

REVISED LEGISLATIVE DIGEST
(Amended in Committee, 11/3/2021)

[Park Code - Parking Fees and Fines, Park Patrol Enforcement]

Ordinance authorizing the Municipal Transportation Agency (SFMTA) to set parking rates at the Kezar Stadium Parking Lot and Golden Gate Park Underground Parking Facility in accordance with Park Code provisions that authorize SFMTA rate-setting on park property and subject to Board of Supervisors approval, and making conforming edits to the Park Code; increasing parking rates for berth-holders at the Marina Small Craft Harbor; clarifying that the fines for certain violations of the Transportation Code apply to similar violations occurring on park property; clarifying the authority of Park Patrol to enforce the Park Code and issue parking citations; and affirming the Planning Department's determination under the California Environmental Quality Act.

Existing Law

Rates for parking by the general public at the Kezar Parking Lot and Golden Gate Park Underground Parking Facility are set in the Park Code. The Park Code rates are adjusted annually for inflation but are otherwise fixed. Under Park Code Section 6.14, however, the San Francisco Municipal Transportation Agency (SFMTA) may take over setting parking rates at designated locations on park property, subject to certain approvals by the Board of Supervisors and Recreation and Park Commission, and set rates that are closely comparable to the rates for similarly situated paid parking. The Park Code also sets parking rates for persons who hold licenses to berth vessels at the Marina Small Craft Harbor: berthholders get two free parking passes with their berthing licenses, and can purchase additional passes for \$156 each.

Amendments to Current Law

The ordinance would allow SFMTA, with Recreation and Park Commission approval, to set new rates for parking by the general public at the Kezar Parking Lot and Golden Gate Park Underground Parking Facility. The proposal is for SFMTA to be able to set the rates, and for SFMTA to be able to increase or decrease the rates in response to customer demand at particular times or on particular days or dates, provided that the rates must be intended to support recreation and must be closely comparable to the rates set for similarly situated parking. The ordinance would require SFMTA and the Recreation and Park Department (RPD) to provide further information to the Board of Supervisors about the rates that SFMTA would set at those facilities and how they would increase or decrease over time. If the Board then found by resolution that the rates meet the requirements of Section 6.14, the SFMTA rate-setting could go into effect, and the existing Park Code rates for parking at those facilities would cease to apply. Meanwhile, the Park Code rate for Marina berthholders to purchase additional parking passes would increase to \$600.

The ordinance also clarifies existing law, by expressly stating that the penalties for certain violations of the Transportation Code (e.g., parking in a disabled spot) apply equally when those violations occur on park property, and by affirming the authority of the Park Patrol to issue citations for Park Code violations.

Background

The ordinance was originally introduced in Board File No. 210654. On September 22, 2021, the Budget and Finance Committee made certain amendments as described in the legislative digest (v2), and duplicated the file. On November 3, 2021, the Committee reviewed and amended the ordinance in the duplicated file, to 1) condition the SFMTA's rate-setting at the Kezar Parking Lot and Golden Gate Park Underground Parking Facility on the Board of Supervisors' further review and approval of the rates; 2) clarify that the fines for certain violations of the Transportation Code apply to similar violations occurring on park property; and 3) clarify the authority of Park Patrol to enforce the Park Code and issue parking citations.

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