

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 ~~strike-through 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 ½ 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 ~~(c) **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(c)(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(c). 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(c), 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**

	Minimum Number of Bicycle Parking Spaces Required
<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>

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.

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

Table 155.2

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>

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

1			<u>space for each additional 50,000</u>
2			<u>occupied square feet.</u>
3	<u>.15</u>	<u>Retail Sales,</u>	<u>One Class 1 space for every</u>
4		<u>including</u>	<u>7,500 square feet of occupied</u>
5		<u>grocery stores</u>	<u>floor area,</u>
6			<u>Minimum two spaces. One Class</u>
7			<u>2 space for every 2,500 sq. ft. of</u>
8			<u>occupied floor area For uses</u>
9			<u>larger than 50,000 gross square</u>
10	<u>.16</u>	<u>Personal</u>	<u>One Class 1 space for every</u>
11		<u>Services,</u>	<u>7,500 square feet of occupied</u>
12		<u>Financial</u>	<u>floor area.</u>
13		<u>Services,</u>	<u>Minimum two spaces. One Class</u>
14		<u>Restaurants,</u>	<u>2 space for every 750 square feet</u>
15		<u>Limited</u>	<u>of occupied floor area.</u>
16		<u>Restaurants and</u>	
17		<u>Bars</u>	
18	<u>.17</u>	<u>Retail space</u>	<u>Minimum two spaces. One</u>
19		<u>devoted to the</u>	<u>Class 1 space for every 15,000</u>
20		<u>handling of</u>	<u>square feet of occupied floor</u>
21		<u>bulky</u>	<u>area,</u>
22		<u>merchandise</u>	<u>Minimum two spaces. One Class</u>
23		<u>such as motor</u>	<u>2 space for every 10,000 square</u>
24		<u>vehicles,</u>	<u>feet of occupied floor area.</u>
25		<u>machinery or</u>	

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	<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>

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

1			<u>5,000 square feet of occupied</u>
2			<u>floor area of conference, meeting</u>
3			<u>or function rooms.</u>
4	<u>.26</u>	<u>Self-Storage,</u>	<u>None.</u>
5		<u>Warehouse,</u>	
6		<u>Greenhouse or</u>	
7		<u>Nursery (Non-</u>	
8		<u>Retail)</u>	
9	<u>.27</u>	<u>Light</u>	<u>Minimum of two spaces.</u>
10		<u>Manufacturing,</u>	<u>Four Class 2 spaces for any use</u>
11		<u>Wholesale</u>	<u>larger than 50,000 gross square</u>
12		<u>Sales, Trade</u>	<u>feet.</u>
13		<u>Shop, Catering</u>	
14		<u>Service,</u>	
15		<u>Business Goods</u>	
16		<u>and Equipment</u>	
17		<u>Repair,</u>	
18		<u>Business</u>	
19		<u>Service,</u>	
20		<u>Laboratory,</u>	
21		<u>Integrated</u>	
22		<u>PDR, Small</u>	
23		<u>Enterprise</u>	
24		<u>Workspace,</u>	
25		<u>Greenhouse or</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>	<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> <u>-Two showers and 12 clothes lockers where the occupied floor area exceeds 20,000</u>

<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>

13
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 ~~155.5~~155.2 **Bicycle Parking.** Bicycle parking requirements
25 under Section ~~155.5~~155.2 shall not apply.

1 (+) (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)(j) 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~~Waiver~~ **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

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