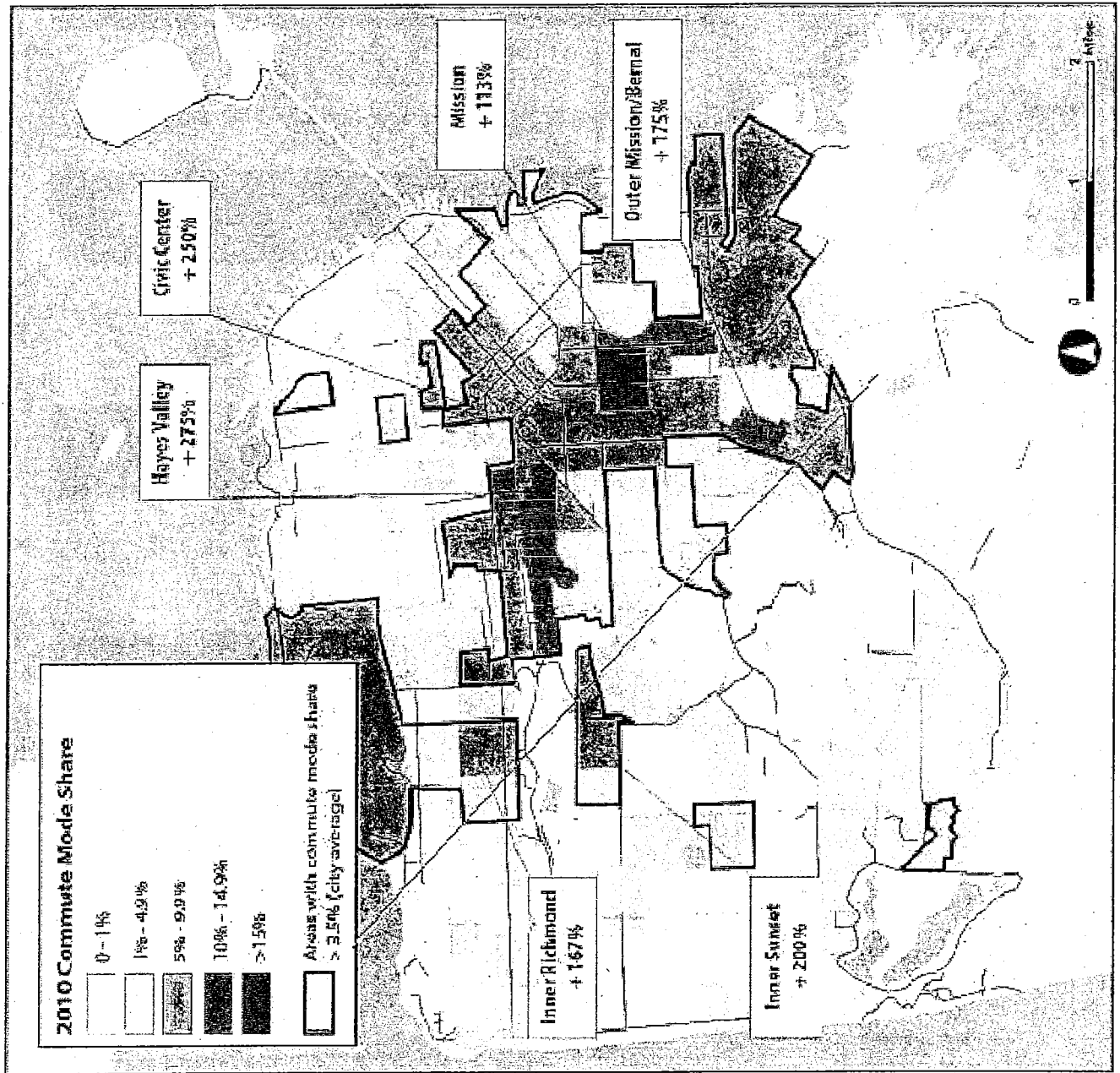
2009

2008

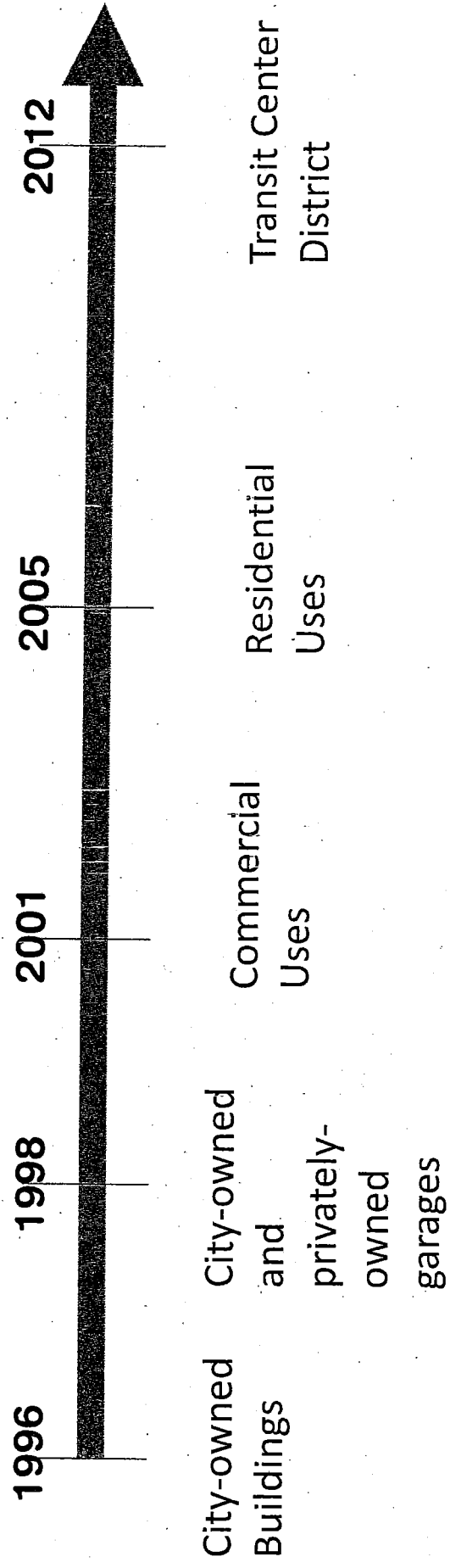
2007

2006

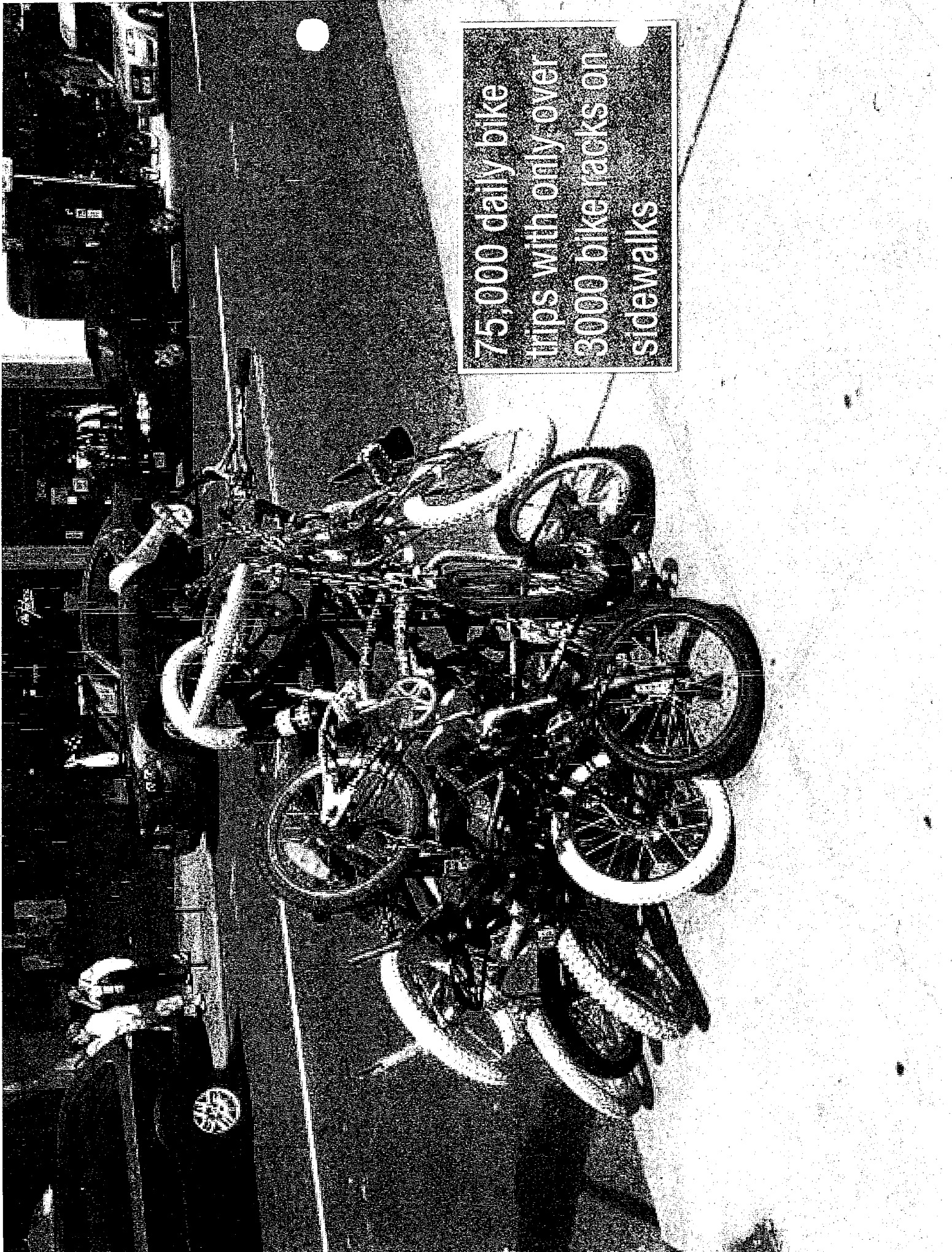
Bicycle Commute Mode Share (2010)



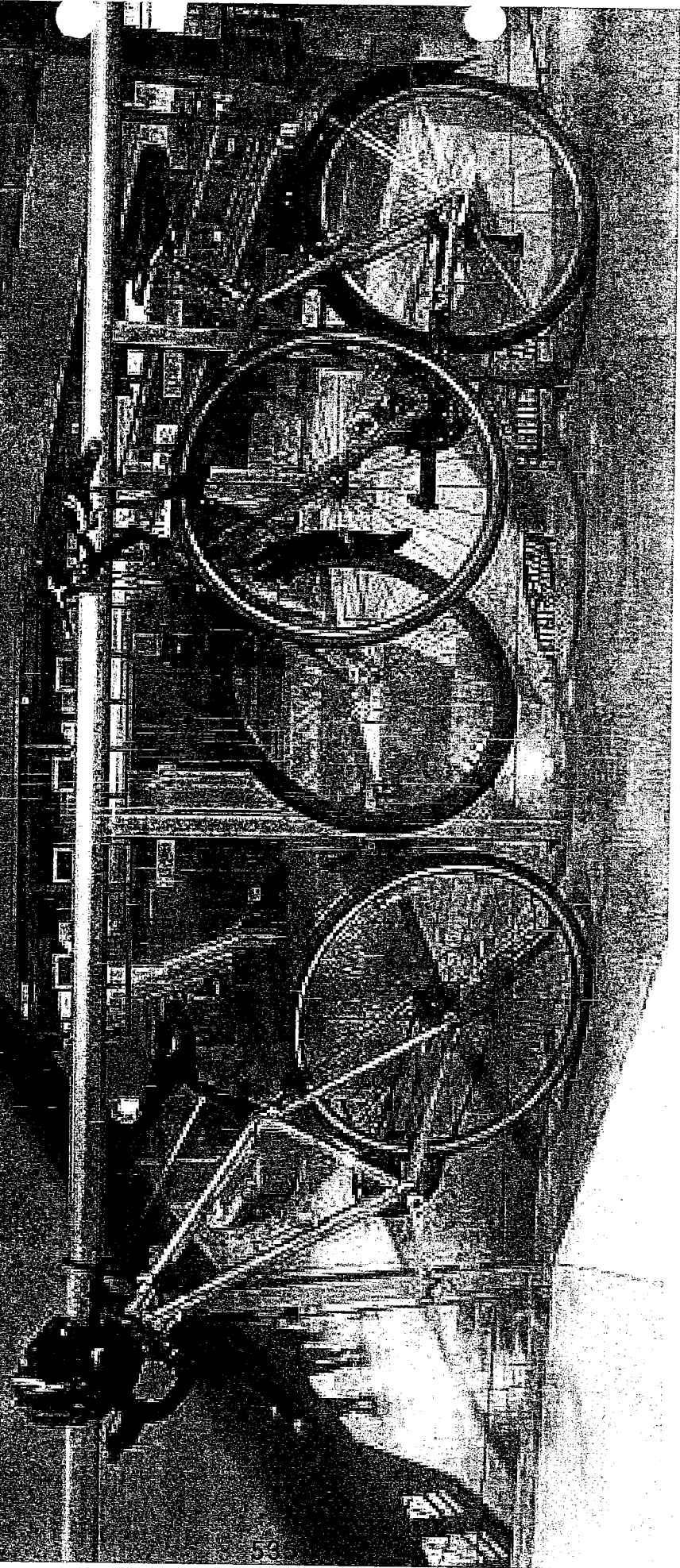
Incremental Regulations



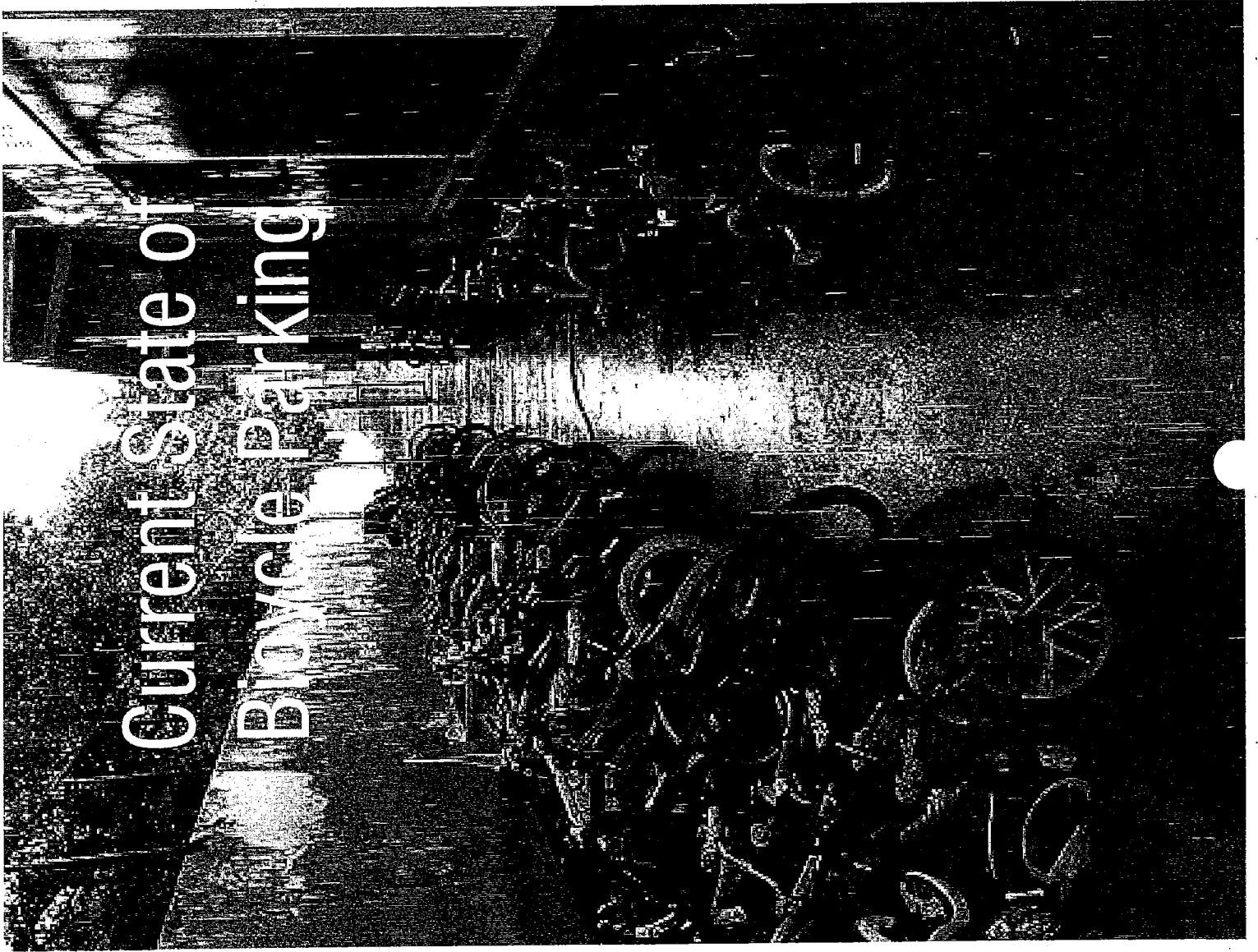
75,000 daily bike
trips with only over
3000 bike racks on
sidewalks



Current State of Bicycle Parking



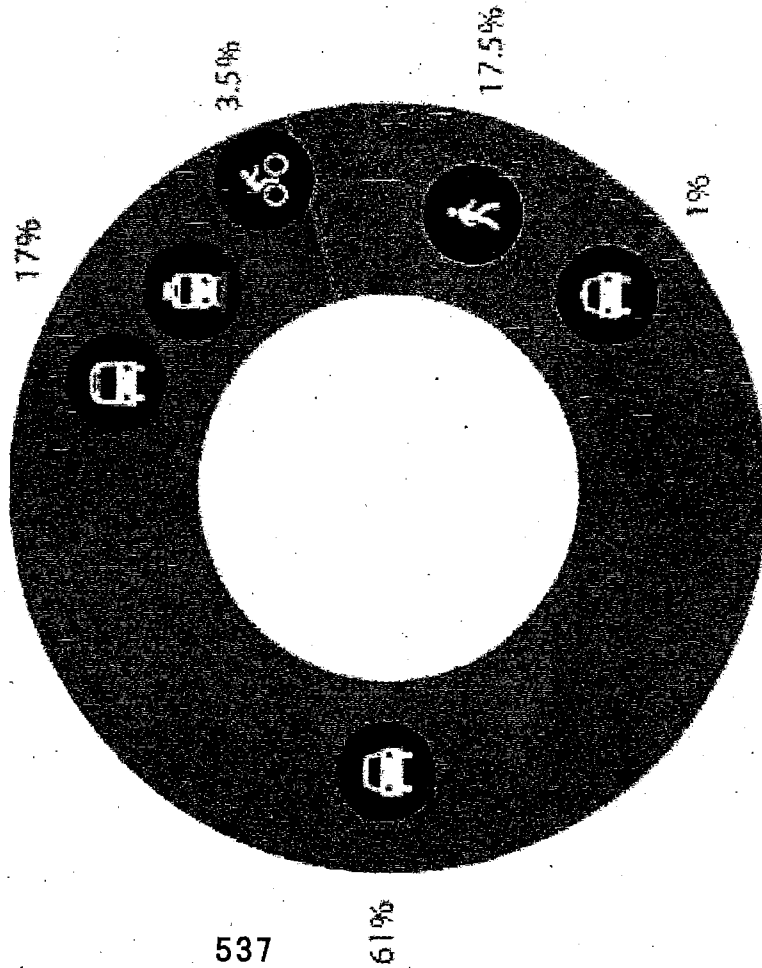
Current State of Bicycle Parking



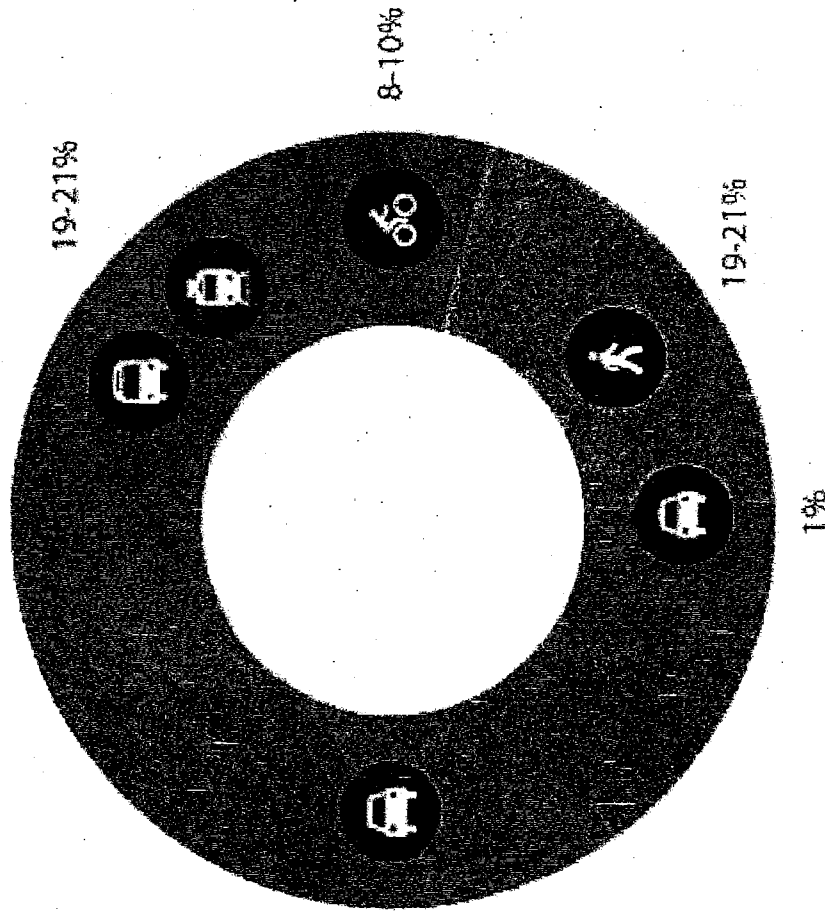


Most growth potential is from bicycles

All Trips 2010



2018 Goal



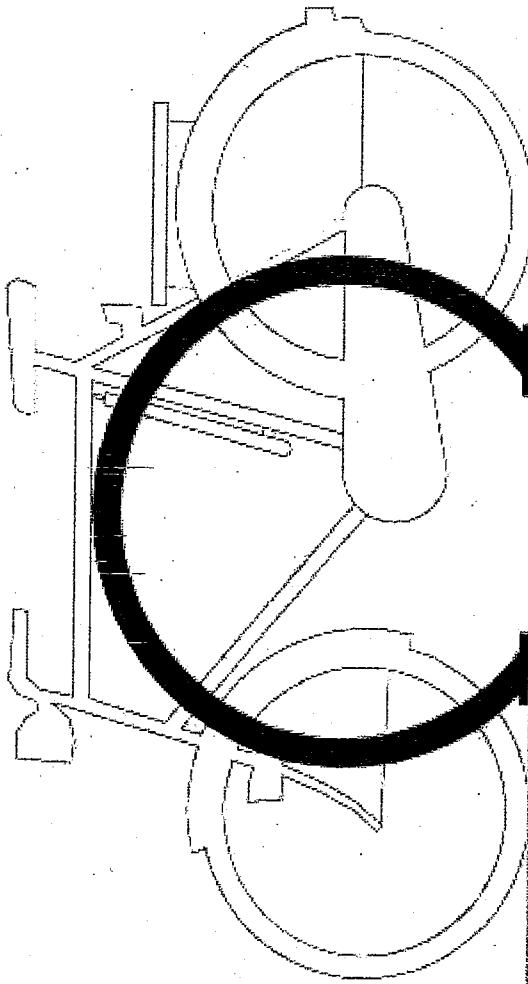
61% auto/39% non-auto

50% auto/50% non-auto

Bicycle capacity growth is complementary to transit

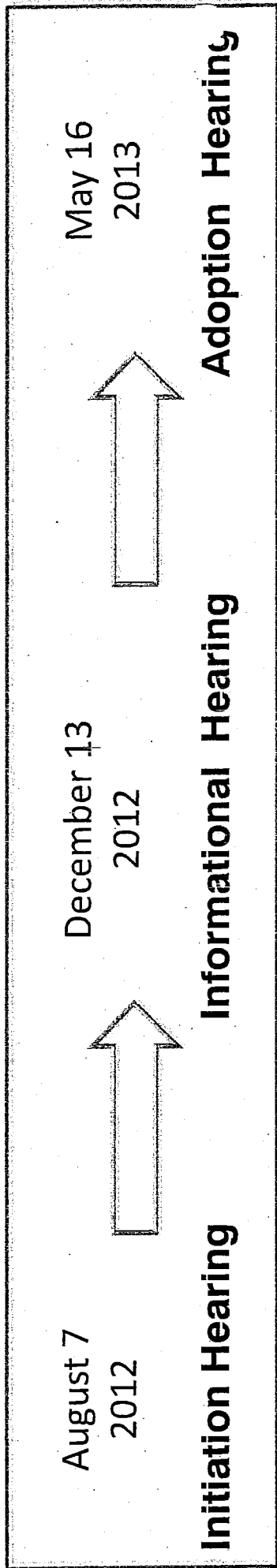


Photo courtesy: Sfbike.org



Bicycle Parking Requirements

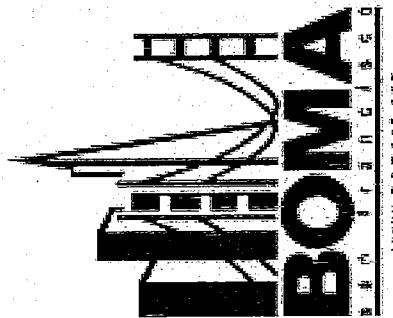
Outreach Process



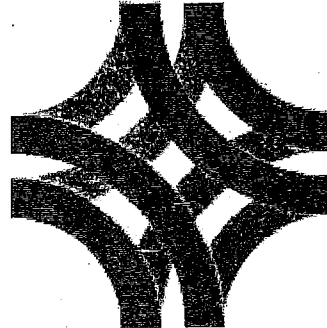
Real Estate Division



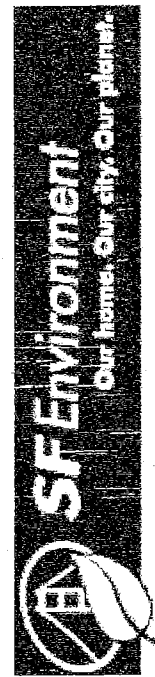
sfbike.org



RBA



SFMTA

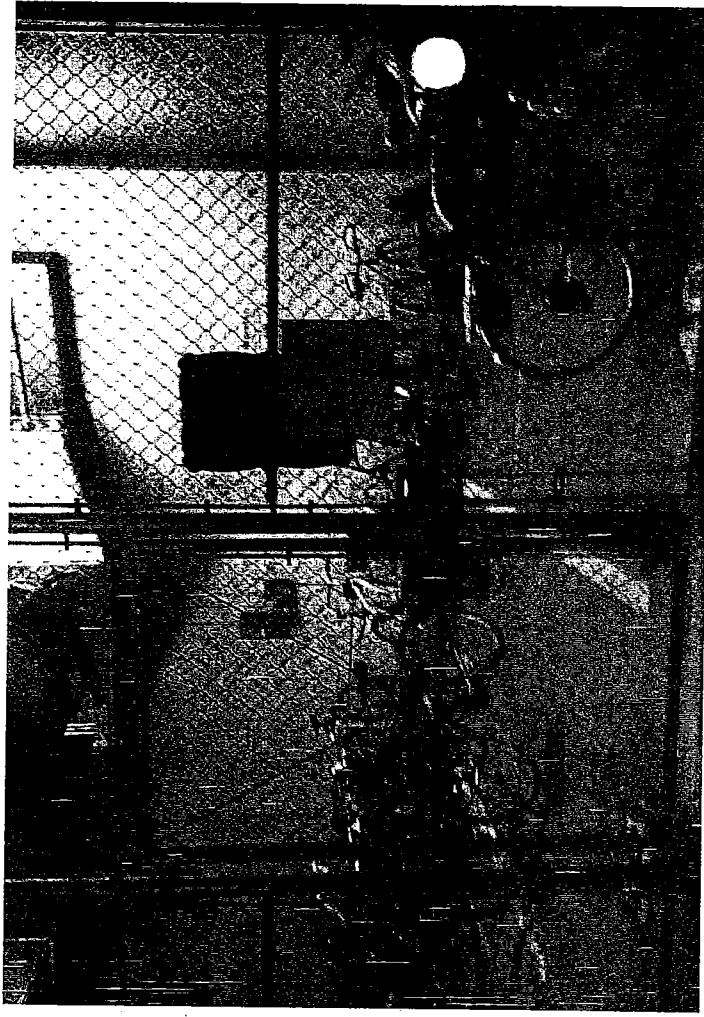


Bicycle Parking: Class One

Lockers



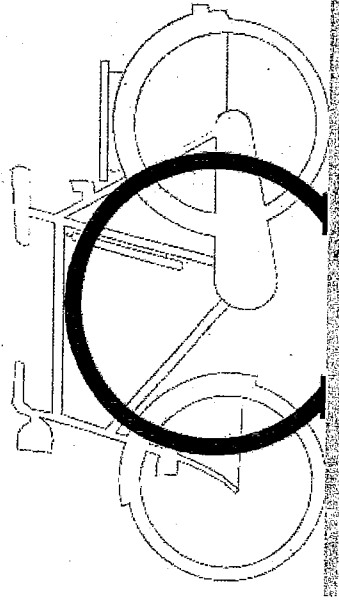
Cages or Locked Rooms



Bicycle Parking: Class Two



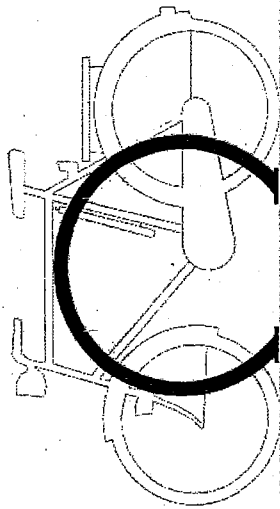
Triggers for



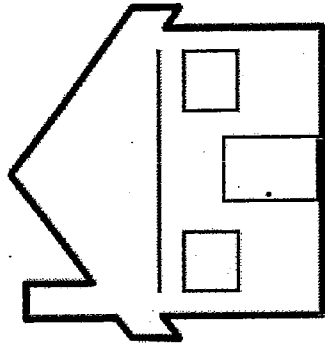
- New construction
- Addition of dwelling unit
- Increase in square footage by 20%
- Change of Use (when bicycle parking increase is $\geq 15\%$)
- Alteration when triggered per CalGreen by DBI
- Addition of automobile parking capacity
- Existing City-owned Buildings and garages

Residential Uses

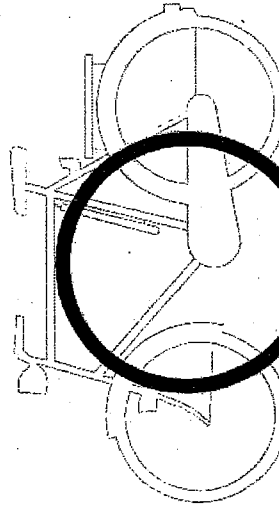
Buildings over 3 units:



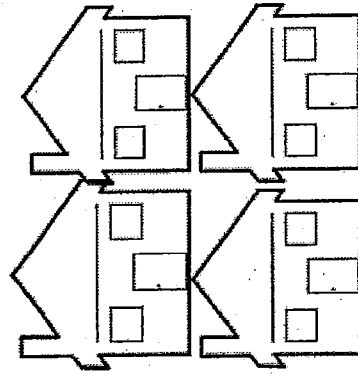
Per



Units over 100 in larger projects



Per



Commercial Use Categories

Existing

- Professional services
- Retail and hotel

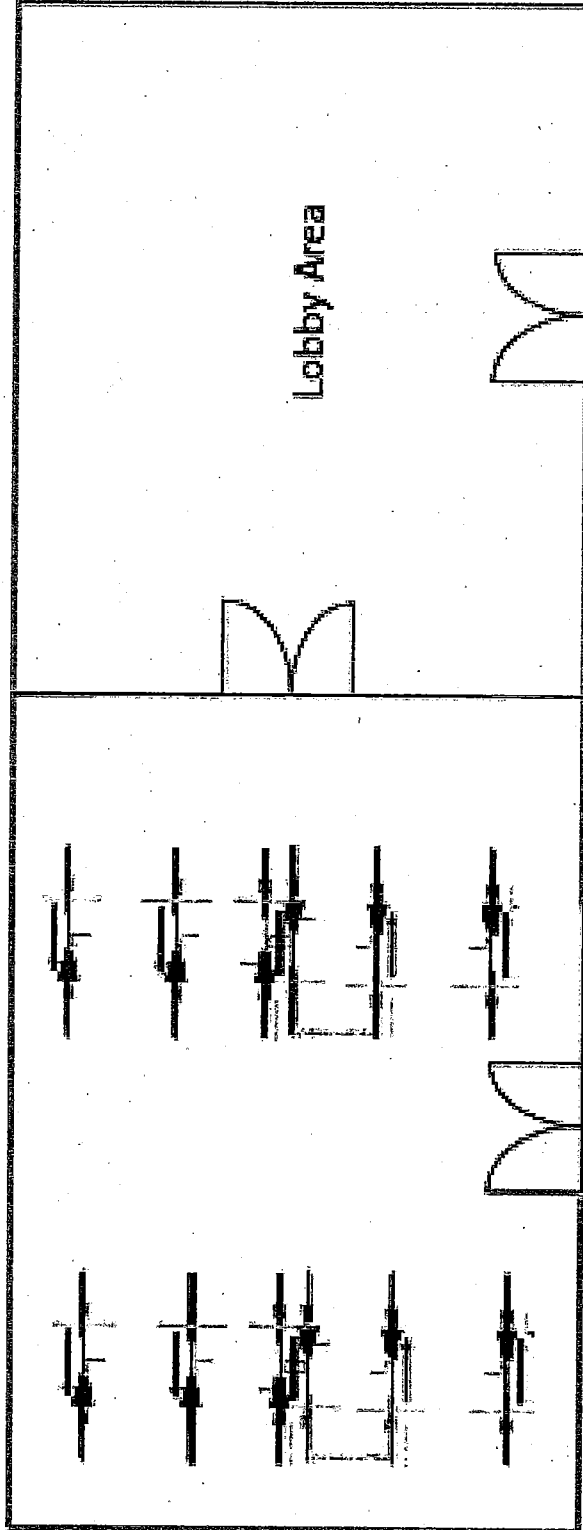
Proposed

- Retail Sales
- Personal Services and Restaurants
- Office
- Retail devoted to bulky merchandise
- Light manufacturing
- Hospitals (In-patient)
- Medical Offices (Out-Patient)

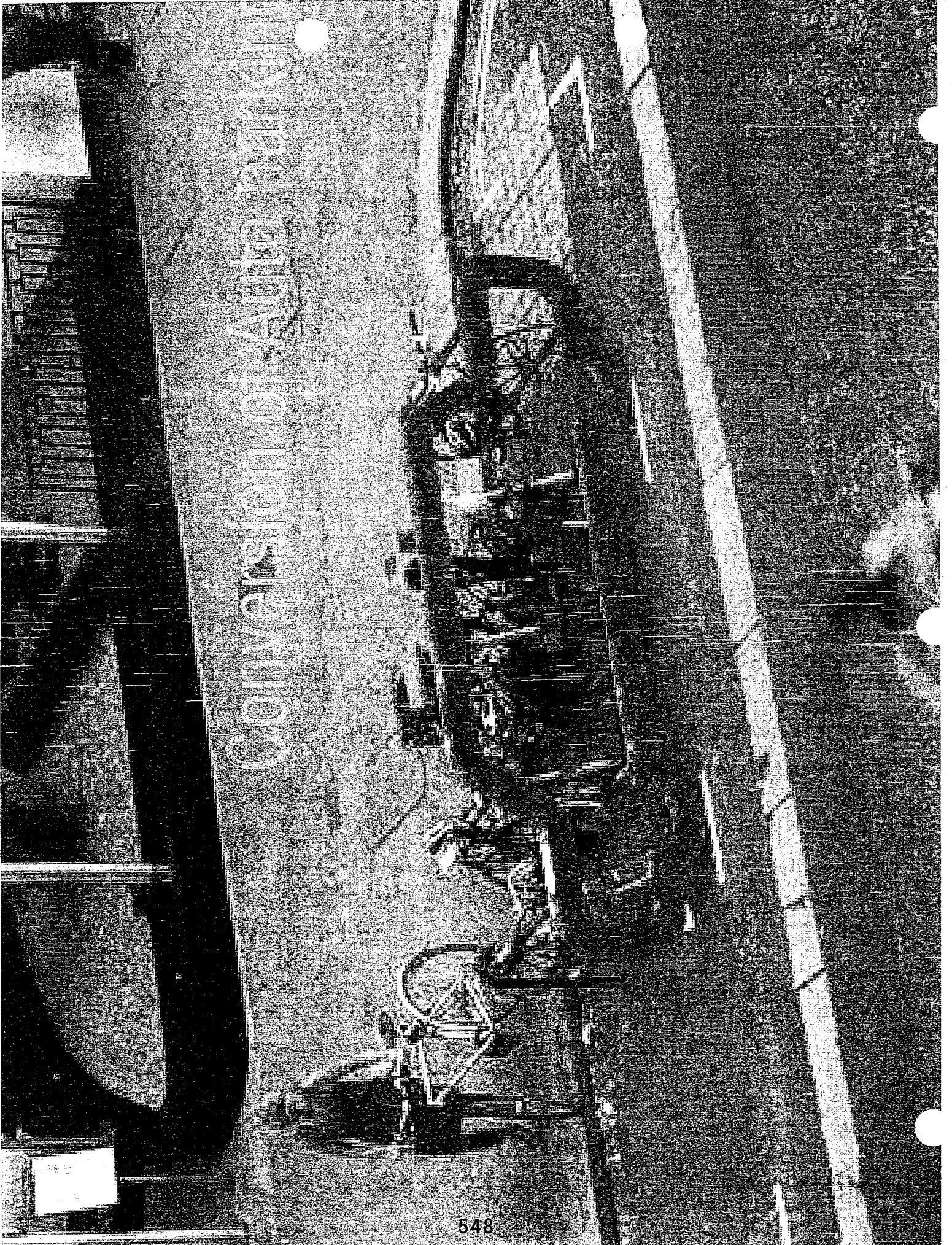
Before and After Requirements

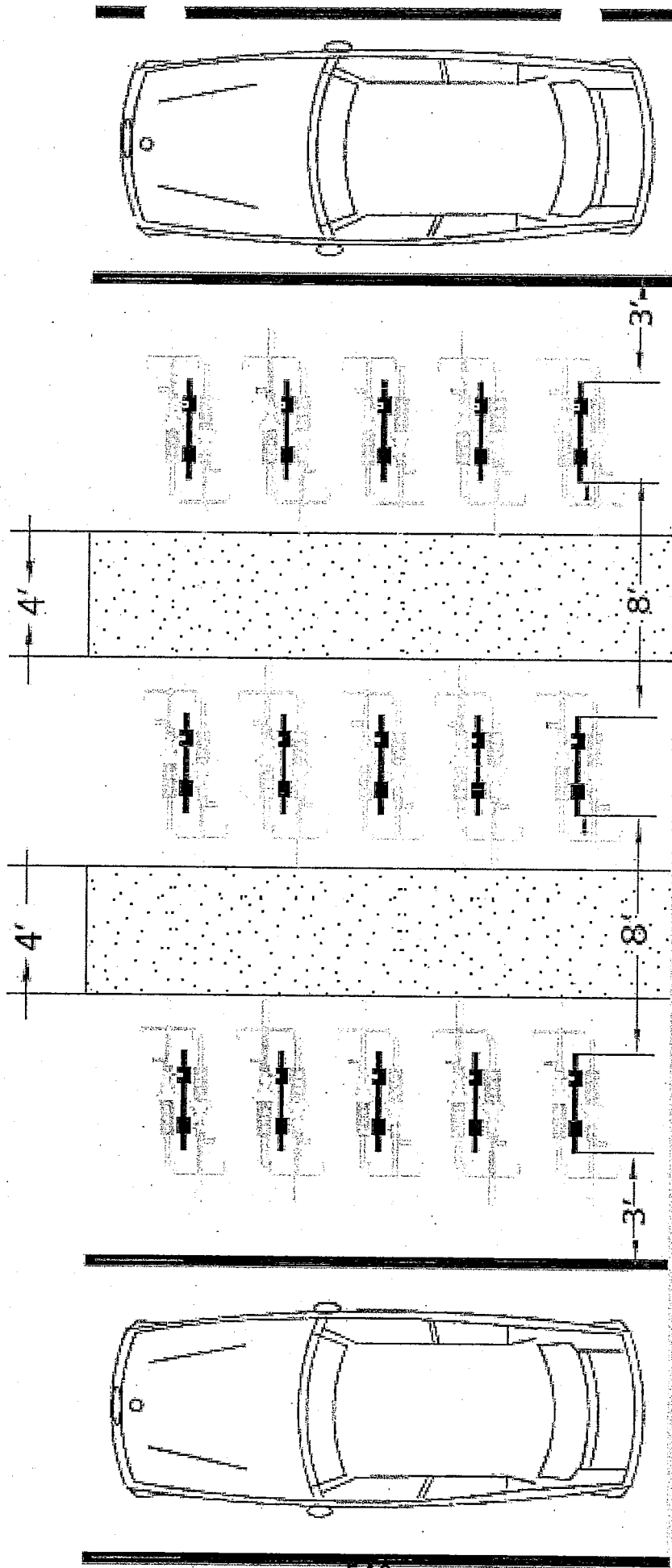
Use Example	Existing	Proposed
Grocery Store 30,000 sq. ft. (Ex. Whole Foods)	3 Class one or Class two spaces of any combination	4 Class One spaces and 12 Class Two spaces
Restaurant 25,00 sq. ft.	None	3 Class Two space
Medical Clinic (out patient) 10,000 sq. ft.	3 Class one or two spaces of any combination	2 Class One spaces and 4 Class Two
Office (100,000 Sq. ft.)	12 Class one or two spaces of any combination	20 Class one spaces and 2 Class Two spaces
Office (1,000,000 Sq. ft.)	12 Class one or two spaces of any combination	200 Class One Spaces and 22 Class Two Spaces

Location Preferences

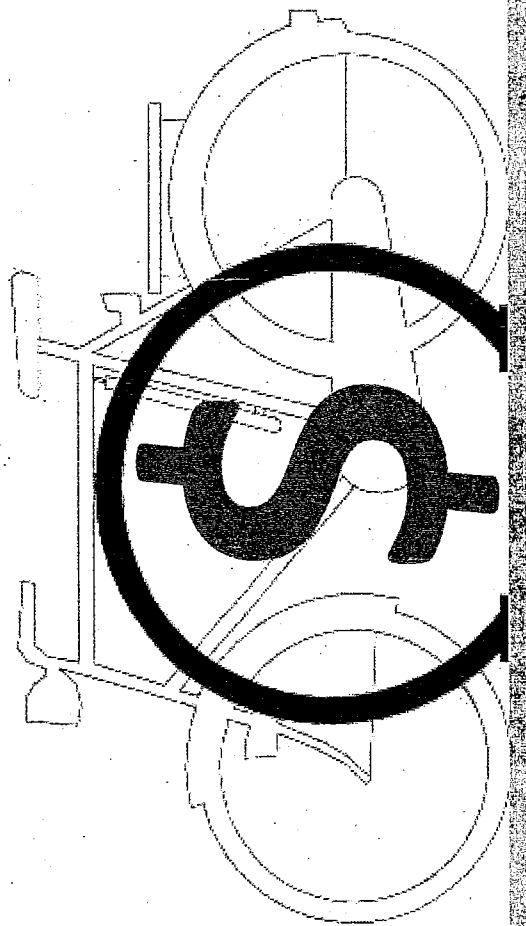


COMERSONO-AUTO TRAIN





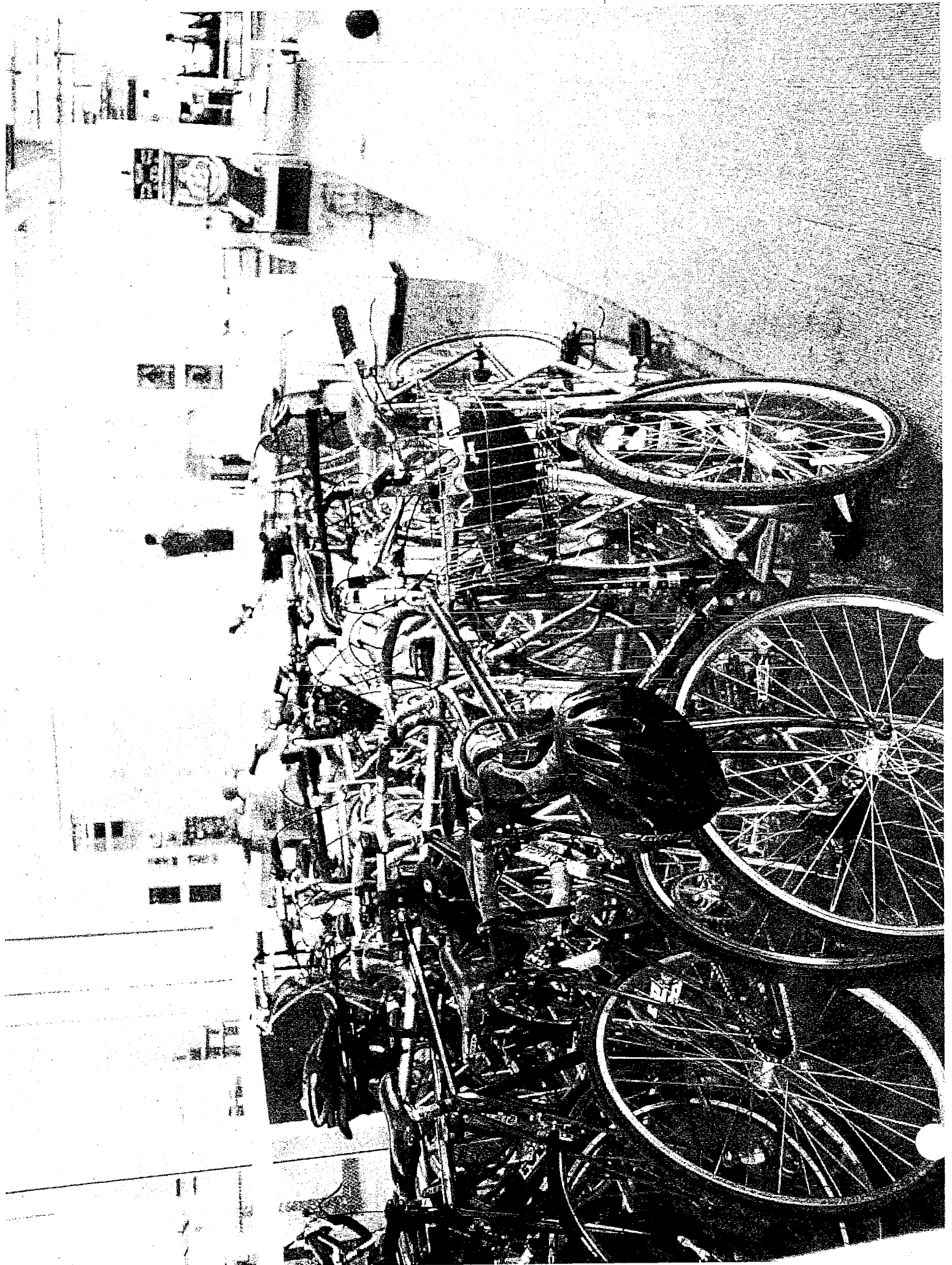
Bike Parking Fund

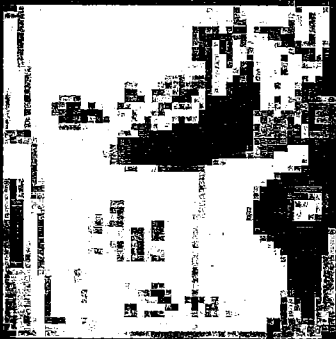


In lieu fee option for
Class 2 spaces
administered by SFMTA

Waivers and Variance

- Alternative locations for Class 1
- Temporary exemptions of City-owned and leased
- No variance for quantity of bicycle parking when car parking exists





mikeson
mikeson

WE NEED MORE

#DIPLOMACY @SHTHEDACT

FOR THE PEOPLE



From: John Bozeman [JohnB@boma.com]
Sent: Monday, July 15, 2013 1:19 PM
To: Chiu, David; Kim, Jane; Wiener, Scott
Cc: Haddadan, Kimia; Rodgers, AnMarie; Leah Shahum; Marc Caswell; Singa, Krute; Avalos, John; Hsieh, Frances; True, Judson; 'Karin Flood'; Miller, Alisa
Subject: BOMA San Francisco Commentary - Planning Code Amendments for Bicycle Parking (Agenda Item 130528)
Attachments: image001.jpg; image002.png; image003.png; image006.png; image005.png
Importance: High

Good afternoon honorable San Francisco Supervisors,

At today's Land Use and Economic Development Committee meeting, you will have the opportunity to consider Planning/Environment Code Amendments for Bicycle Parking - agenda item 130528. BOMA members were honored to work with San Francisco Planning/Environment Department staff – specifically **Kimia Haddadan** and **AnMarie Rodgers** – and our partners at the San Francisco Bicycle Coalition (SFBC) on this measure that will affect the way all property owners – including the City and County of San Francisco – administer bicycle parking on and adjacent to new buildings (details on applicability begin on page 26 of the ordinance)


BOMA San Francisco is a proponent of environmental stewardship and promotes the use of the bicycle as a transportation option in San Francisco. Indeed, this legislation includes the Tenant Bicycle Access in Existing Commercial Buildings law that our members worked on with the SFBC in 2011 and was signed into law in 2012. The members of our association also appreciate the efficient code amendments as provided in the latest draft proposal.

Please take note of the following concerns our members have regarding the implementation of these bicycle parking amendments:

- **References to no cost bicycle parking in the proposal.**
 - BOMA members ask that the commercial property owner and tenants negotiate the reasonable amount to charge for bicycle parking, if required, in an existing commercial building or parking garage. Based on BOMA member interactions with tenants, charging for bike parking will incentivize tenant employee cyclists to ride their bicycles to work and care for their bike investment (i.e., they won't want to damage their costly bicycle as well as the commercial property).
- **Applicability**
 - Planning Department staff suggested strongly that the new bicycle parking applicability and requirements in the proposal affect entitlements for new developments, **not existing buildings**. We respectfully insist that this be the case as the older building stock in San Francisco – a majority of our members – will have difficulty adhering to the new code requirements, if required.

Thank you for your time and kind consideration.

Respectfully,

John M. Bozeman 
 Manager, Government and Public Affairs
Building Owners and Managers Assoc. of San Francisco
 233 Sansome Street, 8th Floor
 San Francisco, CA 94104
 Cell: (415) 686-9652



Google+

From: Mary Miles [page364@earthlink.net]
Sent: Monday, July 15, 2013 10:56 AM
To: Miller, Alisa; Calvillo, Angela
Subject: Fw: PUBLIC COMMENT on "Bicycle Parking Ordinance"-File No.130528- July 15, 2013

----- Original Message -----

From: Mary Miles
To: John Avalos ; London Breed ; David Campos ; David Chiu ; Malia Cohen ; Mark Farrell ; Jane Kim ; Eric L. Mar ; Katy Tang ; Scott Wiener ; Norman Yee
Sent: Monday, July 15, 2013 10:53 AM
Subject: PUBLIC COMMENT on "Bicycle Parking Ordinance"-File No.130528- July 15, 2013

FROM:
Mary Miles (SB #230395)
Attorney at Law for Coalition for Adequate Review
364 Page St., #36
San Francisco, CA 94102
(415) 863-2310

TO:
San Francisco Board of Supervisors and its
Land Use Committee
City Hall
#1 Dr. Carlton B. Goodlett Pl.
San Francisco, CA 94102

DATE: July 15, 2013

BY E-MAIL

Re: Proposed "Bicycle Parking Ordinance"; Land Use Committee Meeting of July 15, 2013, File No.130528, Planning File No.: 2011.0397TM, Proposed "Bicycle Parking Ordinance" Amending the Planning and Environmental Codes

PUBLIC COMMENT, AGENDA ITEM ___: Proposed "Bicycle Parking Ordinance"

This is Public Comment on the proposed "Bicycle Parking Ordinance" at Agenda Item ___ on the Board of Supervisors Land Use Committee Agenda of July 15, 2013. Please place a copy of this Comment in all applicable Board and Committee files.

There has been no timely public notice of this hearing, in violation of the Brown Act, and the Sunshine Ordinance. There is *no* Agenda for this meeting on the Board's web site, and none has been available to this date. This Committee may therefore not "hear" or take action on this unnoticed item or any other.

The measures proposed require analysis under the California Environmental Quality Act ("CEQA") Pub.Res.Code §21000 *et seq.*, since they require removing parking, creating, increasing and expanding bicycle parking requirements in new and existing buildings, and other measures that may have significant effects on the environment, humans, land use, and public safety. The lead agency has incorrectly declared that this Project is exempt from CEQA. Further, the Project is an enhanced version of part of the Bicycle Plan, which remains enjoined.

1. The Bicycle Plan Project Remains Enjoined, and City Has Failed to Comply with the Order of the Court of Appeal.

The Bicycle Plan Project remains enjoined, and any actions to implement the Project or any part of it, including the "Bicycle Parking Ordinance" risk contempt proceedings against the City and each member of this Board. The proposed Ordinance on bicycle parking is clearly part of the Bicycle Plan, and the Court's orders apply to the proposed parking plan, since it is part of the Project.

Further, on January 14, 2013, the Court of Appeal invalidated City's previous actions approving the Bicycle Plan and City's Findings on the Project, and ordered remand to the San Francisco Superior Court for new proceedings in that court, including a new peremptory writ of mandate. This Board is without authority to further adopt or approve implementation of the Bicycle Plan Project or any part of it until those actions have been completed and a final Court determination of whether City has complied with a new writ and ultimately with CEQA.

2. There Has Been NO Legally Adequate Public Notice, and the Agency Files Have Not Been Provided to the Public.

As attorney of record for Petitioners on the referenced litigation, I have asked many times for public notice of any proceedings on the Bicycle Plan ("Project"). I did not receive any notice of this matter or the voluminous files on the legislation. After hearing about them elsewhere, I went to the office of the Clerk of the Board to view these files.

The packet and Board File No. 130528 produced on July 12, 2013 and the file on this proposed legislation exceed 500 pages, including a large volume of materials that require detailed review. Three days is not enough time to do that, precluding meaningful public input. Even if the packet had been available, complete, and accurate, three days is not adequate notice, since getting relevant files often requires a Public Records Act/Sunshine Ordinance Request and a trip to the Board of Supervisors' office to view the files. The lead agency (City's Planning Department) staff memoranda are a mish-mash with no coherent organization or relevance to the individual Agenda items.

The proposed "Bicycle Parking Ordinance" has received *no* environmental review. Lead agency (Planning Department) files in this case are voluminous-- several hundred pages of complicated materials, not including staff files and correspondence, and are incoherent.

An informed decisionmaking process requires the public to be informed to enable meaningful input to the Board, which requires adequate notice and availability of agency and public files.

Because public notice was not adequate, the Committee and the Board must continue this item until such notice and opportunity for public comment is provided.

The lead agency's disingenuous "Executive Summary" claims that "[s]ince the initiation hearing, the Department has reached out to and consulted with many stakeholders," but names only the San Francisco Bicycle Coalition and other interested parties, not the general public. (Summary, p.4.) There has been no *public* outreach, only preaching of, by, and for the Bicycle Coalition choir.

3. The Data in the Packet Is Not Objective or Accurate

The data in the packet on the CD produced by the lead agency on May 13, 2013, is not factual and lacks objectivity, having been manufactured by bicycling advocacy groups, and in fact conflicts with other data of City agencies and the United States census. For example, the "Bicycling in Context" graph in the document excerpt of "Draft SFMTA Bicycle Strategy" conflicts with the Metropolitan Transportation Authority's data, which states that bicycle facilities are the *least* cost-effective and beneficial transportation mode. Even City's latest data says that figure is 3.4% (not 3.7% as claimed) of trips in San Francisco are made by bicycle (the Bicycle Plan EIR says that number is 2.5%, while the San Francisco County Transportation Authority's *Countywide Transportation Plan* states that it is less than one percent).

Your duty is to represent the entire City and all its residents, not a tiny local minority. The vast majority of residents and visitors do not choose bicycling as a transportation mode and need parking, which is already in short supply. The information in the packet is misleading and inaccurate.

4. The Proposed Ordinance Allows Removing Parking for Automobiles to Create Parking for Bicycles, Which Will Have Significant Impacts On the Environment.

The proposed bicycle parking plan reduces parking for automobiles to "fulfill[] bicycle parking requirements." (See, *e.g.*, Proposed secs. 155.1(d); 155.2(b).) Reducing parking for automobiles worsens a citywide parking shortage, requiring analysis and mitigation under CEQA, which has not occurred.

5. The Project Requires Bicycle Parking in Public Right-of-Ways and Open Space, Which Will Have Significant Impacts On the Environment.

The proposed bicycle parking plan demands that a **minimum of 5%** of automobile parking be allocated for bicycles in all private and public buildings regardless of size for new and existing buildings (proposed sec. 155.2(b)(1), Table 155.2, sec.153 [all buildings owned, leased or purchased by the City and all City-owned parking garages]); requires the same number per unit of parking spaces for bicycles as for other vehicles (proposed sec.155.2(b)(3)); allows bicycle parking in public right-of-ways, open space, and other areas allocated for general use by the public and residents, not for parking bicycles (*e.g.*, proposed sec.155.1(b); requires privileges such as covered, secured parking, proximity to entryways and elevators not required for other types of vehicles, personal lockers, storage, and even attended parking facilities; and requires shower facilities and lockers for offices, schools, medical facilities, libraries, museums, and business (proposed sec. 155.4) (Please note that "proposed sec." numbers in this Comment refer to proposed Planning Code Amendment sections.)

Infringing on open space and public right-of-ways may have significant impacts on the environment, including on open space, public safety, access and emergency services, and requires analysis and mitigation in an Environmental Impact Report under CEQA.

These provisions also cause impacts on accessibility, public safety and emergency services and also violate building, fire, and other codes. The Project demands all of the above at *no* charge to drivers of bicycles.

The notion that bicyclists should be allowed to *drive bicycles inside parking facilities* or spaces where other users walk is clearly a safety hazard that should not be allowed. Bicyclists are notorious for reckless behavior and for disobeying laws that protect pedestrians and others, having killed three pedestrians in San Francisco in the past two years.

6. The Proposal that Bicycle Parking Is an "Active Use" Violates CEQA and Requires that *All* Parking Must Be Legislated as an "Active Use."

The proposed bicycle parking plan claims that "bike users feel safe when parking their bikes in a highly visible and well lit facility" and "prefer easy access to the facility as opposed to needing to walk their bikes for a long time, or carry their vehicle up or down the stairs." Thus, the lead agency memo's "Executive Summary" (p.8) claims, "A space near the lobby of buildings can accommodate" these desires, and that, "The proposed Ordinance would incentivize designating a space near lobby area for bicycle parking by including bicycle parking in the Active Use definition, Section 145 of the Planning Code," which would allow such building developers to "count the bicycle parking space as space eligible for a five foot height bonus in certain zoning districts of the City." The Summary would allow such "combined lobby and bicycle parking space frontage to 40 feet or 25% of the lot frontage, whichever is larger" and "requires a direct entrance from the sidewalk into the bicycle parking facility, as well as visibility of the space through window openings."

Use of building lobbies for parking is an infringement on public space and safety. Further, there is no provision for maintaining and cleaning of such an area. Parking of any other vehicle, including cars, must also be designed for safety, convenience, and user preferences for "easy access" to buildings. The safety of drivers is no less important than that of bicyclists.

It is unclear whether the later version of the proposed ordinance contains the above provision, but if it does, we renew the foregoing objections to it.

7. The Claimed Exemptions from CEQA Do Not Apply.

The previously claimed (March, 2013) exemption under 14 Cal. Code Regs. ["Guidelines"] sec. 15060(c)(3) does not apply to this proposed part of the Bicycle Plan Project, because it proposes removing existing parking spaces, and proposes infringing on public open space and other public space, creating adverse impacts on the environment that require analysis and mitigation under CEQA.

The claimed exemption under Guidelines sec.15273 does not apply to this proposed plan, which is *not* about tolls or fares, since the plan proposes removing vehicle parking and open space to create bicycle parking at *no* cost to bicyclists. Removing parking causes direct and "secondary" impacts on the environment and is not exempt from CEQA review but requires analysis and mitigation in an EIR. (See, *e.g.*, *Taxpayers for Accountable School Bond Spending v. San Diego Unified School Dist.* (2013) 215 Cal.App.4th 1013, 1050-1052.) Further, the Court has already told the City, including this body, that the City may not create exemptions for parts of the Bicycle Plan. Under CEQA, an exemption must apply to the whole Project, not just a part of it.

8. The Previous EIR Did Not Analyze the Proposed "Bicycle Parking" plan as Falsely Claimed.

Contrary to the false statement in the lead agency's staff report "Executive Summary" (p.10), the 2009 EIR on the Project *did not* analyze the impacts of the proposed "Bicycle Parking ordinance." The proposed plan will clearly cause parking impacts, human impacts, and public safety impacts. Since a fair argument exists that the proposal will have significant impacts that have not been analyzed and mitigated, City must prepare a supplemental environmental impact report to identify and mitigate those impacts. (See, *e.g.*, *Taxpayers for Accountable School Bond Spending v. San Diego Unified School Dist.*, *supra*, 215 Cal.App.4th at pp. 1050-1052.)

Until the City has done a supplemental or new environmental impact report and mitigated the impacts of the proposed Bicycle Parking ordinance part of the Bicycle Plan Project and has achieved compliance with CEQA, the proposed ordinance must be rejected. The Planning Commission and lead agency need to use their discretion to stop measures that benefit minority special interests against the interests and safety of the vast majority, such as the proposed Project.

Mary Miles
Attorney at Law

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

NOTICE OF PUBLIC HEARING

LAND USE AND ECONOMIC DEVELOPMENT COMMITTEE

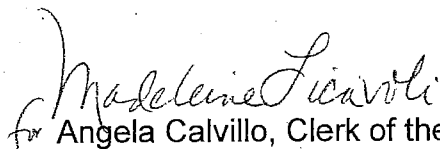
SAN FRANCISCO BOARD OF SUPERVISORS

NOTICE IS HEREBY GIVEN THAT the Land Use and Economic Development Committee will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

- Date:** Monday, July 15, 2013
- Time:** 1:30 p.m.
- Location:** Committee Room 263, located at City Hall
1 Dr. Carlton B. Goodlett Place, San Francisco, CA
- Subject:** **File No. 130528.** Ordinance amending the Planning Code to revise the bicycle parking standards, allow a portion of the bicycle parking requirements to be satisfied by payment of an in lieu fee, allow automobile parking spaces to be reduced and replaced by bicycle parking spaces, and authorize the Zoning Administrator to waive or modify required bicycle parking; amending the Environment Code to revise cross-references to the Planning Code and make technical amendments; and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1.

If the legislation passes, project sponsors could elect to pay a Bicycle Parking In Lieu Fee to satisfy some or all of the requirements to provide Class 2 bicycle parking. Sponsors may elect to satisfy up to 50 percent of the requirement by paying an in lieu fee if no more than 20 spaces are satisfied through the in lieu payment; up to 100 percent of the requirement could be satisfied if four or fewer spaces are required; or the in lieu fee shall be paid for all spaces when the Zoning Administrator issues a waiver or variance under specified circumstances. The fee shall be \$400 per Class 2 parking space to be collected by the Department of Building Inspection and administered by the Municipal Transportation Agency. Monies collected shall be deposited into the Bicycle Parking Fund and used solely to install and maintain bicycle parking in areas of the City that have inadequate public short-term bicycle facilities.

In accordance with San Francisco Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments to the City prior to the time the hearing begins. These comments will be made a part of the official public record and shall be brought to the attention of the Members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton Goodlett Place, San Francisco CA 94102. Information relating to the proposed fee is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on Friday, July 12, 2013.


for Angela Calvillo, Clerk of the Board

DATED: June 27, 2013
POSTED: June 28, 2013
PUBLISHED: July 1 & 8, 2013

CALIFORNIA NEWSPAPER SERVICE BUREAU

DAILY JOURNAL CORPORATION

Mailing Address : 915 E FIRST ST, LOS ANGELES, CA 90012
Telephone (213) 229-5300 / Fax (213) 229-5481
Visit us @ WWW.LEGALADSTORE.COM

Alisa Miller
S.F. BD OF SUPERVISORS (OFFICIAL NOTICES)
1 DR CARLTON B GOODLETT PL #244
SAN FRANCISCO, CA 94102

COPY OF NOTICE

Notice Type: GPN GOVT PUBLIC NOTICE
Ad Description AM - 07.15.13 Land Use - 130528 Fee Ad

To the right is a copy of the notice you sent to us for publication in the SAN FRANCISCO EXAMINER. Thank you for using our newspaper. Please read this notice carefully and call us with ny corrections. The Proof of Publication will be filed with the County Clerk, if required, and mailed to you after the last date below. Publication date(s) for this notice is (are):

07/01/2013 , 07/08/2013

The charge(s) for this order is as follows. An invoice will be sent after the last date of publication. If you prepaid this order in full, you will not receive an invoice.

Publication	\$697.64
NetTotal	\$627.88

Daily Journal Corporation

Serving your legal advertising needs throughout California. Call your local

BUSINESS JOURNAL, RIVERSIDE	(951) 784-0111
DAILY COMMERCE, LOS ANGELES	(213) 229-5300
LOS ANGELES DAILY JOURNAL, LOS ANGELES	(213) 229-5300
ORANGE COUNTY REPORTER, SANTA ANA	(714) 543-2027
SAN DIEGO COMMERCE, SAN DIEGO	(619) 232-3486
SAN FRANCISCO DAILY JOURNAL, SAN FRANCISCO	(800) 640-4829
SAN JOSE POST-RECORD, SAN JOSE	(408) 287-4866
THE DAILY RECORDER, SACRAMENTO	(916) 444-2355
THE INTER-CITY EXPRESS, OAKLAND	(510) 272-4747

EXM 2504137

NOTICE OF PUBLIC HEARING LAND USE AND ECONOMIC DEVELOPMENT COMMITTEE SAN FRANCISCO BOARD OF SUPERVISORS MONDAY, JULY 15, 2013 - 1:30 PM COMMITTEE ROOM 263, CITY HALL 1 DR. CARLTON B. GOODLETT PLACE, SAN FRANCISCO, CA

NOTICE IS HEREBY GIVEN THAT the Land Use and Economic Development Committee will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard: File No. 130528. Ordinance amending the Planning Code to revise the bicycle parking standards, allow a portion of the bicycle parking requirements to be satisfied by payment of an in lieu fee, allow automobile parking spaces to be reduced and replaced by bicycle parking spaces, and authorize the Zoning Administrator to waive or modify required bicycle parking; amending the Environment Code to revise cross-references to the Planning Code and make technical amendments; and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1. If the legislation passes, project sponsors could elect to pay a Bicycle Parking in Lieu Fee to satisfy some or all of the requirements to provide Class 2 bicycle parking. Sponsors may elect to satisfy up to 50 percent of the requirement by paying an in lieu fee if no more than 20 spaces are satisfied through the in lieu payment; up to 100 percent of the requirement could be satisfied if four or fewer spaces are required; or the in lieu fee shall be paid for all spaces when the Zoning Administrator issues a waiver or variance under specified circumstances. The fee shall be \$400 per Class 2 parking space to be collected by the Department of Building Inspection and administered by the Municipal Transportation Agency. Monies collected shall be deposited into the Bicycle Parking Fund and used solely to install and maintain bicycle parking in areas of the City that have inadequate public short-term bicycle facilities. In accordance with San Francisco

Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments to the City prior to the time the hearing begins. These comments will be made a part of the official public record and shall be brought to the attention of the Members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton Goodlett Place, San Francisco CA 94102. Information relating to the proposed fee is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on Friday, July 12, 2013, Angela Calvillo, Clerk of the Board



* A 0 0 0 0 0 3 1 2 1 3 3 6 *

Miller, Alisa

From: Caldeira, Rick
Sent: Thursday, June 06, 2013 3:53 PM
To: Miller, Alisa
Subject: Fwd: Supervisor Avalos would like to sponsor 130527 and 130528

Please review and process accordingly.

Begin forwarded message:

From: "Pollock, Jeremy" <jeremy.pollock@sfgov.org>
Date: June 6, 2013, 3:45:40 PM PDT
To: "Caldeira, Rick" <rick.caldeira@sfgov.org>
Cc: BOS Legislation <bos.legislation@sfgov.org>
Subject: Supervisor Avalos would like to sponsor 130527 and 130528

Hi Rick,

Supervisor Avalos would like to sponsor ordinances 130527 and 130528, which were introduced by the Planning Department. Can you tell me what the process is for that? Do you need anything else from us?

Thanks,
Jeremy

Jeremy Pollock
Legislative Aide
Supervisor John Avalos
1 Dr. Carlton B. Goodlett Place, Room 273
San Francisco, CA 94102
(415) 554-7910 direct
(415) 554-6975 office
(415) 554-6979 fax
jeremy.pollock@sfgov.org

Print Form

Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee.
An ordinance, resolution, motion, or charter amendment.
- 2. Request for next printed agenda without reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [] inquires"
- 5. City Attorney request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. ~~1300363~~ 130528
- 9. Request for Closed Session (attach written motion).
- 10. Board to Sit as A Committee of the-Whole.
- 11. Question(s) submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission Youth Commission Ethics Commission
- Planning Commission Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative

Sponsor(s):

Supervisor John Avalos

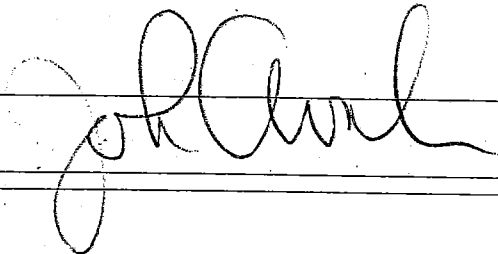
Subject:

Ordinance - Planning, Environment Codes - Bicycle Parking, In Lieu Fee

The text is listed below or attached:

[Empty box for text listing]

Signature of Sponsoring Supervisor: _____



For Clerk's Use Only:

