

CITY OF OAKLAND

AGENDA REPORT

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2008 MAY 15 PM 1:40

TO: Office of the City Administrator
ATTN: Deborah A. Edgerly
FROM: Community and Economic Development Agency
DATE: May 27, 2008

RE: **Public Hearing and Ordinance Amending the Oakland Municipal Code to:**
(1) Add Chapter 17.117 "Bicycle Parking Regulations" to the Planning Code, Which Will Create Bicycle Parking Requirements for Certain Types of Development and Making Related Amendments to Other Provisions of the Planning Code; and
(2) Amend Chapter 9.52 of the Oakland Municipal Code, "Special Event Permits," to Require Valet Bicycle Parking at Large Public Events.

SUMMARY

The City's Community & Economic Development Agency is proposing amendments to the Planning Code to incorporate standards and requirements for bicycle parking in certain types of development. Adoption of a bicycle parking ordinance is a priority recommendation in the recently-approved Bicycle Master Plan (December 2007), as well as the prior bicycle plan approved in 1999. A bicycle parking ordinance would result in the provision of end-of-trip facilities integral to making bicycling a viable form of transportation. The proposed bicycle parking regulations address bicycle racks, lockers, cages and showers, and how these facilities would be included in future development.

Overall, there was general agreement expressed at the April 16, 2008 Zoning Update Committee meeting of the Planning Commission regarding the proposed bicycle parking regulations. The Planning Commission recommended approval of the regulations at its May 7, 2008 meeting.

FISCAL IMPACT

Approval of the ordinance would have minimal fiscal impact. Execution of the regulations could be accomplished within existing staffing capacity. The regulations could add to the cost of future projects or major remodels of city facilities.

BACKGROUND

In December 2007, the Oakland City Council approved the first revision to Oakland's Bicycle Master Plan (BMP) since 1999. The BMP, part of Oakland's General Plan, encourages safety and accessibility for bicyclists throughout the City. Policy 1D of the updated BMP advises the City to promote secure and convenient bicycle parking and Action 1D.6 calls for adoption of a bicycle parking ordinance. Furthermore, during the April and October 2007 public hearings for the

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environmental review and adoption of the BMP, members of the public and Planning Commissioners urged staff to prioritize the drafting of a bicycle parking ordinance.

Exhibit A to the ordinance contains a proposed new chapter in the Planning Code that would incorporate bicycle parking regulations: Chapter 17.117 Bicycle Parking Requirements. Exhibit A to the ordinance also contains amendments that would need to be made to the Planning Code to reference the new chapter. Exhibit B to the ordinance amends OMC Chapter 9.52 "Special Event Permits," to require valet bicycle parking at large public events:

Community Outreach

The Bicycle and Pedestrian Advisory Committee reviewed the proposed bicycle parking regulations at their monthly meeting on February 21, 2008. A community meeting to discuss the regulations was then held in conjunction with a regular Bicycle and Pedestrian Advisory Committee meeting on March 20, 2008. The proposed ordinance and the community meeting were publicized through a mailing to approximately 750 addresses, including developers, community groups, and interested residents. Information on the bicycle parking regulations documents and adoption process are being updated on the Transportation Services Division's website: www.oaklandpw.com/Page127.aspx#ordinance. The Zoning Update Committee of the Planning Commission considered the item at its April 16, 2008 meeting.

Planning Commission Recommendations

The full Planning Commission recommended ordinance adoption at its meeting of May 7, 2008 with the following amendments and clarifications to the proposal that will be considered by the Community and Economic Development Committee of the City Council on May 27, 2008:

- (1) Amend proposed Chapter 17.117.100.1.a to increase the number of long-term parking spaces required in public, parochial and private nursery schools, kindergartens, and elementary schools to 1 space for each 10 employees plus 1 space for each 20 students of planned capacity.

Civic Activity	Long-term Bicycle Parking Requirement	Short-term Bicycle Parking Requirement
a) Public, parochial, and private nursery schools, kindergartens, and elementary schools.	1 space for each 10 employees plus 1 space for each 20 students of planned capacity. Minimum requirement is 2 spaces.	1 space per each 20 students of planned capacity. Minimum requirement is 2 spaces.

(2) Amend proposed Chapter 17.117.100.2.b to split the 5 percent requirement for long-term parking spaces at railroad and bus terminals into 3.5 percent for long-term parking spaces and 1.5 percent for short-term parking spaces.

Civic Activity	Long-term Bicycle Parking Requirement	Short-term Bicycle Parking Requirement
b) Railroad and bus terminals.	Spaces for 5 3.5% of projected maximum daily ridership.	No spaces required. Spaces for 1.5% of projected maximum daily ridership.

(3) Clarify the requirements in Chapter 17.117.030 to require a minimum of 2 showers per gender and one shower per gender for each 150,000 above 150,000 square feet.

Type of Activity	Shower Requirement (per gender)	Locker Requirement
Commercial: 150,000 square feet of floor area or greater.	A minimum of 2 showers. One per gender plus one shower per gender for each 150,000 <u>s.f.</u> above 150,000 s.f.	4 lockers per shower.

Furthermore, the Planning Commission urged the City Council to consider:

- Improving bicycle parking in city-owned facilities to meet the requirements included in the proposed regulations.
- Engaging with public agencies outside of the City of Oakland’s jurisdiction to encourage them to implement the bicycle parking regulations.

KEY ISSUES AND IMPACTS

The proposed bicycle parking regulations would have the following results:

- Ensure the provision of end-of-trip facilities integral to making bicycling a viable form of transportation; and
- Ensure that those bicycle parking facilities are safe, secure and accessible.

POLICY DESCRIPTION

The draft bicycle parking regulations are based on a revision of the bicycle parking recommendations included in the 1999 BMP with guidance provided by a comparison of bicycle parking requirements in eleven other cities and the Leadership in Energy and Environmental Design (LEED) Green Building Rating System. Attachment A summarizes the proposed requirements, the 1999 recommendations and requirements in other cities.

Of the comparison cities, Sacramento, Portland, Seattle and Denver are similar to Oakland in population, land area, population density or bicycle mode share. San Francisco, Berkeley, Alameda, San Leandro and San Jose are nearby cities with bicycle parking requirements. Vancouver and Ottawa are cities that are in some ways comparable to Oakland and have notable requirements.

Notable requirements from other cities include:

- Bicycle parking requirements for new development.
- Bicycle parking requirements for building renovations.
- Require existing parking garages to provide bicycle parking.
- Require locker and shower facilities for large office development.
- Require bicycle parking for large public events.

Based on assumptions about square footage and occupancy, the proposed bicycle parking regulations are comparable to the LEED requirements for number of bicycle parking spaces. However, LEED requires a far greater number of showers and lockers than what is required by other cities. The proposed shower and locker requirements in Oakland align more closely with what is proposed in other cities than what is recommended by LEED.

The recommendations included in the 1999 BMP were never adopted or incorporated into the Planning Code. However, the recommendations have been used on a case-by-case basis to develop conditions of approval for various projects. Recent projects that have included bicycle parking as conditions of approval include a 142-unit mixed-use project on 2935 Telegraph Avenue, an 80-unit residential project at 2647 International Boulevard and a 74-unit mixed-use project at 460 Grand Avenue. In general, the proposed bicycle parking requirements require fewer spaces than were required by the recommendations contained in the 1999 Bicycle Master Plan. The bicycle parking requirements were reduced in order to fall in line with what other cities provide and what is required by LEED.

Types of Bicycle Parking

The draft parking regulations describes two types of bicycle parking: long and short-term. Short-term bicycle parking serves bicyclists who need to park their bicycles for less than two hours. Long-term bicycle parking, such as a bicycle locker or a bicycle cage, serves bicyclists who need to park their bicycles for longer periods. Short-term bicycle parking, such as a bicycle rack on the sidewalk, provides convenient access, while long-term bicycle parking, such as a bicycle locker or bicycle cage, provides greater security and protection from the elements. Long-term parking is generally more expensive and requires more space, but is particularly beneficial in office and residential projects where employees and residents are expected to park their bicycles for long periods of time. The draft regulations generally require a combination of short-term and long-term parking, rather than a simple total number of bicycle parking spaces. This distinction better meets the needs of a variety of bicyclists and allows for requirements that are specifically tailored to the various land use categories.

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CityRacks Bicycle Parking Program

The proposed bicycle parking regulations would complement and supplement the City's existing CityRacks Bicycle Parking Program. The CityRacks Program, funded through grants, installs bicycle racks by request in the public right-of-way. However, the Program alone is not able to meet all the needs for bicycle parking. The demand for bicycle parking exceeds the supply available through the CityRacks program. The proposed regulations would create new bicycle parking spaces that would help bridge that gap. The CityRacks Program is also limited by the spatial constraints in the public right-of-way that may not permit the installation of bicycle racks. The proposed regulations would allow for the creation of more short-term parking spaces, because even if no space is available in the public right-of-way, new development could locate short-term bicycle parking on-site. CityRacks is rarely able to provide long-term parking, because of the same space constraints in the public right-of-way that affect the provision of short-term parking. One of the most significant contributions of the proposed bicycle parking regulations will be the provision of secure, long-term parking in new developments.

After adoption of an ordinance requiring bicycle parking, CityRacks would remain an essential program. CityRacks would continue to provide short-term bicycle parking for existing development, since the requirements of a bicycle parking ordinance would only apply to new development or major remodels.

Each of the comparison cities that was studied has a different method of establishing bicycle parking requirements. Denver, for example, requires all nonresidential uses to have the same proportion of bicycle parking. Portland and San Jose have different requirements according to land use, so that churches, offices, schools and retail sales may have different requirements. The draft bicycle parking regulations use this approach, because although it is more complex, it is more sensitive to the anticipated demand for each use.

Traditional trip generation methods, such as the 4-Step Travel Model, were not used to estimate demand because these methods are automobile-based, are regional in scope and typically based on observations from a small number of suburban sites. Similarly, the bicycle parking requirements are not linked to automobile parking requirements because these are unrelated modes of transportation and automobile parking would be a poor indicator of bicycle parking demand, since demand for bicycle parking would be expected to increase as automobile parking requirements are reduced. As described earlier, the proposed requirements are based on LEED requirements and requirements found in other cities.

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Summary of Recommendations

The following is a summary of requirements by land use. The land use categories described below are based on Oakland's Use Classifications (Title 17 Chapter 17.10 of the Municipal Code):

Residential Activities

The bicycle parking requirements for residential uses are based on unit counts, the most predictive of potential users as well as the most common basis for generating requirements in other cities. Multifamily residential units without private garages would be required to provide .25 long-term spaces and .05 short-term spaces per unit. Any residential unit with a private parking garage would not be required to provide bicycle parking.

Civic Activities

Civic uses are more varied in type and potential demand than residential uses; therefore requirements are based on square footage, number of employees or students, or number of seats. Civic activities include schools, transit stations and assembly activities.

Commercial Activities

Commercial activities cover a range of uses, including retail, office space and hotels. Bicycle parking requirements for these activities are based on square footage. In addition, office developments greater than 150,000 square feet are required to provide showers and lockers (this requirement is described in more detail below).

Manufacturing and Other Activities

Most manufacturing activities have bicycle parking requirements based on square footage. The majority of demand will be from employees rather than short-term visitors and therefore the recommendations include long-term but no short-term requirements.

Certain types of uses, such as senior housing (for residents over 55 years of age) or elementary schools (children under the age of 12) have reduced requirements based on the assumption that many of the users may not be able to ride a bicycle. These land uses still require some bicycle parking for the users, including employees and visitors, who do travel by bicycle.

Shower/Locker Facilities

The proposed regulations would require large office developments to provide shower and locker facilities. The bicycle parking ordinances of Portland, Seattle, San Francisco, San Jose, Vancouver, and Ottawa all have provisions for locker-room and/or shower facilities for nonresidential uses. These facilities further encourage bicycling by providing storage space for a change of clothes and an opportunity to freshen up before work. Academic studies show that shower/locker facilities at places of employment can be a significant factor in encouraging commuting to work by bicycle. Employees that workout on their lunch break can also benefit from these facilities.

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Design and Placement Standards

The proposed bicycle parking regulations, in addition to describing the number of bicycle parking spaces required of a development, also specify the design and placement standards for that parking. The standards specify the basic characteristics that bicycle parking facilities need to have in order for them to be safe, secure and accessible. The standards include the distance of the parking facilities to the building entrance, the footprint of the parking space and the clearance that is needed to move in and out of that parking space. The proposed design and placement standards are based on the City of Oakland's "Bicycle Parking Placement Guidelines" (October 2004), the recommendations of the Association of Pedestrian and Bicycle Professionals' "Bicycle Parking Guidelines" (2002) and the City of Oakland's "Event Bike Parking Requirements, Guidelines, and Resources." They are also included as part of the Bicycle Master Plan.

Requirements for Major Remodels

The proposed regulations require bicycle parking for major remodels. In a city like Oakland that is mostly built-out, it is important that all major development, including major remodels, provide the infrastructure to better serve a variety of transportation needs. The City of San Francisco provides a precedent by requiring bicycle parking for any remodel that is estimated to cost over \$1,000,000. Since the City of Oakland's proposed bicycle parking regulations describe two types of bicycle parking, there are also two types of thresholds, based on square footage and estimated cost of the remodel, for when to require bicycle parking. For remodels under 10,000 square feet or under \$250,000 no bicycle parking is required. If a remodel project is over both of those amounts, short-term bicycle parking is required. And a remodel project above 50,000 square feet and above \$1,000,000 is required to provide long-term bicycle parking and shower/locker facilities, if applicable.

Flexibility in Requirements

The proposed regulations were crafted to offer a degree of flexibility to developers seeking to provide bicycle parking. According to Section 117.070.I, the long-term bicycle parking location requirement of five hundred (500) feet from the main building entrance may be waived in writing by the Director of City Planning when said activities are located within one thousand (1000) feet of a proposed or existing bike station or similar high-capacity bicycle parking facility. Section 117.070.J allows the required bicycle parking to be located on a nearby lot. The proposed regulations include additional considerations for determination of variances in Section 117.140. Also, Section 117.150 allows the number of automobile parking spaces to be reduced at the ratio of one automobile space for each six bicycle spaces provided in excess of the requirements.

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Effects on Development

Bicycle parking requirements will have financial and physical effects on development. Attachment B describes estimated costs and square footage requirements for typical long-term bicycle parking layouts, including lockers and cages. The average capital cost (not including cost of installation) of long-term bicycle parking is between \$640 and \$1200 per space. Each bicycle would occupy between 6.4 and 30 square feet, depending on the type of long-term bicycle parking facility. The cost of a basic rack that holds two short-term bicycle parking spaces is about \$150. An additional charge of approximately \$113 is incurred if the rack or racks are located in the public right-of-way and need an encroachment permit. The footprint of two bicycles on a rack is about 15 square feet. Additional space is needed around bicycle racks to accommodate a maneuvering aisle or to provide a clear path in the public right-of-way. In general, the average costs and space effects of providing bicycle parking are minimal when compared to the overall project cost and size, as well as the cost of automobile parking.

Valet Bicycle Parking for Large, Public Events

In addition to the creation of bicycle parking requirements in the Planning Code, this process provides an opportunity to propose amendments to another section of the Municipal Code that will further the goals and policies regarding bicycle parking that are included in the Bicycle Master Plan. Exhibit B to the ordinance shows proposed amendments to Title 9 Chapter 9.52: Special Event Permits to include requirements for attended bicycle parking at any special event that expects over 5,000 attendees, such as the Día de los Muertos Festival in Fruitvale or the Art & Soul Festival in Downtown.

ENVIRONMENTAL DETERMINATION

The Bicycle Master Plan's Environmental Impact Report (EIR), certified in December 2007, discussed and evaluated the potential impact of bicycle parking regulations and can be relied upon for this action. The proposed regulations would not result in any new or more severe significant impacts, there is no new information of substantial importance that would result in any new or more severe significant impacts, there are no substantial changes in circumstances that would result in any new or more severe significant impacts, and there is no feasible mitigation measure or alternative that is considerably different from others previously analyzed that has not been adopted.

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SUSTAINABLE OPPORTUNITIES

Economic: The proposed regulations that require bicycle parking are intended to promote bicycling, one of the most cost-effective forms of transportation. Additionally, bicycle trips tend to be local trips and thus are more likely to contribute to local economic activity.

Environmental: The proposed regulations will promote bicycling, an emissions-free and energy efficient form of transportation. By extending human-powered travel beyond walking distance, bicycles are especially effective for linking neighborhoods to downtown, transit stations, and commercial districts, thereby eliminating short, high-polluting car trips caused by cold starts.

Social Equity: Bicycling is an inexpensive and broadly accessible form of transportation. According to the American Automobile Association, the average cost of operating a car is \$5,000 to \$12,000 per year. According to the League of American Bicyclists, the average cost of operating a bicycle is \$120 per year. Bicycle facilities provide added freedom and independence for youth and parents (who are otherwise shuttling their children) as well as for some people who cannot drive and those who have chosen not to drive. Providing bicycle parking will also promote bicycling for transportation, a means for redressing the public health disparities associated with physical inactivity and poor nutrition.

DISABILITY AND SENIOR CITIZEN ACCESS

Staff does not anticipate any particular barriers or benefits resulting from the Municipal Code amendments, regarding access issues for the disabled or for senior citizens. The proposed regulations include design and placement standards to ensure that adequate clearance is available on sidewalks next to bicycle parking. Section 17.117.070 specifies that that bicycle racks located on sidewalks must maintain 5.5 feet of unobstructed pedestrian right-of-way outside the bicycle parking space. This clearance is increased to 7 feet on sidewalks with heavy pedestrian traffic.

RECOMMENDATIONS

Staff recommends that the City Council further the goals and policies of the Bicycle Master Plan for encouraging safe bicycling by making the following amendments to the Municipal Code:

- (1) Add Chapter 17.117 "Bicycle Parking Regulations" to the Planning Code, which will create bicycle parking requirements for certain types of development and making related amendments to other provisions of the Planning Code; and
- (2) Amending Chapter 9.52 of the Oakland Municipal Code, "Special Event Permits," to require valet bicycle parking at large public events.

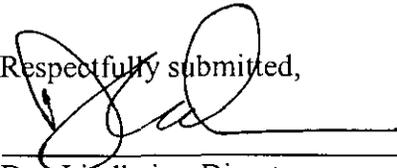
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ACTION REQUESTED OF THE CITY COUNCIL

Make the following amendments to the City of Oakland Municipal Code:

- (1) Add Chapter 17.117 "Bicycle Parking Regulations" to the Planning Code with revisions recommended by the Planning Commission, which will create bicycle parking requirements for certain types of development and making related amendments to other provisions of the Planning Code; and
- (2) Amending Chapter 9.52 of the Oakland Municipal Code, "Special Event Permits," to require valet bicycle parking at large public events.

Respectfully submitted,



Dan Lindheim, Director
Community and Economic Development Agency

Reviewed by:

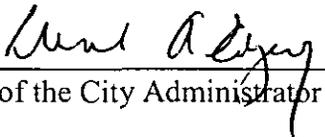
Eric Angstadt, Strategic Planning Manager, Planning and Zoning

Prepared by:

Christina Ferracane, Planner II
Strategic Planning Division, Planning and Zoning

Jason Patton, Bicycle and Pedestrian Program Manager
Transportation Services

APPROVED AND FORWARDED TO THE
COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE:



Office of the City Administrator

Attachments:

- A. Proposed Bicycle Parking Requirements Compared to 1999 Requirements and Requirements in Other Cities
- B. Estimated Cost and Square Footage for Bicycle Parking

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Proposed Bicycle Parking Requirements Compared to 1999 Requirements and Requirements in Other Cities
Community and Economic Development Committee of the City Council, May 27, 2008

		Residential with Private Garage	Multifamily	Office	Retail	Shower	Locker
Oakland	Proposed Long-term	None	1 per 4 units	1 per 10,000 s.f.	1 per 12,000 s.f.	For Office Use: 2 per gender for first 150,000 s.f. plus one per gender for each additional 150,000 s.f.	For Office Use: 4 lockers per shower
	Proposed Short-term	None	1 per 20 units	1 per 20,000 s.f.	1 per 5,000 s.f. (Except 1 per 2,000 s.f. for General Food Sales)		
	1999 Recommendation Long-term	None	1 per 2 units	1 per 3,000 s.f.	1 per 8,000 s.f.	None	None
	1999 Recommendation Short-term	None	1 per 10 units	1 per 10,000 s.f.	1 per 5,000 s.f.	None	None
Similar Cities	Sacramento	None	Within CBD: 10% of auto Outside CBD: 5% of auto	Within CBD: 10% of auto parking	Within CBD: 10% of auto parking	None	None
	Portland Long-term	None	1 per 4 units	1 per 10,000 s.f.	1 per 12,000 s.f.	For each s.f. of locker room facilities, a bonus of 40 s.f. of additional floor space is earned.	For each s.f. of locker room facilities, a bonus of 40 s.f. of additional floor space is earned.
	Portland Short-term	None	1 per 20 units	1 per 40,000 s.f.	1 per 5,000 s.f.		
	Seattle	None	5-10 units, 1 space; 11-20, 2 spaces; 20+, 1 per 10 units	NCD or mixed use: 10% of auto. Dwntrn: 1 per 5,000 s.f.	NCD or mixed use: 10% of auto. Dwntrn: Retail over 10,000 s.f.: 1 per 5,000 s.f.	Downtown, buildings over 250,000 s.f.: 1 shower per gender per 250,000.	Downtown buildings over 250,000 s.f.: shall provide clothing storage areas.
	Denver	None	No requirement	15-40 auto spaces: 2: Greater than 40 auto spaces: 5% of auto.	15-40 auto spaces: 2: Greater than 40 auto spaces: 5% of auto.	None	None
Nearby Cities	San Francisco	None	4-50 units, 0.5 per unit; 50+ units 25, plus 0.25 for each unit over 50	10,000-20,000 s.f., 3 spaces; 20,001-50,000 s.f., 6 spaces; exceeds 50,000 s.f., 12 spaces (long or short-term)	25,000-50,000 s.f., 3 spaces; 50,001-100,000 s.f., 6 spaces; exceeds 100,000 s.f., 12 spaces (long or short-term)	For Office Use: 10,000-20,000 s.f.: 1 shower; 20,001-50,000s.f.: 2 showers; greater than 50,000 s.f.: 4 showers.	For Office Use: 10,000-20,000 s.f.: 2 lockers; 20,001-50,000s.f.: 4 lockers; greater than 50,000 s.f.: 8 lockers.
	Berkeley	None	No requirement	1 per 2,000 s.f.	1 per 2,000 s.f.	None	None
	Alameda	None	10% of auto	10% of auto	10% of auto	None	None
	San Leandro	None	No requirement	5% of auto	5% of auto	None	None
	San Jose	None	1 per 4 units	1 per 50 auto spaces	1 per 20 auto spaces	30,000-150,000 s.f.: 2; 150,001-225,000 s.f.: 3 plus 1 per additional 150,000 sf. above 225,000 s.f.	None
Notable Cities	Vancouver Long-term	None	1.25 per unit w/exceptions	1 space per 8073 s.f.	1 space per 8073 s.f.	Per required long-term bicycle space- 0-65: 1 per gender 65-94: 3 per gender 95+: 3 plus 1 per 30 long-term spaces	0.7 times the number of required long-term spaces.
	Vancouver Short-term	None	20+ units, min. of 6	Min of 6 spaces for any development containing a min of 21528 s.f.	Min of 6 spaces for any development containing 10764 s.f.		
	Ottawa	None	0.5 per unit	1 per 2691 s.f.	1 per 5382 s.f.	Auto parking may be reduced by 1 space for every 140 s.f. provided as shower rooms, change rooms, and locker rooms.	Auto parking may be reduced by 1 space for every 140 s.f. provided as shower rooms, change rooms, and locker rooms.

Estimated Long-term Parking Capacity and Capital Cost*
by Long-term Parking Type in 360 s.f.

Parking Type	Number of bikes per area	Estimated s.f. per bike space	No. of parking units	Average cost per unit	Cost of enclosure	Estimated cost per facility	Estimated cost per bike space
Rack	28	12.9	14	\$150	\$25,000	\$27,100	\$968
Single Level Locker	12	30.0	12	\$1,200	\$0	\$14,400	\$1,200
Stacked Locker	24	15.0	24	\$1,200	\$0	\$28,800	\$1,200
Double Decker	56	6.4	4	\$2,709	\$25,000	\$35,836	\$640

* Material costs only. Does not include installation.

NOTICE AND DIGEST

AN ORDINANCE AMENDING THE OAKLAND MUNICIPAL CODE TO: (1) ADD CHAPTER 17.117 "BICYCLE PARKING REGULATIONS" TO THE PLANNING CODE, WHICH WILL CREATE BICYCLCE PARKING REQUIREMENTS FOR CERTAIN TYPES OF DEVELOPMENT AND MAKING RELATED AMENDMENTS TO OTHER PROVISIONS OF THE PLANNING CODE; AND (2) AMEND CHAPTER 9.52 OF THE OAKLAND MUNICIPAL CODE, "SPECIAL EVENT PERMIT," TO REQUIRE VALET BICYCLE PARKING AT LARGE PUBLIC EVENTS.

The proposed bicycle parking regulations will be applied citywide to certain events and types of development and would result in the provision of end-of-trip facilities integral to making bicycling a viable form of transportation. The proposed regulations address bicycle racks, lockers, cages and showers, and how these facilities would be included in future development and special events.

Mark P. Wald

City Attorney

INTRODUCED BY COUNCILMEMBER _____

OFFICE OF THE CLERK
CITY OF OAKLAND

2008 MAY 15 PM 1:41

OAKLAND CITY COUNCIL

ORDINANCE No. _____ C.M.S.

AN ORDINANCE AMENDING THE OAKLAND MUNICIPAL CODE TO: (1) ADD CHAPTER 17.117 "BICYCLE PARKING REGULATIONS" TO THE PLANNING CODE, WHICH WILL CREATE BICYCLCE PARKING REQUIREMENTS FOR CERTAIN TYPES OF DEVELOPMENT AND MAKING RELATED AMENDMENTS TO OTHER PROVISIONS OF THE PLANNING CODE; AND (2) AMEND CHAPTER 9.52 OF THE OAKLAND MUNICIPAL CODE, "SPECIAL EVENT PERMIT," TO REQUIRE VALET BICYCLE PARKING AT LARGE PUBLIC EVENTS.

WHEREAS, in December 2007 the City adopted the Bicycle Master Plan (BMP), part of the Land Use and Transportation Element of the General Plan; and

WHEREAS, the regulations contained in the city's Planning Code should directly implement the intent of the BMP to encourage safety and accessibility for bicyclists throughout the City; and

WHEREAS, Policy 1D of the BMP advises the City to promote secure and convenient bicycle parking and Action 1D.6 calls for adoption of a bicycle parking ordinance; and

WHEREAS, provision of bicycle parking is a priority recommendation in the BMP; and

WHEREAS, during the April and October 2007 public hearings for the environmental review and adoption of the BMP, members of the public and Planning Commissioners urged staff to prioritize the drafting of a bicycle parking ordinance; and

WHEREAS, City staff has proposed amendment to the Planning Code that would add a new Chapter 17.117 "Bicycle Parking Regulations" and make related amendments to other provisions of the Planning Code that would require bicycle parking and the Amendments to Chapter 9.52 of the Municipal Code, "Special Events Permits", that would require valet bicycle parking at large public events; and

WHEREAS, various community meetings hosted by the City of Oakland's Bicycle and Pedestrian Advisory Committee, and a duly noticed meeting before the City Planning Commission's Zoning Update Committee were held to discuss the proposed bicycle parking regulations; and

WHEREAS, on May 7, 2008 a duly noticed public hearing was held before the City Planning Commission and the Commission recommended adoption of the bicycle parking regulations; now, therefore

THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

Section 1. The City Council finds and determines the forgoing recitals to be true and correct and hereby makes them a part of this Ordinance.

Section 2. The Oakland Planning Code, Title 17 of the Oakland Municipal Code, is hereby amended to: 1) add a new Chapter 17.117 “Bicycle Parking Regulations”, which will require bicycle parking, and (2) include references to this new chapter in each of the zoning chapters, as detailed in **Exhibit A**, attached hereto and hereby incorporated herein by reference.

Section 3. Chapter 9.52 of the Oakland Municipal Code, “Special Events Permit” is hereby amended to: 1) require valet bicycle parking, as detailed in **Exhibit B**, attached hereto and hereby incorporated herein by reference.

Section 4. The City Council, as the California Environmental Quality Act (CEQA) Lead Agency, has independently reviewed, analyzed, and considered the adopted and certified 2007 Bicycle Master Plan Programmatic Environmental Impact Report (EIR) project prior to acting on this ordinance. Based upon such independent review, analysis, and consideration, and exercising its independent judgment, the City Council confirms that the 2007 Bicycle Master Plan Programmatic EIR can be applied to this set of proposed actions and no further environmental review is required. Specifically, and without limitation, the City Council finds and determines that (a) this action is within the scope of the program examined in the 2007 Bicycle Master Plan Programmatic EIR; (b) the project would not result in any new or more severe significant impacts than those studied in the 2007 Bicycle Master Plan Programmatic EIR; (c) there is no new information of substantial importance that would result in any new or more severe significant impacts than those studied in the 2007 Bicycle Master Plan Programmatic EIR; (d) there are no substantial changes in circumstances that would result in any new or more severe significant impacts than those studied in the 2007 Bicycle Master Plan Programmatic EIR; and (e) there is no feasible mitigation measure or alternative that is considerably different from others previously analyzed in the 2007 Bicycle Master Plan Programmatic EIR that has not been adopted.

Section 5. The Mitigation Monitoring and Reporting Program (MMRP) of the 2007 Bicycle Master Plan Programmatic states that bicycle parking regulations would have a beneficial impact. Therefore, no CEQA mitigation or monitoring measures are required.

Section 6. This Ordinance shall be effective immediately after final passage by the City Council, pursuant to Charter section 216, but shall not apply to building/construction related permits already issued and not yet expired, or to zoning applications approved by the City and not yet expired.

Section 7. Nothing in this Ordinance shall be interpreted or applied so as to create any requirement, power, or duty in conflict with any federal or state law.

Section 8. If any section, subsection, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional, the offending portion shall be severed and shall not affect the validity of the remaining portions which shall remain in full effect.

Section 9. That the record before this Council relating to this Ordinance includes, without limitation, the following:

1. the application, including all accompanying maps and papers;
2. all relevant plans and maps;
3. all final staff reports, decision letters and other documentation and information produced by or on behalf of the City;
4. all oral and written evidence received by the City staff, Planning Commission and City Council before and during the public hearings on the application;
5. all matters of common knowledge and all official enactments and acts of the City, such as (a) the General Plan and the General Plan Conformity Guidelines; (b) Oakland Municipal Code, including, without limitation, the Oakland real estate regulations, Oakland Fire Code; (c) Oakland Planning Code; (d) other applicable City policies and regulations; and, (e) all applicable state and federal laws, rules and regulations.

Section 10. That the custodians and locations of the documents or other materials which constitute the record of proceedings upon which the City Council's decision is based are respectively: (a) Community & Economic Development Agency, Planning & Zoning Division, 250 Frank H. Ogawa Plaza, Suite 3315, Oakland, CA.; and (b) Office of the City Clerk, 1 Frank H. Ogawa Plaza, 1st floor, Oakland, CA.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

DATE OF ATTESTATION: _____

Title 17 PLANNING

Additions to Title 17 of the Oakland Planning Code are shown as underline and omissions are shown as ~~strikethrough~~.

Planning Code Chapters Amended:

Chapter 17.11 OS Open Space Zoning Regulations
 Chapter 17.11A R-1 One Acre Estate Residential Zone Regulations
 Chapter 17.12 R-10 Estate Residential Zone Regulations
 Chapter 17.14 R-20 Low Density Residential Zone Regulations
 Chapter 17.16 R-30 One-Family Residential Zone Regulations
 Chapter 17.18 R-35 Special One-Family Residential Zone Regulations
 Chapter 17.20 R-36 Small Lot Residential Zone Regulations
 Chapter 17.22 R-40 Garden Apartment Residential Zone Regulations
 Chapter 17.24 R-50 Medium-Density Residential Zone Regulations
 Chapter 17.26 R-60 Medium High-Density Residential Zone Regulations
 Chapter 17.28 R-70 High Density Residential Zone Regulations
 Chapter 17.30 R-80 High-Rise Apartment Residential Zone Regulations
 Chapter 17.32 R-90 Downtown Apartment Residential Zone Regulations
 Chapter 17.34 C-5 Neighborhood Commercial Zone Regulations
 Chapter 17.36 C-10 Local Retail Commercial Zone Regulations
 Chapter 17.38 C-20 Shopping Center Commercial Zone Regulations
 Chapter 17.40 C-25 Office Commercial Zone Regulations
 Chapter 17.42 C-27 Village Commercial Zone Regulations
 Chapter 17.44 C-28 Commercial Shopping District Zone Regulations
 Chapter 17.46 C-30 District Thoroughfare Commercial Zone Regulations
 Chapter 17.48 C-31 Special Retail Commercial Zone Regulations
 Chapter 17.50 C-35 District Shopping Commercial Zone Regulations
 Chapter 17.52 C-36 Gateway Boulevard Service Commercial Zone Regulations
 Chapter 17.54 C-40 Community Thoroughfare Commercial Zone Regulations
 Chapter 17.56 C-45 Community Shopping Commercial Zone Regulations
 Chapter 17.58 C-51 Central Business Service Commercial Zone Regulations
 Chapter 17.60 C-52 Old Oakland Commercial Zone Regulations
 Chapter 17.62 C-55 Central Core Commercial Zone Regulations
 Chapter 17.64 C-60 City Service Commercial Zone Regulations
 Chapter 17.65 HBX Housing and Business Mix Commercial Zone Regulations
 Chapter 17.66 M-10 Special Industrial Zone Regulations
 Chapter 17.68 M-20 Light Industrial Zone Regulations
 Chapter 17.70 M-30 General Industrial Zone Regulations
 Chapter 17.72 M-40 Heavy Industrial Zone Regulations
 Chapter 17.74 S-1 Medical Center Zone Regulations
 Chapter 17.76 S-2 Civic Center Zone Regulations
 Chapter 17.78 S-3 Research Center Zone Regulations
 Chapter 17.97 S-15 Transit-Oriented Development Zone Regulations
Chapter 17.117 Bicycle Parking Regulations

Chapter 17.117 BICYCLE PARKING REQUIREMENTS

Article I. General Provisions

- 17.117.010 Title, Purpose, and Applicability.
- 17.117.020 Bicycle Parking Required for New and Existing Uses.
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- 17.117.040 Determination by Director of City Planning.

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- 17.117.060 Minimum Specifications for Required Bicycle Parking.
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Article III. Minimum Number of Required Bicycle Parking Spaces

- 17.117.080 Calculation Rules.
- 17.117.090 Required Bicycle Parking – Residential Activities.
- 17.117.100 Required Bicycle Parking – Civic Activities.
- 17.117.110 Required Bicycle Parking – Commercial Activities.
- 17.117.120 Required Bicycle Parking – Manufacturing and All Other Activities.
- 17.117.130 Required Shower and Locker Facilities – All Activities.
- 17.117.140 Additional Considerations for Variance Determination.
- 17.117.150 Automobile Parking Credit.

Article I. General Provisions

- 17.117.010 Title, Purpose, and Applicability.

The provisions of this chapter shall be known as the bicycle parking requirements. The purpose of these regulations is to require secure and adequate long term-and-short term parking for bicycles, thereby promoting alternative transportation, providing additional, more sustainable transportation choices for residents and commuters, and reducing traffic congestion and air pollution. These requirements shall apply to the indicated activities as specified hereinafter.

- 17.117.020 Bicycle Parking Required for New and Existing Uses.

A. Bicycle Parking Shall be Provided for New Facilities and Additions to Existing Facilities.

Bicycle parking as prescribed hereafter shall be provided for activities occupying facilities, or portions thereof, which are constructed, established, wholly reconstructed, or moved onto a new lot after the effective date of the bicycle parking requirements, or of a subsequent rezoning or other amendment thereto establishing or increasing bicycle parking for such activities, except to the extent that existing bicycle parking exceeds such requirements for any existing facilities. The required amount of new bicycle parking shall be based on the cumulative increase in floor area, or other applicable unit of measurement prescribed hereafter, after said effective date.

B. Bicycle Parking Shall be Provided for Remodels. "Remodel" means any proposed physical improvement of an existing structure which requires a building permit but does not include New Facilities or Additions to Existing Facilities.

- 1. Remodel projects that are over 10,000 s.f. and have an estimated construction cost greater than \$250,000 shall provide the number of short-term bicycle

parking spaces prescribed in Sections 117.090 to 117.120. This amount shall be adjusted to account for changes in the Building Cost Index for the San Francisco Bay Region, as reported in the Engineering News Record. The adjustment shall be made annually, starting in 2009, no sooner than one year from adoption.

2. Remodel projects that are over 50,000 s.f. and have an estimated construction cost over \$1,000,000 shall provide, in addition to short-term bicycle parking, the number of long-term bicycle parking spaces and shower and locker facilities prescribed in Sections 117.090 to 117.130. This amount shall be adjusted to account for changes in the Building Cost Index for the San Francisco Bay Region, as reported in the Engineering News Record. The adjustment shall be made annually, starting in 2009, no sooner than one year from adoption.

C. Bicycle Parking shall be Provided for New Living Units in Existing Facilities. If any facility, or portion thereof, which is in existence on the effective date of the bicycle parking requirements, or of a subsequent rezoning or other amendment thereto establishing or increasing bicycle parking requirements for an activity therein, is altered or changed in occupancy so as to result in an increase on the number of residential living units therein, bicycle parking as prescribed hereafter shall be provided for the new units. However, such bicycle parking need be provided only in the amount by which the requirement prescribed hereafter for the facility after said alteration or change exceeds the requirement prescribed hereafter for the facility as it existed prior to such alteration or change; and such new bicycle parking need not be provided to the extent that existing bicycle parking exceeds the latter requirement.

17.117.030 More than One Activity on a Lot.

Whenever a single lot contains different activities with the same bicycle requirement, the overall requirement shall be based on the sum of all such activities, and the minimum size prescribed hereafter for which any bicycle parking is required shall be deemed to be exceeded for all such activities if it is exceeded by their sum. Whenever a single lot contains activities with different bicycle parking requirements, the overall requirement shall be the sum of the requirements for each activity calculated separately; provided, however, that the minimum size prescribed hereafter for which any bicycle parking is required shall be deemed to be exceeded on said lot for all activities for which the same or a smaller minimum size, expressed in the same unit of measurement, is prescribed, if said minimum size is exceeded by the sum of all such activities on the lot.

17.117.040 Determination by Director of City Planning.

In the case of activities for which the Director of City Planning is required to prescribe a number of bicycle parking spaces or for which this chapter is not clear or does not prescribe a number of spaces, the Director of City Planning shall base his or her written determination on the number of employees, residents or customers and the nature of operations conducted on the site. Any such written determination shall be subject to appeal pursuant to the administrative appeal procedure in Chapter 17.132.

Article II. Standards for Required Bicycle Parking.**17.117.050 Types of Required Bicycle Parking.****A. Long-term Bicycle Parking.**

Each long-term bicycle parking space shall consist of a locker or locked enclosure providing protection for each bicycle from theft, vandalism and weather. Long-term bicycle parking is meant to accommodate employees, students, residents, commuters, and others expected to park more than two hours.

B. Short-term Bicycle Parking.

Short-term bicycle parking shall consist of a bicycle rack or racks and is meant to accommodate visitors, customers, messengers, and others expected to park not more than two hours.

17.117.060 Minimum Specification for Required Bicycle Parking.

A. All bicycle parking facilities shall be dedicated for the exclusive use of bicycle parking.

B. All required short-term bicycle parking spaces shall permit the locking of the bicycle frame and one wheel with a U-type lock, support the bicycle in a stable position without damage to wheels, frame, or components, and provide two points of contact with the bicycle's frame.

C. All required long-term bicycle parking spaces, with the exception of bicycle lockers, shall permit the locking of the bicycle frame and one wheel with a U-type lock and support the bicycle in a stable position without damage to wheels, frame, or components.

D. Bicycle parking facilities shall be securely anchored so they cannot be easily removed and shall be of sufficient strength and design to resist vandalism and theft.

E. The overall design and spacing of such facilities shall meet the standards of Section 17.117.070 or as may be modified.

17.117.070 Location and Design of Required Bicycle Parking.

Required bicycle parking shall be placed on site(s) as set forth below:

A. A bicycle parking space shall be at least two and a half (2.5) feet in width by six (6) feet in length to allow sufficient space between parked bicycles.

B. An encroachment permit may be required from the City to install bicycle parking in the public right-of-way.

C. Bicycle parking facilities shall not impede pedestrian or vehicular circulation.

a. Bicycle parking racks located on sidewalks should maintain a minimum of five and one half (5.5) feet of unobstructed pedestrian right-of-way outside the bicycle parking space. For sidewalks with heavy pedestrian traffic, at least seven (7) feet of unobstructed right-of-way is required.

D. Bicycle parking facilities are subject to the following standards:

a. Racks shall be located with at least thirty (30) inches in all directions from any vertical obstruction, including but not limited to other racks, walls, and landscaping. General Food Sales and Large Scale Combined Retail and Grocery Sales Activities are encouraged to locate racks with a thirty-six (36) inch clearance in all directions from any vertical obstruction, including but not limited to other racks, walls, and landscaping.

b. A minimum four (4) foot wide aisle of unobstructed space behind all required bicycle parking shall be provided to allow for adequate bicycle maneuvering.

- E. Bicycle parking facilities within auto parking facilities shall be protected from damage by cars by a physical barrier such as curbs, wheel stops, poles, bollards, or other similar features capable of preventing automobiles from entering the bicycle facility.
- F. Bicycle parking facilities shall be located in highly visible well-lighted areas. In order to maximize security, whenever possible short-term bicycle parking facilities shall be located in areas highly visible from the street and from the interior of the building they serve (i.e. placed adjacent to windows).
- G. The location and design of required bicycle parking shall be of a quality, character and color that harmonize with adjoining land uses. Required bicycle parking shall be incorporated whenever possible into building design or street furniture.
- H. Long-term bicycle parking shall be covered and shall be located on site or within five hundred (500) feet of the main building entrance unless approved by the Director of City Planning with a written Discretionary Waiver. The main building entrance excludes garage entrances, trash room entrances, and other building entrances that are not publicly accessible.
- I. Discretionary Waiver. The long-term bicycle parking location requirement of five hundred (500) feet may be waived in writing by the Director of City Planning when said activities are located within one thousand (1000) feet of a proposed or existing bike station or similar high-capacity bicycle parking facility. Any determination on such waiver shall be subject to appeal pursuant to the administrative appeal procedure in Chapter 17.132.
- J. Whenever any required bicycle parking is proposed to be provided on a lot other than the lot containing the activity served, the owner or owners of both lots shall prepare and execute to the satisfaction of the City Attorney, and file with the Alameda County Recorder, an agreement guaranteeing that such facilities will be maintained and reserved for the activity served, for the duration of said activity.
- K. Short-term bicycle parking shall be placed within fifty (50) feet of the main entrance to the building or commercial use and should be in a well trafficked location visible from the entrance. When the main entrance fronts the sidewalk, the installer may obtain an encroachment permit from the City to install the bicycle parking in the public right-of-way. The main building entrance excludes garage entrances, trash room entrances, and other building entrances that are not publicly accessible.

Article III. Minimum Number of Required Bicycle Parking Spaces

17.117.080 Calculation Rules.

- A. If after calculating the number of required bicycle parking spaces a quotient is obtained containing a fraction of one-half or more, an additional space shall be required; if such fraction is less than one-half it may be disregarded.
- B. When the bicycle parking requirement is based on number of employees, the number of spaces shall be based on the number of working persons on the lot during the largest shift of the peak season. If the Director of City Planning determines that this number is difficult to verify for a specific facility, then the number of required long-term bicycle parking spaces shall be a minimum of two spaces or five percent of the amount of required automobile spaces for the proposed facility, whichever is greater.
- C. When the bicycle parking requirement is based on number of seats, in the case of pews or similar facilities each twenty (20) inches shall be counted as one seat.

D. The calculation of short-term bicycle parking may include existing racks that are in the public right-of-way and are within 50 feet of the main entrance.

17.117.090 Required Bicycle Parking – Residential Activities.

Subject to the calculation rules set forth in Section 17.117.080, the following minimum amounts of bicycle parking are required for all Residential Activities and shall be developed and maintained pursuant to the provisions of Article II of this chapter:

<u>Type of Activity</u>	<u>Long-term Bicycle Parking Requirement</u>	<u>Short-term Bicycle Parking Requirement</u>
<u>Permanent and Semi-Transient Residential Activities occupying the specified facilities:</u>		
1) <u>One-Family Dwelling.</u>	<u>No spaces required.</u>	<u>No spaces required.</u>
2) <u>One-Family Dwelling with Secondary Unit.</u>	<u>No spaces required.</u>	<u>No spaces required.</u>
3) <u>Two-Family Dwelling.</u>	<u>No spaces required.</u>	<u>No spaces required.</u>
4) <u>Multifamily Dwelling.</u>		
a) <u>With private garage for each unit.</u>	<u>No spaces required.</u>	<u>1 space for each 20 dwelling units. Minimum requirement is 2 spaces.</u>
b) <u>Without private garage for each unit.</u>	<u>1 space for each 4 dwelling units. Minimum requirement is 2 spaces.</u>	<u>1 space for each 20 dwelling units. Minimum requirement is 2 spaces.</u>
c) <u>Senior Housing.</u>	<u>1 space for each 10 dwelling units. Minimum requirement is 2 spaces.</u>	<u>1 space for each 20 dwelling units. Minimum requirement is 2 spaces.</u>
5) <u>Rooming House.</u>	<u>1 space for each 8 residents. Minimum requirement is 2 spaces.</u>	<u>No spaces required.</u>
6) <u>Mobile Home.</u>	<u>1 per 20 units.</u>	<u>No spaces required.</u>
7) <u>HBX Live/Work Lofts.</u>	<u>1 space for each 4 dwelling units. Minimum requirement is 2 spaces.</u>	<u>1 space for each 20 dwelling units. Minimum requirement is 2 spaces.</u>
<u>Residential Care, Service-Enriched Permanent, Transitional Housing, and Emergency Shelter Residential Activities occupying the specified facilities:</u>		
8) <u>Residential Care.</u>	<u>1 space for each 20 employees or 1 space</u>	<u>2 spaces.</u>
9) <u>Service-Enriched Permanent Housing.</u>	<u>for each 70,000 s.f., whichever is greater. Minimum requirement is 2 spaces.</u>	
10) <u>Transitional Housing.</u>	<u>1 space for each 8 residents. Minimum requirement is 2 spaces.</u>	<u>1 space for each 20 dwelling units. Minimum requirement is 2 spaces.</u>
11) <u>Emergency Shelter Residential.</u>	<u>1 space for each 20 employees or 1 space for each 70,000 s.f., whichever is greater. Minimum requirement is 2 spaces.</u>	<u>1 space for each 5,000 s.f. of floor area. Minimum requirement is 2 spaces.</u>

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17.117.100 Required Bicycle Parking – Civic Activities.

Subject to the calculation rules set forth in Section 17.117.080, the following minimum amounts of bicycle parking are required for the specified Civic Activities and shall be developed and maintained pursuant to the provisions of Article II of this chapter:

<u>Civic Activity</u>	<u>Long-term Bicycle Parking Requirement</u>	<u>Short-term Bicycle Parking Requirement</u>
1) <u>Essential Service.</u>	<u>Number of spaces to be prescribed by the</u>	<u>Number of spaces to be prescribed by the</u>
2) <u>Limited Childcare.</u>	<u>Director of City Planning, pursuant to</u>	<u>Director of City Planning, pursuant to</u>
	<u>Section 17.117.040.</u>	<u>Section 17.117.040.</u>
3) <u>Community Assembly.</u>		
a) <u>Churches, temples, and synagogues.</u>	<u>1 space for each 40 fixed seats, or one space for each 4,000 s.f. of floor area, whichever is greater. Minimum requirement is 2 spaces.</u>	<u>1 space for each 40 fixed seats, or one space for each 2,000 s.f. of floor area, whichever is greater. Minimum requirement is 2 spaces.</u>
b) <u>Other.</u>	<u>Number of spaces to be prescribed by the</u>	<u>Number of spaces to be prescribed by the</u>
	<u>Director of City Planning, pursuant to</u>	<u>Director of City Planning, pursuant to</u>
	<u>Section 17.117.040.</u>	<u>Section 17.117.040.</u>
4) <u>Non-Assembly Cultural.</u>	<u>1 space for each 20 employees. Minimum requirement is 2 spaces.</u>	<u>Spaces for 2% of maximum expected daily attendance.</u>
5) <u>Administrative.</u>	<u>1 space for each 20 employees. Minimum requirement is 2 spaces.</u>	<u>1 space for each 20,000 s.f. of floor area. Minimum requirement is 2 spaces.</u>
6) <u>Health Care.</u>	<u>1 space for each 20 employees; or one</u>	<u>1 space for each 40,000 s.f. of floor area.</u>
7) <u>Special Health Care.</u>	<u>space for each 70,000 s.f. of floor area, whichever is greater. Minimum requirement is 2 spaces.</u>	<u>Minimum requirement is 2 spaces.</u>
8) <u>Utility and Vehicular.</u>		
a) <u>Communications equipment installations and exchanges, electrical substations, emergency hospitals operated by a public agency, gas substations, neighborhood newscarrrier distribution centers.</u>	<u>No spaces required.</u>	<u>No spaces required.</u>
b) <u>Fire Stations and Police Stations.</u>	<u>1 space for each 10 employees. Minimum requirement is 2 spaces</u>	<u>6 spaces.</u>
c) <u>Post offices, excluding major mail-processing centers.</u>		
d) <u>Publicly operated off-street parking lots and garages available to the general public either without charge or on a fee basis.</u>	<u>No spaces required.</u>	<u>Minimum of 6 spaces or 1 per 20 auto spaces (parking lots excepted).</u>
9) <u>Community Education.</u>		
a) <u>Public, parochial, and private day-care centers for fifteen (15) or more children.</u>	<u>1 space for each 10 employees. Minimum requirement is 2 spaces.</u>	<u>1 space per each 20 students of planned capacity. Minimum requirement is 2 spaces.</u>
b) <u>Public, parochial, and private nursery schools, kindergartens, and elementary schools.</u>	<u>1 space for each 10 employees. Minimum requirement is 2 spaces.</u>	<u>1 space per each 20 students of planned capacity. Minimum requirement is 2 spaces.</u>

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c) <u>Public parochial and private junior high and high schools.</u>	<u>1 space for each 10 employees plus 1 space for each 20 students of planned capacity. Minimum requirement is 2 spaces.</u>	<u>1 space per each 20 students of planned capacity. Minimum requirement is 2 spaces.</u>
10) Extensive impact		
a) <u>Colleges and universities.</u>	<u>1 space for each 10 employees plus 1 space for each 10 students of planned capacity; or 1 space for each 20,000 s.f. of floor area, whichever is greater.</u>	<u>1 space for each 10 students of planned capacity.</u>
b) <u>Railroad and bus terminals.</u>	<u>Spaces for 5% of projected maximum daily ridership.</u>	<u>No spaces required.</u>
c) <u>Other.</u>	<u>Number of spaces to be prescribed by the Director of City Planning, pursuant to Section 17.117.040.</u>	<u>Number of spaces to be prescribed by the Director of City Planning, pursuant to Section 17.117.040.</u>

17.117.110 Required Bicycle Parking – Commercial Activities

Subject to the calculation rules set forth in Section 17.117.080, the following amounts of bicycle parking are required for the specified Commercial Activities and shall be developed and maintained pursuant to the provisions of Article II of this chapter:

<u>Commercial Activity</u>	<u>Long-term Bicycle Parking Requirement</u>	<u>Short-term Bicycle Parking Requirement</u>
Retail		
1. <u>General Food Sales.</u>	<u>1 space for each 12,000 s.f. of floor area. Minimum requirement is 2 spaces.</u>	<u>1 space for each 2,000 s.f. of floor area. Minimum requirement is 2 spaces.</u>
2. <u>Convenience Market.</u>	<u>1 space for each 12,000 s.f. of floor area.</u>	<u>1 space for each 5,000 s.f. of floor area.</u>
3. <u>Fast-Food Restaurant.</u>	<u>Minimum requirement is 2 spaces.</u>	<u>Minimum requirement is 2 spaces.</u>
4. <u>Alcoholic Beverage Sales.</u>		
5. <u>Convenience Sales and Service.</u>		
6. <u>Mechanical or Electronic Games.</u>		
7. <u>General Retail Sales.</u>		
8. <u>Large-scale combined retail and grocery sales.</u>		
9. <u>General Personal Service.</u>		
10. <u>Consumer Laundry and Repair Service.</u>		
11. <u>Check Cashier and Check Cashing.</u>		
12. <u>Retail Business Supply.</u>	<u>1 space for each 12,000 s.f. of floor area.</u>	<u>1 space for each 20,000 s.f. of floor area.</u>
13. <u>General Wholesale Sales.</u>	<u>Minimum requirement is 2 spaces.</u>	<u>Minimum requirement is 2 spaces.</u>
14. <u>Construction Sales and Service.</u>		
Office		
1. <u>Consultative and Financial Service.</u>	<u>1 space for each 10,000 s.f. of floor area.</u>	<u>1 space for each 20,000 s.f. of floor area.</u>
2. <u>Administrative Commercial.</u>	<u>Minimum requirement is 2 spaces.</u>	<u>Minimum requirement is 2 spaces.</u>
3. <u>Business and Communication Service.</u>		
Medical		
1. <u>Medical Service.</u>	<u>1 space for each 12,000 s.f. of floor area.</u>	<u>1 space for each 5,000 s.f. of floor area.</u>
2. <u>Animal Care.</u>	<u>Minimum requirement is 2 spaces.</u>	<u>Minimum requirement is 2 spaces.</u>
Auto Related		
1. <u>Automotive Sales, Rental, and Delivery.</u>	<u>1 space for each 12,000 s.f. of floor area. Minimum requirement is 2 spaces.</u>	<u>1 space for each 20,000 s.f. of floor area. Minimum requirement is 2 spaces.</u>

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2. Automotive Servicing.	1 space for each 20 employees.	No spaces required.
3. Automotive Repair and Cleaning.	Minimum requirement is 2 spaces.	
Other Commercial	Long-term Bicycle Parking Requirement	Short-term Bicycle Parking Requirement
1. Group Assembly.	Number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040.	Number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040.
2. Research Service.	1 space for each 10,000 s.f. of floor area. Minimum requirement is 2 spaces.	1 space for each 40,000 s.f. of floor area. Minimum requirement is 2 spaces.
3. Transient Habitation.	1 space for each 20 rentable rooms. Minimum requirement is 2 spaces.	1 space for each 20 rentable rooms. Minimum requirement is 2 spaces.
4. Automotive Fee Parking.	1 space for each 20 automobile spaces. Minimum requirement is 2 spaces.	Minimum of 6 spaces or 1 per 20 auto spaces (parking lots excepted)
5. Transport and Warehousing.	1 space for each 40,000 s.f. of floor area. Minimum requirement is 2 spaces.	No spaces required.
6. Undertaking Service.	1 space for each 12,000 s.f. of floor area. Minimum requirement is 2 spaces.	2 spaces.
7. Scrap Operation.	1 space for each 20 employees. Minimum requirement is 2 spaces.	No spaces required.
8. HBX Work/Live.	1 space for each 4 dwelling units. Minimum requirement is 2 spaces.	1 space for each 20 dwelling units. Minimum requirement is 2 spaces.

17.117.120 Required Bicycle Parking – Manufacturing and Other Activities
Subject to the calculation rules set forth in Section 17.117.080, the following minimum amounts of bicycle parking are required for the specified Manufacturing, Agricultural and Extractive Activities and All Other Activities and shall be developed and maintained pursuant to the provisions of Article II of this chapter:

<u>Type of Activity</u>	<u>Long-term Bicycle Parking Requirement</u>	<u>Short-term Bicycle Parking Requirement</u>
Manufacturing and Production		
1. Custom Manufacturing.	1 space for each 15,000 s.f. of floor area. Minimum requirement is 2 spaces.	No spaces required.
2. Light Manufacturing.		
3. General Manufacturing.		
4. Heavy Manufacturing.		
5. Small Scale Transfer and Storage.		
6. Industrial Transfer/Storage Hazardous Waste Management.		
7. Residual Repositories Hazardous Waste Management.		
Agricultural and Extractive		
1. Plant Nursery Agricultural.	Number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040.	Number of spaces to be prescribed by the Director of City Planning pursuant to Section 17.116.040.
2. Crop and Animal Raising Agricultural	No spaces required.	No spaces required.
3. Mining and Quarrying Extractive.		
Other Manufacturing		

1. HBX Work/Live.	1 space for each 4 dwelling units. Minimum requirement is 2 spaces.	1 space for each 20 dwelling units. Minimum requirement is 2 spaces.
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17.117.130 Required Shower and Locker Facilities

Subject to the calculation rules set forth in Section 17.117.080, the following amounts of shower facilities and lockers are required per gender for the specified Activities and shall be developed and maintained pursuant to the provisions of Article II of this chapter:

<u>Type of Activity</u>	<u>Shower Requirement (per gender)</u>	<u>Locker Requirement</u>
<u>Residential.</u>	<u>None required.</u>	<u>None required.</u>
<u>Civic.</u>	<u>None required.</u>	<u>None required.</u>
<u>Commercial: Less than 150,000 square feet of floor area.</u>	<u>None required.</u>	<u>None required.</u>
<u>Commercial: 150,000 square feet of floor area or greater.</u>	<u>A minimum of 2 showers. One shower per gender for each 150,000 above 150,000 s.f.</u>	<u>4 lockers per shower.</u>
<u>Manufacturing.</u>	<u>None required.</u>	<u>None required.</u>
<u>Agricultural and Extractive.</u>	<u>None required.</u>	<u>None required.</u>

17.117.140 Additional Considerations for Variance Determination

A variance may be granted if the applicant can make the variance findings contained in Section 17.148.050. In making a variance determination, the following additional considerations should be taken into account:

1. The variance, if granted, will not be contrary to the policies included in the Bicycle Master Plan.
2. Consideration can be afforded to a proposal if incorporation of the bicycle parking would be detrimental to other bicycle or pedestrian facilities.
3. Consideration can be afforded to a proposal with a site access that is in excess of the street grade criteria established by the Bicycle Master Plan.
4. In consideration of what is physically feasible, the proposal meets as many of the bicycle parking requirements as possible to provide a form of storing bicycles in a safe, secure and accessible manner.

17.117.150 Automobile Parking Credit

The total number of required off-street automobile parking spaces may be reduced at the ratio of one automobile space for each six bicycle spaces provided in excess of the requirements in this chapter. The bicycle parking provided for this automobile parking credit shall include both long-term and short-term bicycle parking in proportion to the minimum long-term and short-term requirements for the given project. The total number of required off-street automobile parking spaces cannot be reduced by more than five percent.

Chapter 17.11 OS OPEN SPACE ZONING REGULATIONS

17.11.170 Other zoning provisions.

A. Parking and Loading. Off-street parking and loading shall be provided as prescribed in the off-street parking and loading requirements at Chapter 17.116, except that reduced parking requirements may be allowed by the Director of City Planning through the conditional use permit procedure required by Sections 17.11.060 and 17.11.090 for activities and facilities in either of the following instances:

1. The project's primary service area is one-quarter mile or less; or,
2. A portion of the project's parking demand is to be met through reciprocal agreements for shared parking on the same site or an adjacent site or sites.

In both cases, the extent of the reduction shall be determined by the Director of City Planning pursuant to Section 17.116.040.

B. Bicycle Parking. Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117.

CB. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations at Chapter 17.114.

DC. General Provisions. Unless otherwise indicated, the general exceptions and other regulations set forth in Chapter 17.102 shall apply in the OS zone. (Ord. 12078 § 3 (part), 1998)

Chapter 17.11A R-1 ONE ACRE ESTATE RESIDENTIAL ZONE REGULATIONS

17.11A.170 Other zoning provisions.

A. Parking and Loading. Off-street parking and loading shall be provided as prescribed in the off-street parking and loading requirements in Chapter 17.116.

B. Bicycle Parking. Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117.

CB. Home Occupations. Home occupations shall be subject to the applicable provisions of the home occupation regulations in Chapter 17.112.

DC. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.

ED. General Provisions. The general exceptions and other regulations set forth in Chapters 17.102, 17.104, 17.106, and 17.108 shall apply in the R-1 zone.

FE. Recycling Space Allocation Requirements. The regulations set forth in Chapter 17.118 shall apply in the R-1 zone.

GF. Landscaping and Screening Standards. The regulations set forth in Chapter 17.124 shall apply in the R-1 zone. (Ord. 12376 § 3 (part), 2001; Ord. 12272 § 3 (part), 2000)

Chapter 17.12 R-10 ESTATE RESIDENTIAL ZONE REGULATIONS

17.12.170 Other zoning provisions.

A. Parking and Loading. Off-street parking and loading shall be provided as prescribed in the off-street parking and loading requirements in Chapter 17.116.

B. Bicycle Parking. Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117.

CB. Home Occupations. Home occupations shall be subject to the applicable provisions of the home occupation regulations in Chapter 17.112.

DC. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.

ED. General Provisions. The general exceptions and other regulations set forth in Chapters 17.102, 17.104, 17.106, and 17.108 shall apply in the R-10 zone.

FE. Recycling Space Allocation Requirements. The regulations set forth in Chapter 17.118 shall apply in the R-10 zone.

GF. Landscaping and Screening Standards. The regulations set forth in Chapter 17.124 shall apply in the R-10 zone.
(Ord. 12376 § 3 (part), 2001; Ord. 11807 § 3 (part), 1995; prior planning code § 3274)

Chapter 17.14 R-20 LOW DENSITY RESIDENTIAL ZONE REGULATIONS

17.14.170 Other zoning provisions.

A. Parking and Loading. Off-street parking and loading shall be provided as prescribed in the off-street parking and loading requirements in Chapter 17.116.

B. Bicycle Parking. Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117.

CB. Home Occupations. Home occupations shall be subject to the applicable provisions of the home occupation regulations in Chapter 17.112.

DC. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.

ED. General Provisions. The general exceptions and other regulations set forth in Chapters 17.102, 17.104, 17.106, and 17.108 shall apply in the R-20 zone.

FE. Recycling Space Allocation Requirements. The regulations set forth in Chapter 17.118 shall apply in R-20 zone.

GF. Landscaping and Screening Standards. The regulations set forth in Chapter 17.124 shall apply in the R-20 zone. (Ord. 12376 § 3 (part), 2001; amended during 1997 codification; Ord. 11807 § 3 (part), 1996; prior planning code § 3374)

Chapter 17.16 R-30 ONE-FAMILY RESIDENTIAL ZONE REGULATIONS

17.16.170 Other zoning provisions.

A. Parking and Loading. Off-street parking and loading shall be provided as prescribed in the off-street parking and loading requirements in Chapter 17.116.

B. Bicycle Parking. Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117.

CB. Home Occupations. Home occupations shall be subject to the applicable provisions of the home occupation regulations in Chapter 17.112.

DC. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.

ED. General Provisions. The general exceptions and other regulations set forth in Chapters 17.102, 17.104, 17.106, and 17.108 shall apply in the R-30 zone.

FE. Recycling Space Allocation Requirements. The regulations set forth in Chapter 17.118 shall apply in R-30 zone.

GF. Landscaping and Screening Standards. The regulations set forth in Chapter 17.124 shall apply in the R-30 zone.
(Ord. 12376 § 3 (part), 2001; amended during 1997 codification; Ord. 11807 § 3 (part), 1995; prior planning code § 3474)

Chapter 17.18 R-35 SPECIAL ONE-FAMILY RESIDENTIAL ZONE REGULATIONS

17.18.180 Other zoning provisions.

A. Parking and Loading. Off-street parking and loading shall be provided as prescribed in the off-street parking and loading requirements in Chapter 17.116.

B. Bicycle Parking. Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117.

CB. Home Occupations. Home occupations shall be subject to the applicable provisions of the home occupation regulations in Chapter 17.112.

DC. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.

ED. General Provisions. The general exceptions and other regulations set forth in Chapters 17.102, 17.104, 17.106, and 17.108 shall apply in the R-35 zone.

FE. Recycling Space Allocation Requirements. The regulations set forth in Chapter 17.118 shall apply in R-35 zone.

GF. Landscaping and Screening Standards. The regulations set forth in Chapter 17.124 shall apply in the R-35 zone.

(Ord. 12376 § 3 (part), 2001: amended during 1997 codification; Ord. 11807 § 3 (part), 1995; prior planning code § 3574)

Chapter 17.20 R-36 SMALL LOT RESIDENTIAL ZONE REGULATIONS

17.20.180 Other zoning provisions.

B. Bicycle Parking. Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117.

CB. Home Occupations. Home occupations shall be subject to the applicable provisions of the home occupation regulations in Chapter 17.112.

DC. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.

ED. General Provisions. The general exceptions and other regulations set forth in Chapters 17.102, 17.104, 17.106, and 17.108 shall apply in the R-36 zone.

FE. Recycling Space Allocation Requirements. The regulations set forth in Chapter 17.118 shall apply in R-36 zone.

GF. Landscaping and Screening Standards. The regulations set forth in Chapter 17.124 shall apply in the R-36 zone. (Ord. 12376 § 3 (part), 2001: amended during 1997 codification; Ord. 11807 § 3 (part), 1995; prior planning code § 3599)

Chapter 17.22 R-40 GARDEN APARTMENT RESIDENTIAL ZONE REGULATIONS

17.22.190 Other zoning provisions.

A. Parking and Loading. Off-street parking and loading shall be provided as prescribed in the off-street parking and loading requirements in Chapter 17.116.

B. Bicycle Parking. Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117.

BC. Home Occupations. Home occupations shall be subject to the applicable provisions of the home occupation regulations in Chapter 17.112.

DC. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.

ED. General Provisions. The general exceptions and other regulations set forth in Chapters 17.102, 17.104, 17.106, and 17.108 shall apply in the R-40 zone.

FE. Recycling Space Allocation Requirements. The regulations set forth in Chapter 17.118 shall apply in R-40 zone.

GF. Landscaping and Screening Standards. The regulations set forth in Chapter 17.124 shall apply in the R-40 zone.

(Ord. 12376 § 3 (part), 2001: amended during 1997 codification; Ord. 11807 § 3 (part), 1995; prior planning code § 3624)

Chapter 17.24 R-50 MEDIUM DENSITY RESIDENTIAL ZONE REGULATIONS

17.24.190 Other zoning provisions.

A. Parking and Loading. Off-street parking and loading shall be provided as prescribed in the off-street parking and loading requirements in Chapter 17.116.

B. Bicycle Parking. Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117.

CB. Home Occupations. Home occupations shall be subject to the applicable provisions of the home occupation regulations in Chapter 17.112.

DC. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.

ED. General Provisions. The general exceptions and other regulations set forth in Chapter 17.102, 17.104, 17.106, and 17.108 shall apply in the R-50 zone.

FE. Recycling Space Allocation Requirements. The regulations set forth in Chapter 17.118 shall apply in R-50 zone.

GF. Landscaping and Screening Standards. The regulations set forth in Chapter 17.124 shall apply in the R-50 zone.

(Ord. 12376 § 3 (part), 2001: amended during 1997 codification; Ord. 11807 § 3 (part), 1995; prior planning code § 3674)

Chapter 17.26 R-60 MEDIUM-HIGH DENSITY RESIDENTIAL ZONE REGULATIONS

17.26.180 Other zoning provisions.

A. Parking and Loading. Off-street parking and loading shall be provided as prescribed in the off-street parking and loading requirements in Chapter 17.116.

B. Bicycle Parking. Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117.

CB. Home Occupations. Home occupations shall be subject to the applicable provisions of the home occupation regulations in Chapter 17.112.

DC. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.

ED. General Provisions. The general exceptions and other regulations set forth in Chapter 17.102 shall apply in the R-60 zone.

FE. Recycling Space Allocation Requirements. The regulations set forth in Chapter 17.118 shall apply in R-60 zone.

(Amended during 1997 codification; Ord. 11807 § 3 (part), 1996; prior planning code § 3774)

Chapter 17.28 R-70 HIGH DENSITY RESIDENTIAL ZONE REGULATIONS

17.28.190 Other zoning provisions.

A. Parking and Loading. Off-street parking and loading shall be provided as prescribed in the off-street parking and loading requirements in Chapter 17.116.

B. Bicycle Parking. Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117.

CB. Home Occupations. Home occupations shall be subject to the applicable provisions of the home occupation regulations in Chapter 17.112.

DC. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.

ED. General Provisions. The general exceptions and other regulations set forth in Chapter 17.102 shall apply in the R-70 zone.

FE. Recycling Space Allocation Requirements. The regulations set forth in Chapter 17.118 shall apply in R-70 zone. (Amended during 1997 codification; Ord. 11807 § 3 (part), 1995; prior planning code § 3824)

Chapter 17.30

R-80 HIGH-RISE APARTMENT RESIDENTIAL ZONE REGULATIONS

17.30.210 Other zoning provisions.

A. Parking and Loading. Off-street parking and loading shall be provided as prescribed in the off-street parking and loading requirements in Chapter 17.116.

B. Bicycle Parking. Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117.

CB. Home Occupations. Home occupations shall be subject to the applicable provisions of the home occupation regulations in Chapter 17.112.

DC. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.

ED. General Provisions. The general exceptions and other regulations set forth in Chapter 17.102 shall apply in the R-80 zone.

FE. Recycling Space Allocation Requirements. The regulations set forth in Chapter 17.118 shall apply in R-80 zone.

(Amended during 1997 codification; Ord. 11807 § 3 (part), 1995; prior planning code § 3874)

Chapter 17.32 R-90 DOWNTOWN APARTMENT RESIDENTIAL ZONE REGULATIONS

17.32.210 Other zoning provisions.

A. Parking and Loading. Off-street parking and loading shall be provided as prescribed in the off-street parking and loading requirements in Chapter 17.116.

B. Bicycle Parking. Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117.

CB. Home Occupations. Home occupations shall be subject to the applicable provisions of the home occupation regulations in Chapter 17.112.

DC. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.

ED. General Provisions. The general exceptions and other regulations set forth in Chapter 17.102 shall apply in the R-90 zone.

FE. Recycling Space Allocation Requirements. The regulations set forth in Chapter 17.118 shall apply in R-90 zone.

(Amended during 1997 codification; Ord. 11807 § 3 (part), 1995; prior planning code § 3924)

Chapter 17.34 C-5 NEIGHBORHOOD COMMERCIAL ZONE REGULATIONS

17.34.200 Other zoning provisions.

A. Parking and Loading. Off-street parking and loading shall be provided as prescribed in the off-street parking and loading requirements in Chapter 17.116.

B. Bicycle Parking. Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117.

CB. Home Occupations. Home occupations shall be subject to the applicable provisions of the home occupation regulations in Chapter 17.112.

DC. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.

ED. General Provisions. The general exceptions and other regulations set forth in Chapter 17.102 shall apply in the C-5 zone.

FE. Recycling Space Allocation Requirements. The regulations set forth in Chapter 17.118 shall apply in C-5 zone.

(Amended during 1997 codification; Ord. 11807 § 3 (part), 1995; prior planning code § 4224)

Chapter 17.36 C-10 LOCAL RETAIL COMMERCIAL ZONE REGULATIONS

17.36.190 Other zoning provisions.

A. Parking and Loading. Off-street parking and loading shall be provided as prescribed in the off-street parking and loading requirements in Chapter 17.116.

B. Bicycle Parking. Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117.

CB. Home Occupations. Home occupations shall be subject to the applicable provisions of the home occupations regulations in Chapter 17.112.

DC. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.

ED. General Provisions. The general exceptions and other regulations set forth in Chapter 17.102 shall apply in the C-10 zone.

FE. Recycling Space Allocation Requirements. The regulations set forth in Chapter 17.118 shall apply in C-10 zone. (Amended during 1997 codification; Ord. 11807 § 3 (part), 1995; prior planning code § 4274)

Chapter 17.38 C-20 SHOPPING CENTER COMMERCIAL ZONE REGULATIONS

17.38.170 Other zoning provisions.

A. Parking and Loading. Off-street parking and loading shall be provided as prescribed in the off-street parking and loading requirements in Chapter 17.116.

B. Bicycle Parking. Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117.

CB. Home Occupations. Home occupations shall be subject to the applicable provisions of the home occupations regulations in Chapter 17.112.

DC. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.

ED. General Provisions. The general exceptions and other regulations set forth in Chapter 17.102 shall apply in the C-20 zone.

FE. Recycling Space Allocation Requirements. The regulations set forth in Chapter 17.118 shall apply in C-20 zone. (Amended during 1997 codification; Ord. 11807 § 3 (part), 1995; prior planning code § 4324)

Chapter 17.40 C-25 OFFICE COMMERCIAL ZONE REGULATIONS

17.40.210 Other zoning provisions.

A. Parking and Loading. Off-street parking and loading shall be provided as prescribed in the off-street parking and loading requirements in Chapter 17.116.

B. Bicycle Parking. Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117.

CB. Home Occupations. Home occupations shall be subject to the applicable provisions of the home occupation regulations in Chapter 17.112.

DE. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.

ED. General Provisions. The general exceptions and other regulations set forth in Chapter 17.102 shall apply in the C-25 zone.

FE. Recycling Space Allocation Requirements. The regulations set forth in Chapter 17.118 shall apply in C-25 zone. (Amended during 1997 codification; Ord. 11807 § 3 (part), 1995; prior planning code § 4374)

Chapter 17.42 C-27 VILLAGE COMMERCIAL ZONE REGULATIONS

17.42.200 Other zoning provisions.

A. Parking and Loading. Off-street parking and loading shall be provided as prescribed in the off-street parking and loading requirements in Chapter 17.116.

B. Bicycle Parking. Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117.

CB. Home Occupations. Home occupations shall be subject to the applicable provisions of the home occupation regulations in Chapter 17.112.

DE. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.

ED. General Provisions. The general exceptions and other regulations set forth in Chapter 17.102 shall apply in the C-27 zone.

FE. Recycling Space Allocation Requirements. The regulations set forth in Chapter 17.118 shall apply in C-27 zone. (Amended during 1997 codification; Ord. 11807 § 3 (part), 1995; prior planning code § 4424)

Chapter 17.44 C-28 COMMERCIAL SHOPPING DISTRICT ZONE REGULATIONS

17.44.210 Other zoning provisions.

A. Parking and Loading. Except as provided in Section 17.44.200(C)(2)(a), off-street parking and loading shall be provided as prescribed in the off-street parking and loading requirements in Chapter 17.116.

B. Bicycle Parking. Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117.

CB. Home Occupations. Home occupations shall be subject to the applicable provisions of the home occupation regulations in Chapter 17.112.

DC. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.

ED. General Provisions. The general exceptions and other regulations set forth in Chapter 17.102 shall apply in the C-28 zone.

FE. Recycling Space Allocation Requirements. The regulations set forth in Chapter 17.118 shall apply in C-28 zone. (Amended during 1997 codification; Ord. 11807 § 3 (part), 1995; prior planning code § 4449)

Chapter 17.46

C-30 DISTRICT THOROUGHFARE COMMERCIAL ZONE REGULATIONS

17.46.200 Other zoning provisions.

A. Parking and Loading. Off-street parking and loading shall be provided as prescribed in the off-street parking and loading requirements in Chapter 17.116.

B. Bicycle Parking. Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117.

CB. Home Occupations. Home occupations shall be subject to the applicable provisions of the home occupation regulations in Chapter 17.112.

DC. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.

ED. General Provisions. The general exceptions and other regulations set forth in Chapter 17.102 shall apply in the C-30 zone.

FE. Recycling Space Allocation Requirements. The regulations set forth in Chapter 17.118 shall apply in C-30 zone. (Amended during 1997 codification; Ord. 11807 § 3 (part), 1995; prior planning code § 4474)

Chapter 17.48 C-31 SPECIAL RETAIL COMMERCIAL ZONE REGULATIONS

17.48.190 Other zoning provisions.

A. Parking and Loading. Off-street parking and loading shall be provided as prescribed in the off-street parking and loading requirements in Chapter 17.116.

B. Bicycle Parking. Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117.

CB. Home Occupations. Home occupations shall be subject to the applicable provisions of the home occupation regulations in Chapter 17.112.

DC. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.

ED. General Provisions. The general exceptions and other regulations set forth in Chapter 17.102 shall apply in the C-31 zone.

FE. Recycling Space Allocation Requirements. The regulations set forth in Chapter 17.118 shall apply in C-31 zone. (Amended during 1997 codification; Ord. 11807 § 3 (part), 1995; prior planning code § 4499)

Chapter 17.50 C-35 DISTRICT SHOPPING COMMERCIAL ZONE REGULATIONS

17.50.210 Other zoning provisions.

A. Parking and Loading. Off-street parking and loading shall be provided as prescribed in the off-street parking and loading requirements in Chapter 17.116.

B. Bicycle Parking. Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117.

CB. Home Occupations. Home occupations shall be subject to the applicable provisions of the home occupation regulations in Chapter 17.112.

DC. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.

ED. General Provisions. The general exceptions and other regulations set forth in Chapter 17.102 shall apply in the C-35 zone.

FE. Recycling Space Allocation Requirements. The regulations set forth in Chapter 17.118 shall apply in C-35 zone. (Amended during 1997 codification; Ord. 11807 § 3 (part), 1995; prior planning code § 4524)

Chapter 17.52

C-36 GATEWAY BOULEVARD SERVICE COMMERCIAL ZONE REGULATIONS

17.52.200 Other zoning provisions.

A. Parking and Loading. Off-street parking and loading shall be provided as prescribed in the off-street parking and loading requirements in Chapter 17.116.

B. Bicycle Parking. Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117.

CB. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.

DC. General Provisions. The general exceptions and other regulations set forth in Chapter 17.102 shall apply in the C-36 zone.

ED. Recycling Space Allocation Requirements. The regulations set forth in Chapter 17.118 shall apply in the C-36 zone. (Ord. 12076 § 3 (part), 1998; amended during 1997 codification; Ord. 11807 § 3 (part), 1995; prior planning code § 4549)

Chapter 17.54 C-40 COMMUNITY THOROUGHFARE COMMERCIAL ZONE REGULATIONS

17.54.200 Other zoning provisions.

A. Parking and Loading. Off-street parking and loading shall be provided as prescribed in the off-street parking and loading requirements in Chapter 17.116.

B. Bicycle Parking. Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117.

BC. Home Occupations. Home occupations shall be subject to the applicable provisions of the home occupation regulations in Chapter 17.112.

DC. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.

ED. General Provisions. The general exceptions and other regulations set forth in Chapter 17.102 shall apply in the C-40 zone.

FE. Recycling Space Allocation Requirements. The regulations set forth in Chapter 17.118 shall apply in C-40 zone. (Amended during 1997 codification; Ord. 11807 § 3 (part), 1995; prior planning code § 4574)

Chapter 17.56 C-45 COMMUNITY SHOPPING COMMERCIAL REGULATIONS

17.56.210 Other zoning provisions.

A. Parking and Loading. Off-street parking and loading shall be provided as prescribed in the off-street parking and loading requirements in Chapter 17.116.

B. Bicycle Parking. Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117.

CB. Home Occupations. Home occupations shall be subject to the applicable provisions of the home occupation regulations in Chapter 17.112.

DC. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.

ED. General Provisions. The general exceptions and other regulations set forth in Chapter 17.102 shall apply in the C-45 zone.

FE. Recycling Space Allocation Requirements. The regulations set forth in Chapter 17.118 shall apply in C-45 zone. (Amended during 1997 codification; Ord. 11807 § 3 (part), 1995; prior planning code § 4624)

Chapter 17.58 C-51 CENTRAL BUSINESS SERVICE COMMERCIAL ZONE REGULATIONS

17.58.210 Other zoning provisions.

A. Parking and Loading. Off-street parking and loading shall be provided as prescribed in the off-street parking and loading requirements in Chapter 17.116.

B. Bicycle Parking. Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117.

CB. Home Occupations. Home occupations shall be subject to the applicable provisions of the home occupation regulations in Chapter 17.112.

DC. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.

ED. General Provisions. The general exceptions and other regulations set forth in Chapter 17.102 shall apply in the C-51 zone.

FE. Recycling Space Allocation Requirements. The regulations set forth in Chapter 17.118 shall apply in C-51 zone. (Amended during 1997 codification; Ord. 11807 § 3 (part), 1995; prior planning code § 4849)

Chapter 17.60 C-52 OLD OAKLAND COMMERCIAL ZONE REGULATIONS

17.60.200 Other zoning provisions.

A. Home Occupations. Home occupations shall be subject to the applicable provisions of the home occupation regulations in Chapter 17.112.

B. Bicycle Parking. Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117.

CB. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.

DC. General Provisions. The general exceptions and other regulations set forth in Chapter 17.102 shall apply in the C-52 zone.

ED. Recycling Space Allocation Requirements. The regulations set forth in Chapter 17.118 shall apply in the C-52 zone. (Amended during 1997 codification; Ord. 11807 § 3 (part), 1995; prior planning code § 4874)

Chapter 17.62 C-55 CENTRAL CORE COMMERCIAL ZONE REGULATIONS

17.62.210 Other zoning provisions.

A. Parking and Loading. Off-street parking and loading shall be provided as prescribed in the off-street parking and loading requirements in Chapter 17.116.

B. Bicycle Parking. Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117.

CB. Home Occupations. Home occupations shall be subject to the applicable provisions of the home occupation regulations in Chapter 17.112.

DC. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.

ED. General Provisions. The general exceptions and other regulations set forth in Chapter 17.102 shall apply in the C-55 zone.

FE. Recycling Space Allocation Requirements. The regulations set forth in Chapter 17.118 shall apply in C-55 zone. (Amended during 1997 codification; Ord. 11807 § 3 (part), 1995; prior planning code § 4899)

Chapter 17.64 C-60 CITY SERVICE COMMERCIAL ZONE REGULATIONS

17.64.150 Other zoning provisions.

A. Parking and Loading. Off-street parking and loading shall be provided as prescribed in the off-street parking and loading requirements in Chapter 17.116.

B. Bicycle Parking. Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117.

CB. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.

DC. General Provisions. The general exceptions and other regulations set forth in Chapter 17.102 shall apply in the C-60 zone.

ED. Recycling Space Allocation Requirements. The regulations set forth in Chapter 17.118 shall apply in C-60 zone. (Amended during 1997 codification; Ord. 11807 § 3 (part), 1995; prior planning code § 4924)

Chapter 17.65 HBX HOUSING AND BUSINESS MIX COMMERCIAL ZONE REGULATIONS

17.65.190 Other zoning provisions.

A. Parking and Loading. Off-street parking and loading shall be provided as prescribed in the off-street parking and loading requirements in Chapter 17.116.

B. Bicycle Parking. Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117.

CB. Home Occupations. Home occupations shall be subject to the applicable provisions of the home occupation regulations in Chapter 17.112.

DC. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.

ED. General Provisions. The general exceptions and other regulations set forth in Chapter 17.102 shall apply in the in the HBX-1, HBX-2, and HBX-3 zones.

FE. Recycling Space Allocation Requirements. The regulations set forth in Chapter 17.118 shall apply in the HBX-1, HBX-2, and HBX-3 zones.

Chapter 17.66 M-10 SPECIAL INDUSTRIAL ZONE REGULATIONS

17.66.160 Other zoning provisions.

A. Parking and Loading. Off-street parking and loading shall be provided as prescribed in the off-street parking and loading requirements in Chapter 17.116.

B. Bicycle Parking. Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117.

CB. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.

DC. General Provisions. The general exceptions and other regulations set forth in Chapter 17.102 shall apply in the M-10 zone.

ED. Recycling Space Allocation Requirements. The regulations set forth in Chapter 17.118 shall apply in the M-10 zone. (Ord. 11807 § 4 (part), 1995; prior planning code § 5424)

Chapter 17.68 M-20 LIGHT INDUSTRIAL ZONE REGULATIONS

17.68.150 Other zoning provisions.

A. Parking and Loading. Off-street parking and loading shall be provided as prescribed in the off-street parking and loading requirements in Chapter 17.116.

B. Bicycle Parking. Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117.

CB. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.

DC. General Provisions. The general exceptions and other regulations set forth in Chapter 17.102 shall apply in the M-20 zone.

ED. Recycling Space Allocation Requirements. The regulations set forth in Chapter 17.118 shall apply in M-20 zone. (Amended during 1997 codification; Ord. 11807 § 4 (part), 1995; prior planning code § 5624)

Chapter 17.70 M-30 GENERAL INDUSTRIAL ZONE REGULATIONS

17.70.150 Other zoning provisions.

A. Parking and Loading. Off-street parking and loading shall be provided as prescribed in the off-street parking and loading requirements in Chapter 17.116.

B. Bicycle Parking. Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117.

CB. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.

DC. General Provisions. The general exceptions and other regulations set forth in Chapter 17.102 shall apply in the M-30 zone.

ED. Recycling Space Allocation Requirements. The regulations set forth in Chapter 17.118 shall apply in the M-30 zone. (Amended during 1997 codification; Ord. 11807 § 4 (part), 1995; prior planning code § 5724)

Chapter 17.72 M-40 HEAVY INDUSTRIAL ZONE REGULATIONS

17.72.140 Other zoning provisions.

A. Parking and Loading. Off-street parking and loading shall be provided as prescribed in the off-street parking and loading requirements in Chapter 17.116.

B. Bicycle Parking. Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117.

CB. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.

DC. General Provisions. The general exceptions and other regulations set forth in Chapter 17.102 shall apply in the M-40 zone.

ED. Recycling Space Allocation Requirements. The regulations set forth in Chapter 17.118 shall apply in M-40 zone. (Amended during 1997 codification; Ord. 11807 § 4 (part), 1995; prior planning code § 5824)

Chapter 17.74 S-1 MEDICAL CENTER ZONE REGULATIONS

17.74.190 Other zoning provisions.

A. Parking and Loading. Off-street parking and loading shall be provided as prescribed in the off-street parking and loading requirements in Chapter 17.116.

B. Bicycle Parking. Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117.

CB. Home Occupations. Home occupations shall be subject to the applicable provisions of the home occupation regulations in Chapter 17.112.

DC. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.

ED. General Provisions. The general exceptions and other regulations set forth in Chapter 17.102 shall apply in the S-1 zone.

EE. Recycling Space Allocation Requirements. The regulations set forth in Chapter 17.118 shall apply in S-1 zone. (Ord. 11807 § 5 (part), 1995; prior planning code § 6124)

Chapter 17.76 S-2 CIVIC CENTER ZONE REGULATIONS

17.76.210 Other zoning provisions.

A. Parking and Loading. Off-street parking and loading shall be provided as prescribed in the off-street parking and loading requirements in Chapter 17.116.

B. Bicycle Parking. Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117.

CB. Home Occupations. Home occupations shall be subject to the applicable provisions of the home occupation regulations in Chapter 17.112.

DC. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.

ED. General Provisions. The general exceptions and other regulations set forth in Chapter 17.102 shall apply in the S-2 zone.

EE. Recycling Space Allocation Requirements. The regulations set forth in Chapter 17.118 shall apply in the S-2 zone. (Amended during 1997 codification; Ord. 11807 § 5 (part), 1995; prior planning code § 6174)

Chapter 17.78 S-3 RESEARCH CENTER ZONE REGULATIONS

17.78.150 Other zoning provisions.

A. Parking and Loading. Off-street parking and loading shall be provided as prescribed in the off-street parking and loading requirements in Chapter 17.116.

B. Bicycle Parking. Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117.

CB. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.

DC. General Provisions. The general exceptions and other regulations set forth in Chapter 17.102 shall apply in the S-3 zone.

ED. Recycling Space Allocation Requirements. The regulations set forth in Chapter 17.118 shall apply in the S-3 zone.
(Amended during 1997 codification; Ord. 11807 § 5 (part), 1995; prior planning code § 6224)

Chapter 17.97 S-15 TRANSIT ORIENTED DEVELOPMENT ZONE REGULATIONS

17.97.210 Other zoning provisions.

A. Parking and Loading. Off-street parking and loading shall be provided as prescribed in the off-street parking and loading requirements in Chapter 17.116.

B. Bicycle Parking. Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117.

CB. Home Occupations. Home occupations shall be subject to the applicable provisions of the home occupation regulations in Chapter 17.112.

DC. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114.

ED. General Provisions. The general exceptions and other regulations set forth in Chapter 17.102 shall apply in the S-15 zone. (Amended during 1997 codification; prior code § 6876)

Title 9

Additions to Title 9 of the Oakland Municipal Code are shown as underline and omissions are shown as ~~strikethrough~~.

Chapter 9.52 SPECIAL EVENT PERMITS*

Note to Chapter 9.52

- 9.52.010 Title.
- 9.52.020 Purpose.
- 9.52.030 Permit required.
- 9.52.040 Definitions.
- 9.52.050 Application procedure--Fee.
- 9.52.060 Contents of application form.
- 9.52.070 Action on application.
- 9.52.080 Conditional approval of permit.
- 9.52.090 Grounds for denial of application.
- 9.52.100 Revocation of event permit.
- 9.52.110 Penalties for violation of event permit requirements.
- 9.52.120 Extraordinary police costs and/or traffic control fees.

Note to Chapter 9.52

* Prior code history: Prior code Sections 3-6.10 (§§ 1--9)

9.52.010 Title.
This chapter shall be known as the Oakland special events ordinance. (Ord. 12132 § 1 (part), 1999)

9.52.020 Purpose.
This chapter establishes the procedures for applying for extraordinary police services for special events in the city, and authorizes the Chief of Police to deny permit applications or impose additional permit conditions to protect the public from potential adverse impacts, and to provide for additional penalties and for the recoupment of extraordinary police services expended in enforcing permit requirements. (Ord. 12132 § 1 (part), 1999)

9.52.030 Permit required.
It is unlawful for any person, entity, business or group (including community, social, fraternal, religious and charitable groups), to conduct a special event unless there exists a valid permit therefor, granted and existing in compliance with the requirements set forth herein. The investigating official referred to in this chapter, to whom the application is referred, shall be the Chief of Police. (Ord. 12132 § 1 (part), 1999)

9.52.040 Definitions.
As used in this chapter:
"Applicant" means any person, firm, association, corporation, organization, club or ad hoc committee who or which seeks a special event permit from the city, through the Chief of Police, to conduct or sponsor a special event governed by this chapter. An applicant must be eighteen (18) years of age or older. The applicant shall be the individual who is directly responsible for organizing and/or conducting the event and/or the facility manager.
"Attended bicycle parking" means a service provided by the event sponsor or qualified bicycle parking service provider where at least one attendant is present throughout the event to receive, return and guard

bicycles, and where a safe and sufficiently large area has been set aside for event attendees to leave their bicycles.

“Entertainment” means providing to the public food and/or beverages; live or recorded music; dancing; mechanical, animal or carnival rides; games of chance; performances and/or plays; audiovisual presentations; amplified sound; competitive or sporting events; and/or promotional events.

“Chief of Police” means the Chief of the Oakland Police Department or his or her designee.

“Extraordinary police services” means responsive police services which are in addition to and in excess of the normal police services provided to the facility or off-site as a direct result of the event at the facility.

“Facility” means the building, room or place where the special event is to take place.

“Open to the public” means an event not limited to invitees and otherwise open to any member of the public with or without an admission fee or charge.

“Permit application fee” means the nonrefundable fee to be paid by the permit applicant at the time the application is filed with the Chief of Police. A fee schedule shall be set by the City Council and shall cover the actual costs of processing and investigation special event applications, and administering the special events permit program.

“Responsible party” means, for the purpose of determining liability for damage to city or public facilities as a result of a special event and liability for the cost of extraordinary police services pursuant to Section 9.52.120G, any event sponsor(s) and/or promoter(s) and/or facility operator(s) and/or facility owner(s) and their respective designees.

“Security officer” means a person who possesses a valid state guard permit and who is currently licensed by the city as a private watchman in accordance with the Oakland Municipal Code.

“Special event” (hereinafter “event”) means, for the purpose of this chapter, an event sponsored by any person, entity, business or group including but not limited to the Oakland Unified School District, the Port of Oakland, the Oakland Coliseum complex, the Paramount Theater, and at any event venue within the city and open to the public:

- A. Which is held in any public park and/or facility or on any property and/or facility which is open to the public, and
- B. At which fifty (50) or more participants (including sponsors and guests) are present, and
- C. At which entertainment is provided by or for any person, and/or made available to any person, and/or
- D. For-profit entertainment activities of persons, entities and businesses who or which are currently licensed to regularly provide specified entertainment activities at fixed locations in the city but which holds an event that will foreseeably result in impacts on public safety, health, welfare, and police resources.

Exclusions: “Special Event,” as defined in this section, shall not include:

- A. An event held in a private residence where no admission is charged, the event is not open or advertised to the public, and no extraordinary police services are required;
- B. An event held in a members-only facility at which the only participants are the members (and their invited nonpaying guests) and no extraordinary police services are required;
- C. Events sponsored by religious entities held in the religious entity’s facility which only members by permission attend and no extraordinary police services are required;
- D. For-profit entertainment activities of persons, entities and businesses such as cabarets who or which are currently licensed to regularly provide specified entertainment activities at fixed locations in the city and no extraordinary police services are required;
- E. Any entertainment for which other permits have previously been obtained, such as, but not limited to, parade permits, dance permits, short-term encroachment permits and city sponsored events otherwise permitted when the Chief of Police determines such other permits are more appropriate for the particular event.
- F. Any event, series of events and/or specific type of event may be exempted at the discretion of the Chief of Police, based upon evidence that the event or events will not impact police services and will not affect public health, safety and welfare.

- G. An event held at an East Bay Regional Park facility which is subject to existing permit application procedures adopted by the East Bay regional park district, provided the East Bay regional park district notifies all applicants that any person or entity issued a permit for an event at an East Bay regional park facility is liable for the provision by the Oakland Police Department of extraordinary police services that may be required as a result of the event. (Ord. 12132 § 1 (part), 1999)

9.52.050 Application procedure--Fee.

- A. Application shall be made to the Oakland Police Department, at least twenty-one (21) calendar days prior to the event; however, if the event will require extraordinary police services, the applicant must apply to the Chief of Police for a permit thirty (30) days in advance of the special event, and must execute a written agreement in which applicant agrees to pay the costs of such services, pursuant to Section 9.52.110.
- B. Application forms submitted pursuant to subsection A of this section shall be fully and truthfully completed by the applicant. Failure to fully and truthfully complete the application form shall be grounds for denial;
- C. If admission fees or donations are to be collected and/or food, liquid refreshments or physical articles are to be sold at the event, the applicant must present proof of federal and/or state tax exemption status or present a copy of a valid city of Oakland business license and tax certificate and a food handling permit if applicable before the permit may be issued;
- D. If music, dance or any other form of entertainment activity requiring sound amplification equipment is to be provided or allowed at the event, the applicant must so state on the application form and must provide assurance that the city's noise ordinance will not be violated as a result of the activity.
- E. Upon application, the applicant shall state the name and address of the facility, and identify the type of facility, where the event will take place. Before the permit may be issued, the applicant shall be required to present a photocopy of a valid city of Oakland dance hall, cabaret, or other applicable permit or license which authorizes the use of the facility for this type of activity or event. Further, the applicant shall complete the portions of the application which require identification of any occupancy restrictions or other conditions for use imposed by the city on the designated facility; and
- F. Upon application, the applicant shall pay a fee as established by the city master fee schedule. The Chief of Police shall have the discretion to waive this fee for nonprofit organizations. (Ord. 12132 § 1 (part), 1999)

9.52.060 Contents of application form.

The application for a special event shall provide the following information:

- A. All events: The name, address, telephone number, and date of birth of applicant and an alternative contact person. If the special event is proposed to be sponsored by one or more organizations, the name, address and telephone number of the organizations, and the president(s) of the organization. If requested by the Chief of Police, written authorization to apply for the special event shall be provided by an officer of the requesting organization;
- B. The name, address and telephone number of the person who will be present and in charge at the time of the special event;
- C. The nature and purpose of the event;
- D. The proposed date, location and estimated starting and ending time of the event;
- E. Estimated number of persons anticipated at the event;
- F. Description of any sound amplification equipment which will be used at the event;
- G. Whether any food or alcoholic and/or nonalcoholic beverages will be sold at the event;
- H. Whether monitors or security persons will be utilized at the event;
- I. Parking contingencies planned for the event;
- J. A description of the provisions to be made for attended bicycle parking, pursuant to Section 9.52.080:

- K. Any supplementary information which the Chief of Police shall find reasonably necessary, under the particular circumstances of the special event application to determine whether to approve or conditionally approve the permit. (Ord. 12132 § 1 (part), 1999)

9.52.070 Action on application.

- A. The Chief of Police shall approve, conditionally approve, or deny the application based on the grounds specified in Sections 9.52.080 to 9.52.090. Such action shall be taken not later than fifteen (15) calendar days after the filing of a complete application. The applicant shall be notified of any conditions of approval pursuant to Section 9.52.080 at the time the action on the application is taken.
- B. If the application is denied or conditionally approved, at the time of taking action on the application, the Chief of Police shall inform the applicant in writing of the grounds for denial, or of the reason for the imposition of conditions.
- C. If the Chief of Police relied upon information regarding the event other than that which was contained in the application, he or she shall inform the applicant of the additional information considered. (Ord. 12132 § 1 (part), 1999)

9.52.080 Conditional approval of permit.

The Chief of Police may impose additional conditions to a permit in the exercise of his or her reasonable discretion when conditionally granting a permit, including but not limited to:

- A. Requiring the applicant to retain or hire one or more security officers to provide security at and during the event, said security officers present and on duty at all times during the event;
- B. Requiring the applicant to be personally present at all times during the event;
- C. Requiring the applicant to provide a working telephone where he or she can be reached directly at all times during the event;
- D. Requiring the posting of the event permit at the event facility;
- E. Requiring a refundable security deposit before issuance of the permit toward the costs of city services and/or cost of damages to public facilities that may be associated with such an event;
- F. Requiring provision of medical services on-site on a case-by-case basis and/or in consideration of the applicant's previous history;
- G. Requiring in the case of live performances the actual name and stage name of every act performing;
- H. Requiring the submission of copies of all promotional materials simultaneously with the posting or distribution of said materials. All promotional materials must identify the promoter, and must not be posted or affixed to or on city or public property;
- I. Requiring a proof of liability insurance in the amount required by the city;
- J. Requiring the event promoter to provide attended bike parking service for events that expect 5,000 or more attendees, and for smaller events at the discretion of the Chief of Police. The promoter must advertise the service to potential attendees in all outreach and advertising materials and media, and place the bike parking area in an accessible location;
- K. Requiring such other additional conditions as are reasonably believed to be necessary to protect the public health, safety, welfare and order, and to minimize adverse impacts upon the surrounding neighborhood and the general community. (Ord. 12132 § 1 (part), 1999)

9.52.090 Grounds for denial of application.

Permits for special events will be granted at the discretion of the Chief of Police. A special events permit application may be denied upon evidence that:

- A. Information contained in the application, or supplementary information requested from the applicant, is false in any material detail; or
- B. The applicant has failed to provide a complete application form after having been notified of the requirement of producing additional information or documents; or
- C. The applicant has not submitted a completed application form in the time provided pursuant to Section 9.52.050.

- D. The applicant has previously had a permit revoked, in Oakland or in another jurisdiction, for violation of permit conditions or for unlawful conduct relating thereto and it is reasonably believed that similar violations or unlawful conduct will again occur;
- E. The granting of the permit will have a substantial adverse impact upon the public health, safety, or order; and/or
- F. The granting of the permit will result in substantial adverse impacts (including, but not limited to, noise, litter, traffic and congestion) upon the surrounding neighborhood or the community in general.
- G. Another complete special event application has been previously filed for a different event at the same time and place requested by the applicant, or so close in time and place as to cause traffic congestion or a demand for police services which the Police Department is unable to meet; or
- H. The time or size of the event will substantially interrupt the safe and orderly movement of pedestrian or vehicular traffic in the immediate vicinity of the event, or disrupt the use of a street at a time when it is usually subject to great traffic congestion; or
- I. The concentration of persons, animals and vehicles at the site of the event will prevent proper police, fire, ambulance, or other essential public services to areas contiguous to the event; or
- J. The size or duration of the event will require diversion of so great an amount of city police services that providing for the minimum level of police services to other areas of the city is jeopardized; or
- K. The event will substantially interfere with construction or maintenance work scheduled to take place upon or along the city streets or a previously granted encroachment permit; or
- L. The event will occur at a time and place where the noise created by the activities of the event will substantially disturb or disrupt the activities of such institutions as schools and hospitals; or
- M. Sponsors have failed to pay the city for previous special events or parade fees and costs.
- N. The applicant has previously had a permit revoked, in Oakland or in another jurisdiction, for violation of permit conditions or for unlawful conduct relating thereto and it is reasonably believed that similar violations or unlawful conduct will again occur;
- O. The sponsor fails, or has failed in the past, to make provisions for attended bicycle parking, pursuant to Section 9.52.080; or
- P. The granting of the permit is likely to result in substantial negative impacts upon the delivery of city-wide police services and therefore pose a threat to the public health, safety and order due to the likelihood of the special event resulting in a call for a police emergency response.
- Q. The Chief of Police shall state, in writing, the reasons for any denial of the event permit. Any applicant whose application is denied shall have the right to request reconsideration of the denial. Reconsideration must be submitted to the Chief of Police or his designee within five days of issuance of the denial. Said request for reconsideration shall be in writing and shall state any and all reasons of any nature why the Chief of Police's stated reasons for denial are in error. Within five days of receipt of said request for reconsideration, the Chief of Police shall send written notice of his/her decision and or notice of hearing on the reconsideration request to the applicant. (Ord. 12132 § 1 (part), 1999)

9.52.100 Revocation of event permit.

An event permit may be revoked at any time during the event by the Patrol Division Commander, or his designee, for;

- A. Violation of any of the imposed permit conditions; or
- B. Failure to obtain and post any permit required by the State Alcoholic Beverage Control Board to serve alcoholic beverages; or for
- C. The occurrence of unlawful or criminal activity during the event.
- D. Revocation shall be immediately effective upon public announcement of the revocation thereof by any police officer designated by the Patrol Division Commander to so act. (Ord. 12132 § 1 (part), 1999)

9.52.110 Penalties for violation of event permit requirements.

- A. Any violation of this chapter may be charged as a civil penalty or an infraction, as provided for in Title 1 of the Oakland Municipal Code, except as specified in subsection B of this section. Enforcement action specifically authorized by this section may be utilized in conjunction with, or in addition to, any other statutory, code, administrative or regulatory procedure applicable to this chapter. In addition, nothing in this section shall be interpreted to preclude or limit the City from seeking injunctive or other judicial relief.
- B. It shall be a misdemeanor for the event sponsor or his or her designee to refuse to terminate an event for violation of event conditions, or for holding an event without benefit of permit. (Ord. 12132 § 1 (part), 1999)

9.52.120 Extraordinary police costs and/or traffic control fees.

- A. Prepayment of Fees. Before a special event permit may be issued the Chief of Police shall provide the applicant with a statement of the estimated cost of providing extra police officers for the event. The applicant/sponsor shall be required to pay these fees at a minimum two weeks in advance of the event.
- B. Computing Extra Police Services. The extra police services shall be computed by determining the number of police officers who will be required for the special event beyond that which would otherwise be required at that time, multiplied by the number of hours for which such additional service is rendered at the rate of the city's full cost of providing officers on an hourly basis as established by the master fee schedule. Such personnel to perform the additional police services shall be determined by the Chief of Police in the number he or she determines is reasonably necessary for the event. Police personnel assigned to special events are city employees while so engaged and are under the sole direction of the Chief of Police.
- C. Refunds or Additional Charges. If the actual cost for extra police services on the date of the event is less than the estimated cost pursuant to subsection A of this section, the applicant/sponsor will be promptly refunded the difference by the city from the general fund. If more police hours are required than originally charged, the event sponsor will be billed the additional costs. Payment of additional costs shall be due within fifteen (15) days of the date the bill is deposited in the mail. If full payment is not received within the required time for payment, the event sponsor is subject to interest charges at the maximum legal rate computed from the date the payment period expires. If the event is cancelled less than five business days prior to the scheduled event, a cancellation fee will be assessed.
- D. Failure to Reimburse for Additional Police Services. The cost of any additional extraordinary police services pursuant to subsection C of this section shall be collected from the event sponsor in any manner prescribed by law, including but not limited to placement of a lien on the event sponsor's property and/or an action in small claims court. This remedy is in addition to all other civil and criminal remedies available to the city.
- E. The costs assessed against an event sponsor and/or promoter and/or facility operator for recoupment of the cost of additional extraordinary police services pursuant to subsection C of this section shall include: (1) the actual cost of salaries, benefits, and administrative overhead of the police personnel providing the services; (2) the cost of medical treatment for police personnel injured while providing services; (3) the cost to replace or repair city property damaged while providing the services; and (4) the cost incurred in making arrests while providing the services.
- F. Any event sponsor and/or promoter and/or facility operator billed for additional extraordinary police services pursuant to subsection C of this section may request a hearing on the matter before a hearing examiner designated by the City Manager. In order to obtain a hearing, the event sponsor shall file a written request therefor within ten days of the date of the invoice mailed to the sponsor that shall state the grounds for appeal. When a written appeal is filed by the applicant, a hearing shall be set at a date and time not less than ten and not more than forty-five (45) days following the filing of the appeal. The event sponsor shall be notified of the date, time and place of the hearing. Upon conclusion of a hearing, the hearing examiner shall render a decision within fifteen (15) days. The hearing examiner's decision shall be final.

- G. The event sponsor(s) and/or promoter(s) and/or facility operator(s) and/or facility owner(s) and their respective designees are all and each severally liable for the cost of additional extraordinary police services. (Ord. 12132 § 1 (part), 1999)