Ordinance authorizing the Municipal Transportation Agency (SFMTA) to set parking rates at the Kezar Stadium Parking Lot, and Golden Gate Park Underground Parking Facility, and Marina Small Craft Harbor 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.

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

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

Section 1. Environmental Findings.

The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. 211022 and is incorporated herein by reference. The Board affirms this determination.

(a) Park Code Section 6.14 authorizes the Municipal Transportation Agency to identify locations suitable for the establishment of paid parking areas or zones on property under the jurisdiction of the Recreation and Park Commission, and to set rates for paid parking in such areas that are closely comparable to the rates set for similarly situated paid parking, provided, among other things, that the Board of Supervisors approves the location of the paid parking areas and the parking restrictions.

(b) In accordance with Park Code Section 6.14, the Board of Supervisors tentatively approves the implementation of paid parking with rates set by the Municipal Transportation Agency and subject to approval by the Recreation and Commission at the Kezar Stadium Parking Lot, and the Golden Gate Park Underground Parking Facility, and the Marina Small Craft Harbor. The Kezar Parking Lot is located at 825 Stanyan Street. The Golden Gate Park Underground Parking Facility is located under the Music Concourse area of Golden Gate Park. The Marina Small Craft Harbor is located at 3950 Scott Street and encompasses those certain areas in the vicinity of and including the Marina Green. The current parking rates at these facilities are adjusted for inflation but are otherwise fixed. The rates set by the Municipal Transportation Agency at those sites shall be comparable to the rates set for similarly situated parking, may increase or decrease in response to customer demand at particular times or on particular days or dates, and shall be intended to support recreation by encouraging the use of these facilities by recreational users, and by helping the Recreation and Park Department meet operating expenses, purchase or lease supplies, equipment and materials for the parks, and raise funds for future capital projects necessary to maintain
existing levels of service. The Board of Supervisors requests that the Municipal Transportation Agency and Recreation and Park Department provide further information regarding how the rates would be set. The rate-setting shall be finally approved and may commence after the Board of Supervisors has reviewed this information and adopted a resolution finding that the proposed rates comply with the requirements of Section 6.14.

(b) In accordance with Park Code Section 6.14, the Board of Supervisors approves that the parking restrictions set forth in the Park Code, as amended by this ordinance and as they may be amended in the future from time to time, shall apply to any such system of paid parking. Nothing in this ordinance may be deemed to modify or supersede the Lease dated December 24, 2004, as amended, between the Music Concourse Community Partnership and the City and County of San Francisco and the Golden Gate Park Concourse Authority, relating to the Golden Gate Park Underground Parking Facility and the debt secured by the parking facility.

Section 3. The Park Code is hereby amended by revising Sections 6.01, 6.02, 6.10, 10.01, 12.08, 12.11, and 12.35, to read as follows:

SEC. 6.01. OPERATION AND PARKING OF VEHICLES.

* * * *

(i) No person shall, in any park, allow any automobile or other vehicle to remain parked in any parking lot-space which is open for public use and for which a fee is charged for parking, including, but not limited to Kezar Parking Lot, for a period of more than 24 hours after the expiration of the period for which a fee is charged, unless otherwise allowed by permit.

* * * *

(k) No person shall, in any park, allow any automobile or any other vehicle that is disabled to remain parked in any parking lot-space which is open for public use and for which a
fee is charged for parking, including but not limited to Kezar Parking Lot, unless otherwise allowed by permit.

(l) No person shall, in any park, commit any of the offenses listed in Sections 302 and 303 of Division II of the Transportation Code, as they may be amended from time to time.

SEC. 6.02. TOWING OF VEHICLES.

(a) Whenever any member of the San Francisco Police Department, employee of the San Francisco Municipal Transportation Agency (SFMTA), or employee or lessee authorized by the Recreation and Park Department or Commission finds any vehicle parked in violation of Sections 6.01(d), (e), (f), (g), (h), (i), (j), or (k) of this Code, such officer, employee, or lessee may provide for the removal of such vehicle, so long as signs have been posted to inform the public that vehicles so parked are subject to removal and, with respect to Section 6.01(i), so long as there is an attendant on duty or other facilities permitting the patron to pay or remit the parking charges at the time the vehicle is first parked.

(b) The procedure for removal and impounding of vehicles shall be as is provided for in applicable provisions of the San Francisco Transportation Traffic Code and Sections 22850 to 22855 of the California Vehicle Code.

(c) Moreover, any vehicle stopped, parked, or left standing in such a manner as to violate Sections 6.01(d), (e), (f), (g), (h), (i), (j), or (k) of this Code is an obstruction to the free use of property and a nuisance within the meaning of Part III of the Civil Code of California relating to nuisances and the abatement thereof.

SEC. 6.10. PENALTIES.

(a) A person who commits an offense listed in Sections 302 or 303 of Division II of the Transportation Code shall be required to pay the fines specified in those Sections. Otherwise,
A person who violates Section 6.01(c), (d), (e), (f) or (g) of this Code shall be guilty of an infraction and upon conviction thereof shall be punished for the first offense by a fine not to exceed $50; for the second offense committed within a one-year period by a fine not to exceed $100; for a third and each additional offense committed within a one-year period by a fine not to exceed $250.

(b) This Section 6.10 shall not be deemed to contradict Section 6.02 of this Code concerning the towing of vehicles in violation of Section 6.01(d), (f) or (g). Nor shall this Section 6.10 contradict or limit the ability of SFMTA to establish and impose fines and penalties pursuant to the Transportation Code for parking violations on park property, subject to the approval of the Recreation and Park Commission.

SEC. 10.01. PENALTIES; ENFORCEMENT.

* * * *

(e) The Park Patrol shall have the authority to issue citations and to enforce any provision of this Code, pursuant to this subdivision (e) and pursuant to California Penal Code section 836.5.

SEC. 12.08. PARKING FEES ON RECREATION AND PARK PROPERTY.

(a) The following fees shall be charged for parking at the Kezar Parking Lot. The rates for parking at the Kezar Stadium Parking Lot may be set by the San Francisco Municipal Transportation Agency (SFMTA) in accordance with Section 6.14. Until such time as the SFMTA has set rates with approval of the Recreation and Park Commission and the Board of Supervisors, the rates, which are subject to annual adjustment under Section 12.20, shall continue to apply:

(1) Hourly Parking Rates.

0—1 hour $2.50
1-2 hours  $5.00  
2-3 hours  $7.00  
3-4 hours  $10.00  
4-5 hours  $12.00  
5-6 hours  $14.00  
6-7 hours  $16.00  
7-24 hours  $18.00  
Special Event Parking  $10.00  
Validation  $1.25  

(2) Monthly Parking Rates.

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<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td>Resident</td>
<td>$160.00</td>
<td></td>
</tr>
<tr>
<td>Seniors</td>
<td>$60.00</td>
<td></td>
</tr>
<tr>
<td>Commercial (Monday—Friday)</td>
<td>$185.00</td>
<td></td>
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</tbody>
</table>

(3) Other Rates.

- Lost Ticket Fee  $18.00  
- Validated Ticket Books (100 stickers)  $150.00  

(b) Candlestick Parking Lots:

- (1) The daily fee for vehicles and trailers parking in the television compound during football season and for televised soccer events shall be $1,000.00 per day.
- (2) The fee for automobile and tire manufacturer and/or dealer shows shall be $2,500.00 per day for set-up and breakdown and $5,000.00 per day for the show.
- (3) The fee for car clubs shall be $2,500.00 per day plus an additional $1,250.00 for use of the entire lot which includes the RV section.
- (4) The fee for photography shoots shall be $2,500.00 per day for use of the parking lot, and $4,000.00 per day for use of the stadium.
(b) Other Recreation and Park Property. The daily fee for parking on other
Recreation and Park property, except for garages and specifically designated parking lots
subject to separate fee-setting procedures, shall be from $0.50 (fifty-cents) to $1.00 per hour,
the amount to be determined by the Recreation and Park Commission after considering the
costs of parking in the areas adjacent to the park property.

SEC. 12.11. MARINA FEES.

The following fees shall be charged for goods and services at the San Francisco-Marina
Small Craft Harbor:

* * *

(e) Parking.

<table>
<thead>
<tr>
<th>(1) Berth Parking, for Owners and Partners Only:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Two permits (per berthing license) stickers</td>
<td>Free</td>
</tr>
<tr>
<td>Each additional permit/sticker, annually</td>
<td>$600+20.00</td>
</tr>
<tr>
<td>(2) Daily Parking, Allows Permit Holder to Park in Marina Spaces if Available:</td>
<td></td>
</tr>
<tr>
<td>Crew, per day</td>
<td>7.50</td>
</tr>
<tr>
<td>Non-Owner, per day</td>
<td>7.50</td>
</tr>
<tr>
<td>(3) Special Event Parking, per day</td>
<td>7.50</td>
</tr>
<tr>
<td>(4) Trailer/Dingy Parking, for Regatta etc., per day</td>
<td>7.50</td>
</tr>
<tr>
<td>(2) All Other Rates Set by SFMTA pursuant to Park Code Section 6.14</td>
<td></td>
</tr>
<tr>
<td>(2) Daily Parking, Allows Permit Holder to Park in Marina Spaces if Available:</td>
<td></td>
</tr>
<tr>
<td>Crew, per day</td>
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<td>(4) Trailer/Dingy Parking, for Regatta etc., per day</td>
<td>7.50</td>
</tr>
</tbody>
</table>

* * *

SEC. 12.35. GOLDEN GATE PARK CONCOURSE UNDERGROUND PARKING
FACILITY.
(a) The rates to be charged for parking in the Golden Gate Park Underground Parking Facility may be set by the SFMTA in accordance with Section 6.14. Until such time as the SFMTA has set rates with approval of the Recreation and Park Commission and the Board of Supervisors, the rates, which are subject to annual adjustment under Section 12.20, shall continue to apply as follows:

<table>
<thead>
<tr>
<th></th>
<th>Each hour</th>
<th>Maximum</th>
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<tbody>
<tr>
<td>Weekdays</td>
<td>$4.50</td>
<td>$25.00</td>
</tr>
<tr>
<td>Weekends</td>
<td>$5.00</td>
<td>$28.00</td>
</tr>
<tr>
<td>Flat Rate After 6:00 p.m.</td>
<td>$15.00</td>
<td></td>
</tr>
<tr>
<td>Monthly Rate (daytime)</td>
<td></td>
<td>$200.00</td>
</tr>
</tbody>
</table>

* * * *

Section 4. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

Section 5. Future Updates to Park Code Sections 12.08 and 12.35. Park Code Sections 12.08(a) and 12.35(a) contain rates previously approved by the Board of Supervisors for parking at the Kezar Stadium Parking Lot and Golden Gate Park Concourse Underground Parking Facility. This ordinance approves of the San Francisco Municipal Transportation Agency (SFMTA) setting new parking rates at those facilities with the approval of the Recreation and Park Commission and the Board of Supervisors, but the rate-setting and approvals have not yet occurred, so the existing rates in the Park Code, adjusted in
accordance with Park Code Section 12.20, shall continue to apply in the interim. The Recreation and Park Department is directed to notify the City Attorney’s Office in writing once SFMTA has commenced setting rates at those facilities with approval of the Recreation and Park Commission and the Board of Supervisors. Upon receiving such notice, the City Attorney’s Office shall cause Sections 12.08 and 12.35 to be revised accordingly.

Section 6. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the “Note” that appears under the official title of the ordinance.

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

By: /s/ MANU PRADHAN
Deputy City Attorney
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.

September 22, 2021 Budget and Finance Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

September 22, 2021 Budget and Finance Committee - CONTINUED TO CALL OF THE CHAIR AS AMENDED

November 03, 2021 Budget and Finance Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

November 03, 2021 Budget and Finance Committee - CONTINUED AS AMENDED

November 10, 2021 Budget and Finance Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

November 10, 2021 Budget and Finance Committee - RECOMMENDED AS AMENDED..

November 16, 2021 Board of Supervisors - PASSED ON FIRST READING
Ayes: 10 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Safai, Stefani and Walton
Excused: 1 - Ronen

November 30, 2021 Board of Supervisors - FINALLY PASSED
Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton
I hereby certify that the foregoing Ordinance was FINALLY PASSED on 11/30/2021 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

12/10/21
Date Approved