

LEGISLATIVE DIGEST

[Planning Code - Bicycle Parking; Automotive Service Station Conversions]

Ordinance amending the San Francisco Planning Code Sections 102.9, 155.1, 155.4, and 228 et. seq. to: 1) expand the applicability of bicycle parking requirements; 2) exempt bicycle parking from Floor-Area ratio calculations; 3) permit the conversion of Automotive Service Stations located on Primary Transit Streets and Citywide Pedestrian Network Streets to another use without Conditional Use authorization; and 4) adopting environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1

Existing Law

Section 102.9 of the Planning Code defines gross floor area ratio (FAR) as a ratio of a building's floor area to the area of the lot, and specifies the building uses and features that are included or are exempt from FAR calculations. Space dedicated to bicycle parking counts towards building gross FAR. Section 102.9 also exempts replacement parking in Downtown Commercial (C-3) districts from gross floor area ratio if the replacement parking is required under Section 309. Section 309 was amended by a prior ordinance to no longer require replacement parking.

Section 155.1 sets forth the bicycle parking requirements of City-owned and leased buildings. It tasks the Zoning Administrator with enforcing Bicycle Parking requirements, and specifies is a \$50/day fine imposed on violations if they have not been abated within 30 days. Fines are deposited with the Department of Parking and Traffic for expenditure by and for the Department's Bicycle Program. It also provides that General Fund revenues be used to pay for the purchase or installation of bicycle storage facilities.

Section 155.4 requires secure bicycle parking in newly constructed commercial buildings, and in enlarged commercial buildings that have a construction cost of at least \$1,000,000.00. Hotels are exempted from bicycle parking requirements.

Sections 228 et seq. require conditional use authorization to convert an Automobile Service Station to another use, and establish criteria for consideration by the Planning Commission when deliberating a conditional use application for such conversions.

Amendments to Current Law

Section 102.9 is amended to exempt Bicycle parking from gross FAR calculations, and to remove the obsolete reference to exemptions for replacement parking.

Section 155.1 is amended so that enforcement of bicycle parking requirements will be handled through the regular Planning Department enforcement procedures, and fees for violating this section of the Code will, like other enforcement fees, remain with the Planning Department to support code enforcement. It deletes the provision for use of General Fund revenues for the purchase and installation of bicycle storage facilities.

Section 155.4 is amended to require bicycle parking when a building undergoes a major change of use, involving half or more of the building's square footage, or 10,000 or more square feet. Bicycle parking will also be required for any increase in the amount of off-street automobile parking. Bicycle parking will be required for hotel uses in the same manner as for retail uses.

Sections 228 et seq. are consolidated into a single section, and amended to permit automobile service stations on transit-priority and major pedestrian streets to be converted to another use without conditional use authorization. The conditional use criteria for conversion are amended to include consideration of transportation impacts of the existing and proposed use.

Background

San Francisco has adopted a goal of having 20% of trips by bicycle by 2012. The purpose of this ordinance is to help achieve that goal by ensuring that bike commuters have a safe and secure place to park their bikes when they get to work. The ordinance expands applicability of bicycle parking requirements to more projects and to additional uses. It also provides incentives for both voluntary compliance and for exceeding minimum bicycle parking requirements by removing bicycle parking from FAR calculations, thereby removing a perceived "penalty" for including bike parking in a development and creating an incentive to dedicate more space to bike parking than required.

The ordinance also seeks to improve enforcement of bicycle parking requirements by treating bicycle parking violations like any other Planning Code violation, and keeping the fees generated from enforcement with the Planning Department to cover costs associated with that enforcement.

The revisions to the Planning Code's provisions for conversion of Automotive Service Stations seek to balance the desire to retain these uses with City policies which support walking, cycling, and public transportation, and which encourage new jobs and housing to be located in transit corridors. The Conditional Use requirement for converting Automotive Service Stations on the most important walking and public transit streets is removed, and consideration of pedestrian, cycling, and public transit access and safety are added to the conditional use criteria for conversion.

The ordinance seeks to simplify and clarify the Planning Code by removing obsolete sections, consolidating controls for a single use or feature into a single code sections, and harmonizing similar definitions and controls across use districts.