

1 [Public Works Code - Contractor Parking Plan]

2

3 **Ordinance amending the Public Works Code to require a contractor parking plan as a**
 4 **condition for excavation permits for major work and specified temporary street space**
 5 **occupancy permits for construction work; and affirming the Planning Department's**
 6 **determination under the California Environmental Quality Act.**

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

11

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

13

14 Section 1. Environmental Finding. The Planning Department has determined that the
 15 actions contemplated in this ordinance comply with the California Environmental Quality Act
 16 (California Public Resources Code Sections 21000 et seq.). Said determination is on file with
 17 the Clerk of the Board of Supervisors in File No. _____ and is incorporated herein
 18 by reference. The Board affirms this determination.

19

20 Section 2. The Public Works Code is hereby amended by revising Sections 2.4.20 and
 21 724, to read as follows:

22

23 **SEC. 2.4.20. ACTION ON APPLICATIONS FOR PERMITS TO EXCAVATE.**

24 (a) After receipt of an application for a permit to excavate, the Department, within a
 25 reasonable time period, shall determine whether an application is complete.

1 (b) Any application for an excavation permit for major work shall include a contractor parking
2 plan. The plan shall include the following:

3 (1) Number of parking spaces requested and the rationale therefor, including the use of
4 side streets for staging purposes;

5 _____ (2) The average number of employees anticipated each day at the work site;

6 _____ (3) Timeline and phasing of the project, including the duration of each phase, and how
7 it will affect the number of on street parking spaces set aside for the excavation project at each phase;

8 _____ (4) A proposal to provide the Department with updates through writing, phone, or an
9 in-person visit regarding any changes to the status of the project, on a regular basis as appropriate and
10 at least once at the mid-point of the permit term or any extension thereof. If the permittee provides
11 updates through phone or in-person visit, the permittee shall provide this same information in writing
12 to the Department within two days of the phone or in-person communication;

13 _____ (5) Information about the availability of on-site or nearby garage parking or other off-
14 street parking opportunities in the vicinity, the distance of these opportunities from the project site,
15 and, if the applicant contacted any off-street parking opportunities, the name and date of such contact;

16 _____ (6) A proposal concerning opportunities for car-pooling or other off-site parking
17 arrangements;

18 _____ (7) A proposal on how the applicant will make the on-street parking available to the
19 general public if no work is scheduled and/or no equipment or material storage is needed on the street
20 or portion thereof or by 4:00 pm if project work is complete for the day;

21 _____ (8) A proposal on how the applicant will make the on-street parking available to the
22 general public by 4:00 pm if project work is complete for the day; and

23 _____ (9) Any other information the Department or other affected department such as the
24 Municipal Transportation Agency deems valuable for understanding the impact of the project on the
25 neighborhood and neighborhood parking supply.

1 (c) Within a reasonable time period in advance of initiating excavation, the Public Utilities
2 Commission and Municipal Transportation Agency shall provide copies of their contractor parking
3 plan for their major excavation projects to the Department for informational purposes only.

4 (d) If there is an emergency excavation as defined in Section 2.4.22 that also will be a major
5 work, the excavator shall submit the contractor parking plan to the Department no later than five
6 business days after initiating the work.

7 (e) If the application is deemed to be incomplete, the Department promptly shall advise
8 the applicant in a written, electronic, or facsimile communication of the reasons for rejecting
9 the application as incomplete.

10 (f) If the application is deemed to be complete, the Department, in its discretion, may
11 deny, approve, or conditionally approve the application.

12 (1) If the application is approved or conditionally approved, the Department
13 shall issue a permit to the applicant. The Department may condition a permit with specified
14 requirements that preserve and maintain the public health, safety, welfare, and convenience.
15 The Department shall inform the permittee of the basis for such requirements.

16 (2) If the application is denied, the Department shall advise the applicant in a
17 written, electronic, or facsimile communication of the basis for denial.

18
19 **SEC. 724. TEMPORARY OCCUPANCY OF STREET – PERMITS REQUIRED.**

20 **(a) Street Space Occupancy Permit.** A permit will be required for occupying any part
21 of the street or sidewalk for building construction operations or for any other purpose, and
22 shall be granted only to the owner or lessee of the premises fronting thereon or his or her
23 authorized agent.

24 (1) Material and equipment shall not occupy more than the designated parking
25 lane width and not more than ½ of the official sidewalk width along the boundary of the

1 fronting property unless permission is granted pursuant to Sections 724.7 and 724.8 for
2 temporary occupancy of additional street space. For purposes of this Subsection, material and
3 equipment shall mean only construction material used at the site, construction equipment,
4 vehicles bearing the logo or other identifying information so that the City could verify that it
5 belongs to the contractor or a subcontractor working at the site and refuse containers for
6 construction debris. For purposes of Section 724.1(b), material and equipment also shall
7 include any material or equipment related to the proposed use. For purposes of this
8 Subsection, parking lane width shall not exceed eight feet in width, and if such lane also is
9 designated as a commute lane, such lane may not be occupied unless permission is granted
10 pursuant to Sections 724.7 and 724.8 for temporary occupancy of additional street space.

11 (2) A minimum clearance of four feet must be maintained at all times to
12 accommodate pedestrian path of travel requirements. A minimum clearance of four feet, six
13 inches must be maintained at all times between the materials and equipment and the outer
14 rail of any railroad track. Clearance of materials from fire hydrants, fire alarm boxes and valve
15 covers shall be as required by the Fire Department. Clearance of materials from traffic signal
16 controllers and pull boxes shall be as required by the Department of Public Works.

17 (3) All sand, dirt or other materials shall be prevented from being blown or
18 moved to other parts of the street, or from interfering with other property use. The gutters shall
19 not be obstructed.

20 (4) Lights, barriers, barricades, signs, cones, and other devices for pedestrian
21 and traffic safety, and other requirements shall be provided as set forth in Department of
22 Public Works orders or regulations.

23 (5) For purposes of Sections 724 et seq., building construction operations shall
24 include all work related to the construction, demolition, maintenance, repair, or replacement of
25 a building.

1 (b) **Permit Applications.**

2 (1) An applicant for a permit shall submit to the Department a written request
3 for a permit no sooner than fifteen days prior to the initiation of the proposed occupation of
4 street space. The permit request shall specify the duration and extent of the proposed
5 occupancy and all other information as set forth in Departmental orders or regulations.

6 (2) A permit applicant also shall request in writing the basis for any proposed
7 modifications to standard permit requirements, such as extended hours of occupancy for the
8 storage of materials and equipment.

9 (3) Any application for a permit in any residential, Urban Mixed Use, PDR I-D, or
10 PDR I-G district as defined in the Planning Code that requests more than one on-street parking space
11 and a permit of three months or longer shall include a contractor parking plan. The plan shall include
12 the following:

13 (A) Number of parking spaces requested and rationale therefor, including the use of
14 side streets for staging purposes;

15 (B) The average number of employees anticipated each day at the work site;

16 (C) Timeline and phasing of the project, including the duration of each phase, and how
17 it will affect the number of parking spaces set aside for the project;

18 (D) A proposal to provide the Department with updates through writing, phone, or an
19 in-person visit regarding any changes to the status of the project, on a regular basis as appropriate and
20 at least once at the mid-point of the permit term or any extension thereof. If the permittee provides
21 updates through phone or in-person visit, the permittee shall provide this same information in writing
22 to the Department within two days of the phone or in-person communication;

23 (E) Information about the availability of on-site or nearby garage parking or other off-
24 street parking opportunities in the vicinity, the distance of these opportunities from the project site,
25 and, if the applicant contacted any off-street parking opportunities, the name and date of such contact;

1 (F) A proposal concerning opportunities for car-pooling or other off-site parking
2 arrangements;

3 (G) A proposal on how the applicant will make the on-street parking available to the
4 general public if no work is scheduled and/or no equipment or material storage is needed on the street
5 or portion thereof or by 4:00 pm if project work is complete for the day;

6 (H) A proposal on how the applicant will make the on-street parking available to the
7 general public by 4:00 pm if project work is complete for the day; and

8 (I) Any other information the Department or other affected department such as the
9 Municipal Transportation Agency deems valuable for understanding the impact of the project on the
10 neighborhood and neighborhood parking supply.

11 * * * *

12
13 Section 3. Effective and Operative Dates. This ordinance shall become effective 30
14 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor
15 returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it,
16 or the Board of Supervisors overrides the Mayor’s veto of the ordinance. The operative date
17 of this ordinance shall be 90 days after it is effective.

18
19 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
20 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
21 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
22 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
23 additions, and Board amendment deletions in accordance with the “Note” that appears under
24 the official title of the ordinance.

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

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

By: _____
John D. Malamut
Deputy City Attorney

n:\legana\as2015\1500188\01000202.doc