

FILE NO. 980564

ORDINANCE NO. 343-98

1 [Bicycle Transit Enhancement Plan]
2 AMENDING PART II, CHAPTER XI, OF THE SAN FRANCISCO MUNICIPAL CODE
3 (TRAFFIC CODE), BY ADDING ARTICLE 5B, SECTION 110, TO PROTECT THE
4 INTEGRITY OF EXISTING BICYCLE FACILITIES AND SECTION 38N TO PROHIBIT
5 PARKING IN BICYCLE LANES, BY AMENDING SECTION 3.14 TO CONFORM TO THE
6 STATE VEHICLE CODE DEFINITION OF BICYCLE AND SECTION 4 TO CONFORM TO
7 STATE VEHICLE CODE PROVISIONS REGARDING THE RIGHTS AND DUTIES OF
8 BICYCLE RIDERS; AMENDING PART I OF THE SAN FRANCISCO MUNICIPAL CODE
9 (ADMINISTRATIVE CODE) BY ADDING SECTION 2.76 TO CHAPTER 2 TO AUTHORIZE
10 MONITORED BICYCLE PARKING AT LARGE PUBLIC EVENTS; AMENDING PART II,
11 CHAPTER II, OF THE SAN FRANCISCO MUNICIPAL CODE (PLANNING CODE), BY
12 AMENDING ARTICLE 1.5 BY AMENDING SECTION 155 TO CLARIFY THAT ANY
13 BICYCLE PARKING REQUIREMENTS UNDER THAT SECTION WILL NOT CONFLICT WITH
14 SECTIONS 155.1 AND 155.2, BY AMENDING SECTION 155.1 TO CLARIFY
15 DEFINITION AND OBLIGATIONS OF RESPONSIBLE CITY OFFICIAL AND LANDLORD
16 AND DELETING OBSOLETE IMPLEMENTATION SCHEDULE PROVISIONS, BY ADDING
17 SECTION 155.2 TO REQUIRE BICYCLE PARKING IN CITY-OWNED PARKING
18 FACILITIES AND PRIVATELY-OWNED PARKING GARAGES AND ADDING SECTION
19 155.3 TO REQUIRE SHOWER AND LOCKER FACILITIES IN NEW BUILDINGS AND
20 BUILDINGS UNDERGOING MAJOR RENOVATIONS, AND BY MAKING FINDINGS OF
21 CONSISTENCY WITH THE PRIORITY POLICIES OF PLANNING CODE SECTION 101.1;
22 AND REPEALING TRAFFIC CODE SECTIONS 97 AND 99.

23 **Note:** Unless otherwise indicated, additions are
24 underlined; deletions are in ((double
parentheses)).

25 Be it ordained by the People of the City and County of San Francisco:
SUPERVISOR_y KATZ, BIERMAN, MEDINA, AMMIANO, YAKI, LENO, NEWSOM, BROWN
BOARD OF SUPERVISORS

1 Section 1. The San Francisco Traffic Code is hereby amended
2 by adding Article 5B and Section 38N thereto, and by amending Section
3 3.14 and Section 4 thereof to read as follows:

4
5 ARTICLE 5B. PROTECTION OF BICYCLE FACILITIES.

6 SEC. 110. Protection of Existing Bicycle Facilities.

7 (a) The following activities are prohibited unless the
8 Board of Supervisors expressly grants prior approval:

9 (1) the narrowing of right hand travel lanes with
10 parking, including turn lanes to less than twenty-two (22)
11 feet or the narrowing of right hand travel lanes without
12 parking, including turn lanes to less than fourteen (14)
13 feet;

14 (2) the narrowing or elimination of any bicycle
15 lanes;

16 (3) the narrowing or removal of bicycle paths; or

17 (4) the addition of traffic lanes, except where such
18 lanes consist of left or right turn pockets.

19 (b) This Section only applies to the streets, lanes and
20 paths on the City's official bicycle route system as
21 defined in the most recent update of the Transportation
22 Element of the San Francisco Master Plan.

1 (c) This Section shall not apply to construction zones
2 involving temporary changes to lane widths or lane
3 configurations.

4
5 SEC. 38N. PARKING IN BICYCLE LANES PROHIBITED; FINES.

6 (a) No person shall park any vehicle such that any portion
7 of the vehicle is within a marked bicycle lane. No person shall
8 block any portion of a marked bicycle lane with his or her
9 vehicle on weekdays from the hours of 7am to 9am and from 4pm to
10 6pm. Any person violating this Section shall be subject to a
11 fine of \$100.00. The Department of Parking and Traffic may
12 install signs or otherwise alert motorists of this prohibition
13 and the fine.

14 (b) This section shall not apply to vehicles engaged in
15 emergency services including, but not limited to, fire engines,
16 police vehicles and ambulances.

17 (c) This section shall not apply to public utility
18 vehicles while such vehicles are operating, maintaining, or
19 repairing facilities of the public utility or are being used in
20 connection with providing public utility service.

21 (d) This section shall not apply to commercial vehicles if
22 an exemption is reasonably necessary to load or unload
23 merchandise or passengers at any hours except between 7am and
24 9am and between 4pm and 6pm.

1 SEC. 3.14. BICYCLE. ((A vehicle having two wheels set
2 tandem, propelled by human power applied through pedals, and
3 designed for seating and carrying one or more persons, the
4 number being determined by the number of seats built onto the
5 vehicle by the manufacturer therefore.)) The bicycle is defined
6 as a device upon which any person may ride, propelled
7 exclusively by human power through a belt, chain, or gears, and
8 having one or more wheels.

9
10 SEC. 4. TRAFFIC LAWS TO APPLY TO PERSON RIDING BICYCLES OR
11 ANIMALS. Every person ((riding a bicycle or)) riding or driving
12 an animal upon a highway is subject to the provisions of this
13 Code applicable to the operator of a vehicle, except those
14 provisions which by their very nature can have no application.
15 Every person riding a bicycle upon a highway has all the rights
16 created by, and is subject to all the provisions of, this Code
17 applicable to the driver of a vehicle by this Code, except those
18 provisions which by their very nature can have no application.

1 Section 2. The San Francisco Administrative Code is hereby
2 amended adding Section 2.76 to Chapter 2 to read as follows:

3
4 SEC. 2.76. MONITORED BICYCLE PARKING AT PUBLIC EVENTS.

5 The Interdepartmental Staff Committee on Traffic and
6 Transportation (ISCOTT), or other applicable permitting
7 authority, is authorized and encouraged in its discretion to
8 require, and develop guidelines regarding, monitored bicycle
9 parking at appropriate large permitted public events. The
10 sponsor of the public event may provide such monitoring service
11 or ensure that such monitored bicycle parking is available in
12 local garages or other similar facilities. If the sponsor
13 provides monitored bicycle parking, the sponsor may charge a
14 nominal fee for such service. The amount of such fee shall be
15 included as part of the sponsor's permit application. If the
16 sponsor is unable to ascertain the fee amount at the time of the
17 permit application, the sponsor may submit a fee schedule to
18 ISCOTT, or other applicable permitting authority, as soon as
19 possible but no later than 10 days before the event.

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1 Section 3. The San Francisco Planning Code is hereby amended
2 by amending Sections 155 and 155.1 thereof and by adding Sections
3 155.2 and 155.3 thereto to read as follows:
4

5 SEC. 155. GENERAL STANDARDS AS TO LOCATION AND ARRANGEMENT
6 OF OFF-STREET PARKING, FREIGHT LOADING AND SERVICE VEHICLE
7 FACILITIES. Required off-street parking and freight loading
8 facilities shall meet the following standards as to location and
9 arrangement. In addition, facilities which are not required but
10 are actually provided shall meet the following standards unless
11 such standards are stated to be applicable solely to required
12 facilities. In application of the standards of this Code for
13 off-street parking and loading, reference may be made to
14 provisions of other portions of the Municipal Code concerning
15 off-street parking and loading facilities, and to standards of
16 the Bureau of Engineering of the Department of Public Works.
17 Final authority for the application of such standards under this
18 Code, and for adoption of regulations and interpretations in
19 furtherance of the stated provisions of this Code shall,
20 however, rest with the Department of City Planning.

21 (a) Every required off-street parking or loading
22 space shall be located on the same lot as the use served by it,
23 except as provided in Sections 159, 160 and 161 of this Code.

24 (b) Every required off-street parking or loading
25 space shall be located in its entirety within the lot lines of

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1 private property.

2 (c) Every off-street parking or loading space shall
3 have adequate means of ingress from and egress to a street or
4 alley. Every required off-street parking or loading space shall
5 be independently accessible, with the exception of a parking
6 space for a minor second dwelling unit in an RH-1(S) District,
7 or as otherwise provided by the Bernal Heights Special Use
8 District set forth in Section 242. In C-3 Districts, if it is
9 found, in accordance with the provisions of Section 309, that
10 independently accessible spaces are infeasible due to site
11 constraints, or in South of Market Districts if it is found, in
12 accordance with the provisions of Section 307(g) of this Code,
13 that independently accessible spaces for nonresidential
14 activities are infeasible due to site constraints or that valet
15 parking would provide a more convenient and efficient means of
16 serving business clients, the substitution of attendant parking
17 spaces for independently accessible spaces may be approved.
18 Access to off-street loading spaces shall be from alleys in
19 preference to streets.

20 In C-3 Districts, where possible, access to off-street
21 parking and loading spaces shall be from streets and alleys
22 which are identified as base case streets in the Downtown
23 Streetscape Plan and minor streets rather than transit
24 preferential streets or major arterial streets, all as
25 identified in the Downtown Plan, a component of the Master Plan.

1 Adequate reservoir space shall be provided on private
2 property for entrance of vehicles to off-street parking and
3 loading spaces, except with respect to spaces independently
4 accessible directly from the street.

5 (d) All off-street freight loading and service
6 vehicle spaces in the C-3-O, C-3-R, C-3-G, and South of Market
7 Districts shall be completely enclosed and access from a public
8 street or alley shall be provided by means of a private service
9 driveway, which is totally contained within the structure. Such
10 a private service driveway shall include adequate space to
11 maneuver trucks and service vehicles into and out of all
12 provided spaces, and shall be designed so as to facilitate
13 access to the subject property while minimizing interference
14 with street and sidewalk circulation. Any such private service
15 driveway shall be of adequate width to accommodate drive-in
16 movement from the adjacent curb or inside traffic lane but shall
17 in no case exceed 30 feet. Notwithstanding the foregoing, if an
18 adjacent street or alley is determined to be primarily used for
19 building service, pursuant to the provisions of Section 309 in a
20 C-3-O, C-3-R or C-3-G District, or the provisions of Section
21 307(g) in a South of Market District, up to four spaces may be
22 allowed to be individually accessible directly from such a
23 street or alley.

24 (e) In a C-3 or South of Market District, where site
25 constraints would make a consolidated freight loading and

1 service vehicle facility impractical, service vehicle spaces
2 required by Sections 153(a)(6) and 154(b)(3) of this Code may be
3 located in a parking garage for the structure or other location
4 separate from freight loading spaces.

5 (f) In a C-3 or South of Market District, whenever
6 off-street freight loading spaces are provided, freight
7 elevators immediately accessible from the loading dock shall be
8 provided to all floors which contain uses that are included in
9 the calculation of required number of freight loading spaces. If
10 freight loading facilities are subterranean, the location and
11 operation of freight elevators shall be designed, where
12 feasible, to discourage use of freight elevators for deliveries
13 from the ground floor. Directories of building tenants shall be
14 provided at all freight elevators. A raised loading dock or
15 receiving area shall be provided with sufficient dimensions to
16 provide for short-term storage of goods. All required freight
17 loading and service vehicle spaces shall be made available only
18 to those vehicles at all times, and provision shall be made to
19 minimize interference between freight loading and service
20 operations, and garbage dumpster operations and storage.

21 (g) In order to discourage long-term commuter
22 parking, any off-street parking spaces provided for a structure
23 or use other than residential or hotel in a C-3 District,
24 whether classified as an accessory or conditional use, which are
25 otherwise available for use for long-term parking by downtown

1 workers shall maintain a rate or fee structure for their use
2 such that the rate charge for four hours of parking duration is
3 no more than four times the rate charge for the first hour, and
4 the rate charge for eight or more hours of parking duration is
5 no less than 10 times the rate charge for the first hour.
6 Additionally, no discounted parking rate shall be permitted for
7 weekly, monthly or similar time-specific periods.

8 (h) The internal layout of off-street parking and
9 loading spaces, driveways, aisles and maneuvering areas shall be
10 according to acceptable standards, and all spaces shall be
11 clearly marked.

12 (i) For each 25 off-street parking spaces provided,
13 one such space shall be designed and designated for handicapped
14 persons.

15 (j) Except as provided by Section 155.1 and Section
16 155.2 below, for each 20 off-street parking spaces provided, one
17 space shall be provided for parking of a bicycle.

18 (k) Off-street parking and loading facilities shall
19 be arranged so as to prevent encroachments upon sidewalk areas
20 and adjacent properties, in the maneuvering, standing and
21 storage of vehicles, by means of the layout of facilities and by
22 use of bumper or wheel guards or such other devices as are
23 necessary.

24 (l) Driveways crossing sidewalks shall be no wider
25 than necessary for ingress and egress, and shall be arranged, to

1 the extent practical, so as to minimize the width and frequency
2 of curb cuts, to maximize the number and size of on-street
3 parking spaces available to the public, and to minimize
4 conflicts with pedestrian and transit movements.

5 (m) Every off-street parking or loading facility
6 shall be suitably graded, surfaced, drained and maintained.

7 (n) Off-street parking and loading spaces shall not
8 occupy any required open space, except as specified in Section
9 136 of this Code.

10 (o) No area credited as all or part of a required
11 off-street parking space shall also be credited as all or part
12 of a required off-street loading space, or used as all or part
13 of an unrequired off-street loading space. No area credited as
14 all or part of a required off-street loading space shall also be
15 credited as all or part of a required off-street parking space,
16 or used as all or part of an unrequired off-street parking
17 space.

18 (p) Any off-street freight loading area located
19 within 50 feet of any R District shall be completely enclosed
20 within a building if such freight loading area is used in
21 regular night operation.

22 (q) Rooftop parking shall be screened as provided in
23 Section 141(d) of this Code.
24
25

1 SEC. 155.1. BICYCLE PARKING REQUIREMENTS FOR CITY-OWNED
2 AND LEASED BUILDINGS. In all City-owned and leased buildings,
3 regardless of whether off-street parking is available, the
4 ((landlord)) responsible city official, as defined in Section
5 155.1(a)(11) below, shall provide bicycle parking according to
6 the schedule in Section 155.1(c) below, except as otherwise
7 provided in Section 155.2. The provisions of this ((ordinance))
8 Section shall not apply in any case where the City occupies
9 property as a tenant under a lease the term of which does not
10 exceed six months. In the event that a privately-owned garage,
11 as defined in Section 155.2, is in a building in which the City
12 leases space, Section 155.2 and not this Section shall apply.
13 All required bicycle parking shall conform to the requirements
14 of Sections 155.1(b) (Location of Facilities) and 155.1(c)
15 (Number of Spaces) set forth below:

16 (a) Definitions.

17 (1) Locker. A fully enclosed, secure and burglar-
18 proof bicycle parking space accessible only to the owner or
19 operator of the bicycle.

20 (2) Check-In Facility. A location in which the
21 bicycle is delivered to and left with an attendant with
22 provisions for identifying the bicycle's owner. The stored
23 bicycle is accessible only to the attendant.

24 (3) Monitored Parking. A location where Class 2
25 parking spaces are provided within an area under constant

1 surveillance by an attendant or security guard or by a monitored
2 camera.

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

7 (5) Personal Storage. Storage within the view of the
8 bicycle owner in either the operator's office or a location
9 within the building.

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

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

20 (8) Director. Director of the Department of City
21 Planning.

22 (9) Landlord. ((Responsible City official where City
23 leases from third party; the highest ranking City official of a
24 given agency where the City is the owner of the property.)) Any

1 person who leases space in a building to the City. The term
2 "landlord" does not include the City.

3 (10) Employees. Individuals employed by the City and
4 County of San Francisco.

5 (11) Responsible City Official. The highest ranking
6 City official of an agency or department which has authority
7 over a city-owned building or parking facility or of an agency
8 or department for which the City is leasing space.

9 (12) "Person" means any individual, proprietorship,
10 partnership, joint venture, corporation, limited liability
11 company, trust, association, or other entity that may enter into
12 leases.

13 (b) Location of Facilities

14 (1) At locations where the majority of parking spaces
15 will be long-term (e.g., occupied by building employees for 8
16 hours or more), at least 1/2 of the required bicycle parking
17 spaces shall be Class 1 spaces. The remaining spaces may be
18 Class 2 spaces. The Director may approve alternative types of
19 parking spaces that provide an equivalent measure of security.

20 (2) Alternative Locations. In the event that
21 compliance with Section 155.1(b)(1) may not be feasible because
22 of demonstrable hardship, the ((landlord)) responsible city
23 official may apply to the Director ((for an application)) for
24 approval of an alternative storage location. In acting upon
25 such applications, the Director shall be guided by the following

1 criteria: Such alternative facilities shall be well-lighted and
2 secure. The entrance shall be no more than 50 feet from the
3 entrance of the building, unless there are no feasible locations
4 within a 50 foot zone that can be provided without impeding
5 sidewalk or pedestrian traffic. However, in no event shall an
6 alternative location be approved that is farther from the
7 entrance of the building than the closest automobile parking
8 space.

9 (3) Exemptions. If no feasible alternative parking
10 facility exists nearby which can be approved pursuant to Section
11 155.1(b)(1) or (2) or, securing an alternative location would be
12 unduly costly and pose a demonstrable hardship on the landlord,
13 or on the City, where the City owns the building, the Director
14 may issue an exemption. In order to obtain an exemption, the
15 ((landlord)) responsible city official shall certify to the
16 Director in writing that the landlord, or the City, where the
17 City owns the building, will not prohibit bicycle operators from
18 storing bicycles within their office space, provided that they
19 are stored in such a way that the Fire Code is not violated and
20 that the normal business of the building is not disrupted.

21 (c) Required Number of Bicycle Parking Spaces

22 (1) Class 1 Bicycle Parking Spaces. The following
23 standards shall govern the number of Class 1, long-term, bicycle
24 parking spaces a ((landlord)) responsible city official must
25 provide:

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1 (A) In buildings with ((20 or fewer)) 1-20
2 employees, at least two bicycle parking spaces shall be
3 provided.

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

6 (C) In buildings with 51 to 300 employees, the
7 number of bicycle parking spaces provided shall be equal to at
8 least five percent of the number of employees at that building,
9 but in no event shall fewer than five bicycle spaces be
10 provided.

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

16 (2) In addition to the Class 1 bicycle parking spaces
17 required above, a ((landlord)) responsible city official shall
18 also provide Class 2 bicycle parking spaces according to the
19 below enumerated schedule:

20 (A) In buildings with ((40 or fewer)) 1 to 40
21 employees, at least two bicycle parking spaces shall be
22 provided.

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

1 (C) In buildings with 51-100 employees, at least
2 six bicycle parking spaces shall be provided.

3 (D) In buildings with more than 100 employees,
4 at least eight bicycle parking spaces shall be provided.
5 Wherever a ((landlord)) responsible city official is required to
6 provide eight or more Class 2 bicycle parking spaces, at least
7 50 percent of those parking spaces shall be covered.

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

20 (4) The Director shall annually survey the amount,
21 location, and usage of provided bicycle parking spaces in all
22 buildings subject to the requirements of this ((ordinance))
23 Section in order to ascertain whether current requirements are
24 adequate to meet demand for such parking spaces. If current
25 requirements are inadequate, the Director shall draft and submit

1 to the Board of Supervisors proposed legislation that would
2 remedy the deficiency.

3 (5) Reductions. The Director may grant a reduction
4 from the number of bicycle parking spaces required by this
5 ((ordinance)) Section where the applicant shows based upon the
6 type of patronage, clientele, or employees using the building
7 that there is no reason to expect a sufficient number of
8 bicycle-riding patrons, clientele or employees to justify the
9 number of spaces otherwise required by the ((ordinance))
10 Section.

11 (d) Layout of Spaces

12 Class 1 and Class 2 bicycle parking spaces or
13 alternative spaces approved by the Director shall be laid out
14 according to the following:

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

19 (2) Each bicycle parking space shall provide an area
20 at least 2 feet wide by 6 feet deep. Vertical clearance shall
21 be at least 78 inches.

22 (3) Bicycle parking shall be ((placed)) at least as
23 conveniently located as the most convenient non-disabled car
24 parking. Safe and convenient means of ingress and egress to
25 bicycle parking facilities shall be provided. Safe and

1 convenient means include, but are not limited to stairways,
2 elevators and escalators.

3 (4) Bicycle parking and automobile parking shall be
4 separated by a physical barrier or sufficient distance to
5 protect parked bicycles from damage.

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

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

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

13 (8) All bicycle racks and lockers shall be securely
14 anchored to the ground or building structure.

15 (9) Bicycle parking spaces may not interfere with
16 pedestrian circulation.

17 (e) Lease Provisions:

18 (1) All City leases of buildings that are subject to the
19 requirements of this Section and under which the City is a
20 tenant shall specifically provide that the landlord agrees to
21 make space available in the building for the term of the lease
22 within which the responsible city official may install, at no
23 cost to the landlord, bicycle parking facilities that are in
24 compliance with this Section.

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

14
15 ((e))f) Enforcement

16
17 Article 1.5, Section 155.1 shall be enforced by the Zoning
18 Administrator. Upon complaint, the Zoning Administrator shall
19 investigate. If the Zoning Administrator concludes that a
20 violation exists, he or she shall provide written notice to the
21 ((violating party)) responsible city official offering ((five))
22 thirty days to cure the violation. The written notice shall
23 inform the ((violating party)) responsible city official of the
24 grounds for the Zoning Administrator's conclusion that ((the
25 contract)) this section has been violated. The notice shall

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1 afford the ((violator)) responsible city official an opportunity
2 to meet with the Zoning Administrator to explain why penalties
3 should not be assessed. The Zoning Administrator shall assess
4 penalties upon the responsible city official's agency or
5 department according to the following provisions:

6 (1) If the responsible city official's violation has not
7 been cured within the ((five)) thirty days, a penalty of \$50/day
8 shall be assessed by the ((Director)) Zoning Administrator,
9 commencing with the first date of the violation. ((or, in the
10 alternative:))

11 ((2) Any person violating this ordinance may be subject
12 to the civil enforcement provisions set forth in Planning Code
13 Section 176.))

14 ((3) Any unpaid penalties or charges assessed for
15 violations of this ordinance, either through a contract or by
16 civil enforcement, may be collected through the lien procedures
17 as set forth in Administrative Code Section(s) 10.230-10.237.))

18 (2) All fines collected for violations of this Section
19 shall be deposited with the Department of Parking and Traffic
20 for expenditure by and for the Department's Bicycle Program.

21
22 ((f)) (g) Miscellaneous Requirements

23 (1) The ((landlord)) responsible city official shall
24 not, and shall encourage landlords not to, establish or enforce
25 any building policy that restricts or discourages building

1 tenants, employees, or visitors from utilizing their bicycle
2 storage spaces.

3 (2) In any building that contains more than the
4 required number of bicycle parking spaces as set forth in
5 Article 1.5, Section 155.1, the ((landlord)) responsible city
6 official shall not remove such additional bicycle parking spaces
7 without petitioning the Director. Such a petition may not be
8 filed until at least one year has elapsed following the
9 effective date of the ((ordinance)) Section. That petition
10 shall demonstrate that the spaces the ((landlord)) responsible
11 city official seeks authority to remove have not been necessary
12 to meet the demand of employees and other building users.

13 (3) ((In order to enable the landlord to bring
14 buildings into compliance with this ordinance, the provisions of
15 this ordinance shall not become operative until six months after
16 the effective date. During the first full year following the
17 operative date of this ordinance, the landlord shall be
18 responsible for providing 50 percent of the spaces mandated by
19 this ordinance. During the second year following the operative
20 date of this ordinance, the landlord shall be responsible for
21 providing 75 percent of the spaces mandated by this ordinance.
22 Thereafter, t))The ((landlord)) responsible city official shall
23 be responsible for full compliance with this ((ordinance))
24 Section. The Board of Supervisors does not intend to impose
25 requirements of this ((ordinance)) Section on any ((landlord))

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1 responsible city official where such application would impair
2 obligations of contract.

3 (4) Buildings with existing traditional-type racks
4 which support only one wheel shall have two years from the
5 effective date of this ((ordinance)) Section to replace them
6 with conforming racks.

7 (5) In addition to imposing requirements pursuant to
8 this ((ordinance)) Section, the Board of Supervisors declares it
9 the official policy of the City and County of San Francisco that
10 all property owners and ((landlords)) responsible city officials
11 in control of buildings housing employees or members of the
12 public who use bicycles shall provide bicycle parking spaces and
13 shall encourage and facilitate bicycle usage.

14 ((g)) (h) In adopting this ((ordinance)) Section, the
15 Board of Supervisors intends that General Fund Revenues not be
16 used to ((implement the requirements of this ordinance)) pay for
17 the purchase of bicycle storage facilities or for installation
18 of bicycle storage facilities, that private building owners not
19 be required to use their own funds to implement the requirements
20 of this ((ordinance)) Section, and that the implementation of
21 this ((ordinance)) Section be funded primarily through the use
22 of public and private donations, grants and other available
23 programmatic funding.

1 SEC 155.2. BICYCLE PARKING REQUIRED IN CITY-OWNED
2 PARKING GARAGES AND PRIVATELY-OWNED PARKING GARAGES. In all
3 City-owned parking garages and all privately-owned parking
4 garages (but not parking lots), the owner and operator shall
5 provide bicycle parking according to the schedule set forth in
6 Section 155.2(c). With respect to City-owned parking garages
7 which are not open to the general public, Section 155.1 and not
8 this Section shall apply. If a privately-owned garage is in a
9 building in which the City leases space for more than six
10 months, this Section and not Section 155.1 shall apply.

11 (a) Definitions.

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

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

23
24 (b) Duties of Responsible City Officials and Garage
25 Owners. Where this Section imposes requirements on the City,

1 the responsible city official shall be responsible for
2 fulfilling such requirements. Where this Section imposes duties
3 on private garages, the owners of such garages shall be
4 responsible for fulfilling such requirements.

5 (c) Number of Spaces.

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

9 (2) Garages which offer between 120 and 500
10 automobile spaces shall provide one bicycle space for
11 every 20 automobile spaces.

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

16
17 (d) Type of Bicycle Parking. Garages offering automobile
18 parking to the general public shall offer either Class 2
19 bicycle parking, as defined in Section 155.1(a) or Class 1
20 bicycle parking, as defined in Section 155.1(a). Garages
21 may offer a combination of Class 1 and Class 2 bicycle
22 parking. Garages offering automobile parking to the
23 general public on an hourly basis shall offer bicycle
24 parking on the same basis. Garages offering automobile
25

1 parking to the general public on a weekly or longer basis
2 shall provide bicycle parking on the same basis.

3
4 (e) Implementation. Garages shall be required to comply
5 with these requirements within six months of the enactment
6 of this legislation. Garages shall install bicycle parking
7 for half of the number of required bicycle parking spaces
8 within six months of the effective date of this
9 legislation, but in no case fewer than six bicycle spaces.
10 Garages shall fully comply with the requirements of Section
11 155.2(c) within eighteen months of the date of enactment of
12 this legislation. However, if demand for the bicycle
13 parking facilities provided under the "first six months"
14 interim provision is less than 80% of the spaces provided
15 on twenty consecutive non-holiday weekdays, the garage may
16 apply to the Director for permission to delay full
17 compliance with Section 155.2(c) for a reasonable period of
18 time and the Director shall have the discretion to permit
19 such a delay where the garage demonstrates that achieving
20 full compliance within the required period presents an
21 undue burden. In the case of a garage which is not
22 predominantly used during the regular work week (for
23 example, a garage near an event venue), the Director may
24 designate an alternative period other than "non-holiday
25 weekdays" for purposes of evaluating an exemption from the

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1 full requirements of Section 155.2(c), including, but not
2 limited to, ten consecutive weekends or twenty days on
3 which the garage primarily serves customers attending an
4 event at a nearby venue.

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

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

4
5 (h) Notice of Bicycle Parking. Garages subject to this
6 Section must provide adequate signs or notices in or near
7 garage entrances to advertise the availability of bicycle
8 parking.

9
10 (i) Layout of Spaces. Garages subject to this Section are
11 encouraged to follow the requirements set forth in Section
12 155.1(d) (Layout of Spaces) in installing Class 1 and Class
13 2 bicycle parking.

14
15 (j) Enforcement. Article 1.5, Section 155.2 shall be
16 enforced by the Zoning Administrator. Upon complaint, the
17 Zoning Administrator shall investigate. If the Zoning
18 Administrator concludes that a violation exists in a city-
19 owned garage, he or she shall provide written notice to the
20 responsible city official, offering thirty days to cure the
21 violation. If the Zoning Administrator concludes that a
22 violation exists in a privately-owned garage, he or she
23 shall provide written notice to the garage owner, offering
24 thirty days to cure the violation. The written notice
25 shall state the grounds for the Zoning Administrator's

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

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

16
17 (k) Contractual Limits on Liability. This Section shall
18 not interfere with the rights of a garage owner to enter
19 into agreements with garage patrons or take other lawful
20 measures to limit the garage owner's liability to patrons
21 with respect to bicycles parked in their garage, provided
22 that such agreements or measures are in accordance with the
23 requirements of this Section.
24
25

1 SEC 155.3. SHOWER FACILITIES AND LOCKERS REQUIRED
2 IN NEW COMMERCIAL AND INDUSTRIAL BUILDINGS AND EXISTING
3 BUILDINGS UNDERGOING MAJOR RENOVATIONS.

4 (a) Definitions.

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

9 (2) Major Renovations. Any construction or
10 renovation project (i) for which a building permit is
11 issued commencing at least six months after the date
12 of enactment of this legislation (ii) which involves
13 an enlargement of an existing public or privately
14 owned commercial or industrial building, and (iii)
15 which has an estimated cost of at least one million
16 dollars. For purposes of this section, the term
17 "enlargement" shall mean an increase in the square
18 footage of the ground story of a building.

19 (3) The term "commercial building" shall include, but
20 is not limited to, public or privately owned buildings
21 containing employees working for city government
22 agencies or departments.

23 (b) Requirements for New Buildings and Buildings With
24 Major Renovations. New buildings and buildings with major
25 renovations shall provide shower and clothes locker

1 facilities for short-term use of the tenants or employees
2 in that building in accordance with this Section. Where a
3 building undergoes major renovations, its total square
4 footage after the renovation is the square footage that
5 shall be used in calculating how many, if any, showers and
6 clothes lockers are required.

7
8 (c) For new buildings and buildings with major renovations
9 whose primary use consists of medical or other professional
10 services, general business offices, financial services,
11 city government agencies and departments, general business
12 services, business and trade schools, colleges and
13 universities, research and development or manufacturing,
14 the following schedule of required shower and locker
15 facilities applies:

16 (1) Where the gross square footage of the floor area
17 exceeds 10,000 square feet but is no greater than
18 20,000 square feet, one shower and two clothes lockers
19 are required.

20 (2) Where the gross square footage of the floor area
21 exceeds 20,000 square feet but is no greater than
22 50,000 square feet, two showers and four clothes
23 lockers are required.

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

4
5 (d) For new buildings and buildings with major renovations
6 whose primary use consists of retail, eating and drinking
7 or personal services, the following table of shower and
8 locker facilities applies:

9 (1) Where the gross square footage of the floor area
10 exceeds 25,000 square feet but is no greater than
11 50,000 square feet, one shower and two clothes lockers
12 are required.

13 (2) Where the gross square footage of the floor area
14 exceeds 50,000 square feet but is no greater than
15 100,000 square feet, two showers and four clothes
16 lockers are required.

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

20
21 (e) Exemptions. An owner of an existing building subject
22 to the requirements of this Section shall be exempt from
23 subsections (c) and (d) upon submitting proof to the
24 Director of the Department of City Planning that the owner
25 has made arrangements with a health club or other facility,

1 located within a four block radius of the building, to
2 provide showers and lockers at no cost to the employees who
3 work in the owner's building.

4
5 (f) Exclusion for Hotels, Residential Buildings and
6 Live/Work Units. This Section shall not apply to buildings
7 used primarily as hotels or residential buildings. In
8 addition, this Section shall not apply to "live/work units"
9 as defined in Section 102.13 of the San Francisco Planning
10 Code.

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

17
18 (h) The Department of City Planning may establish more
19 definitive requirements for shower and locker facilities in
20 accordance with this Section.

21
22 Section 4. Pursuant to Section 101 of the Planning Code, the
23 Board of Supervisors makes the following findings:

24 (1) The proposed legislation is consistent with Priority
25 Policy 1 in that it will have no effect on the preservation and

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1 enhancement of the existing neighborhood-serving uses or future
2 opportunities for resident employment and the ownership of other
3 neighborhood-serving business.

4 (2) The proposed legislation is consistent with Priority
5 Policy 2 in that it has no negative effect on existing housing
6 and will not adversely alter the character of the neighborhood.

7 (3) The proposed legislation is consistent with Priority
8 Policy 3 in that it has no negative effect on the City's current
9 or future supply of affordable housing.

10 (4) The proposed legislation is consistent with Priority
11 Policy 4 in that it has no negative impact on commuter traffic
12 or neighborhood parking and may help to alleviate these problems
13 by encouraging City employees and patrons of City-owned
14 buildings to commute by bicycle instead of by automobile.

15 (5) The proposed legislation is consistent with Priority
16 Policy 5 in that it does not involve commercial office
17 development, which may displace any industrial or service sector
18 employment.

19 (6) The proposed legislation is consistent with Priority
20 Policy 6 in that it will not adversely affect the City's ability
21 to protect against injury and loss of life in an earthquake.

22 (7) The proposed legislation is consistent with Priority
23 Policy 7 in that it will not adversely affect any landmarks or
24 historic buildings.

1 (8) The proposed legislation is consistent with Priority
2 Policy 8 in that it has no negative effect on parks and open
3 space and their access to sunlight and vistas.
4

5 Section 5. The San Francisco Traffic Code is hereby amended by
6 repealing Sections 97 and 99.
7

8 Section 6. SEVERABILITY. If any part or provision of this
9 Ordinance, or the application thereof to any person or circumstance,
10 is held invalid, the remainder of this Ordinance, including the
11 application of such part or provisions to other persons or
12 circumstances, shall not be affected thereby and shall continue in
13 full force and effect. To this end, the provisions of this Ordinance
14 are severable.
15

16 Section 7. CITY UNDERTAKING LIMITED TO PROMOTION OF GENERAL
17 WELFARE. In undertaking the adoption and enforcement of this
18 Ordinance, the City and County is undertaking only to promote the
19 general welfare. It is not assuming, nor is it imposing on its
20 officers and employees, an obligation for breach of which it is
21
22
23
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25

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1 liable in money damages to any person who claims that such breach
2 proximately caused injury.

3
4 APPROVED AS TO FORM:

5 LOUISE H. RENNE, City Attorney
6

7
8 By: Adine Varah
ADINE VARAH
9 Deputy City Attorney
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City and County of San Francisco

Veterans Building
401 Van Ness Avenue, Room 308
San Francisco, CA 94102-4532

Tails Ordinance

File Number: 980564

Date Passed:

Ordinance amending Traffic Code by adding Article 5B, Section 110 to protect the integrity of existing bicycle facilities and Section 38N to prohibit parking in bicycle lanes, by amending Section 3.14 to conform to the State Vehicle Code definition of bicycle and Section 4 to conform to State Vehicle Code provisions regarding the rights and duties of bicycle riders; amending Administrative Code by adding Section 2.76 to authorize monitored bicycle parking at large public events; amending Planning Code Section 155 to clarify that any bicycle parking requirements under that section will not conflict with Sections 155.1 and 155.2, amending Planning Code Section 155.1 to clarify definition and obligations of responsible City official and landlord and deleting obsolete implementation schedule provisions, by adding Section 155.2 to require bicycle parking in city-owned parking facilities and privately-owned parking garages and adding Section 155.3 to require shower and locker facilities in new buildings and buildings undergoing major renovations, and by making findings of consistency with the priority policies of Planning Code Section 101.1; and repealing Traffic Code Sections 97 and 99.

October 26, 1998 Board of Supervisors — PASSED ON FIRST READING

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

November 2, 1998 Board of Supervisors — AMENDED

Ayes: 11 - Teng, Yaki, Yee, Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom

November 2, 1998 Board of Supervisors — PASSED ON FIRST READING AS AMENDED

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

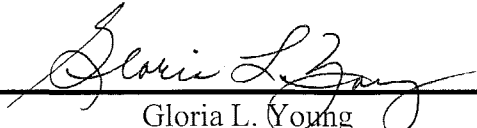
November 9, 1998 Board of Supervisors — FINALLY PASSED

Ayes: 10 - Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Brown

File No. 980564

I hereby certify that the foregoing Ordinance was **FINALLY PASSED** on November 9, 1998 by the Board of Supervisors of the City and County of San Francisco.

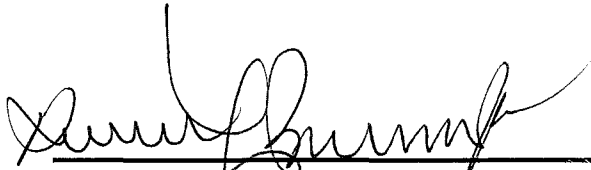


Gloria L. Young
Clerk of the Board

NOV 19 1998

~~NOV 19 1997~~

Date Approved



Mayor Willie L. Brown Jr.