



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Planning Code Text Amendment

HEARING DATE: JULY 6, 2017
EXPIRATION DATE: NOVEMBER 27, 2017

Project Name: **Shared Limited-Range Vehicle Parking**
Case Number: **2017-000475PCA** [Board File No. 170625, Previously 161349]
Initiated by: Supervisor Breed / Introduced December 12, 2016
Reintroduced May 23, 2017
Staff Contact: Audrey Butkus, Legislative Affairs
audrey.butkus@sfgov.org, (415) 575-9129
Reviewed by: Aaron Starr, Manager of Legislative Affairs
aaron.starr@sfgov.org, 415-558-6362
Recommendation: **Recommend Approval with Modifications**

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

PLANNING CODE AMENDMENT

The Planning Code regulates off-street parking requirements, including minimum and maximum amounts of permitted parking for private, commercial, and Car-Share automobile parking. The Code does not stipulate specific off-street parking provisions for other types of “shared vehicles” (i.e. electric scooters). The legislation would: (1) Create a category for parking spaces to be used by shared Limited-Range Vehicles (LRV’s) and; (2) Make amendments to the Car-Share Program.

The Way It Is Now:

1. The Planning Code in relation to LRV’s:
 - a. Car-Share Vehicle Definition: A car-share vehicle is defined as a vehicle provided by a certified car-share organization for the purpose of providing a car-share-service. The Zoning Administrator does not consider scooters or other non-automobile vehicles to be included in this definition.
 - b. Current Classification for LRVs: The Zoning Administrator has determined that LRVs placed on private property and rented out to individual users is considered an Automotive Sales and Rental use, and not an accessory car-share use.
 - c. Converting Existing Accessory Parking to Car-Share Spaces: Accessory parking spaces can be converted to automobile car-share parking without any additional permitting.
 - d. Conversion of Unused Garage Space to LRV Parking: Spaces in accessory or principal garages that are not currently being utilized may not be converted to LRV parking.
 - e. Required Car-Share Parking for New Projects: The Planning Code requires certain projects where parking is required to provide car-share parking spaces in the amount specified in Table 166. If no certified car-share organization can utilize a required car-share space for automobile use, the project may then use the space for non-car-share

vehicles; however, if a Certified Car-Share Organization requests the use of these spaces the project must turn over the space within 90 days of the request. LRV spaces are not eligible to satisfy the car-share space requirement for new developments.

2. The Planning Code in relation to the Car-Share Program:
 - a. Any car-share service that would like to utilize the provisions contained in Sec. 166 must first become a Certified Car-Share Organization. To become a Certified Car-Share Organization, car-share services must file a "Certification Study".
 - b. No reporting on the number and location of each parking space is required of Certified Car-Share Organizations to the Planning Department.
 - c. Section 166 does not reference the newly adopted Transportation Demand Management Program's¹ standards regarding car-share parking, and contains several subsections that need further clarification or reorganization.

The Way It Would Be:

1. The Planning Code in relation to LRV's:
 - a. Car-Share Vehicles would be divided into two distinctive groups: Automobiles and LRV's. LRV's are defined as two, three, or four-wheeled self-propelled vehicles capable of attaining a speed of at least 20 miles per hour and no greater than 40 miles per hour, and can seat no more than two passengers. Golf carts and electric bicycles are not considered LRV's. Automobiles are defined as four-wheeled, self-propelled vehicles capable of attaining a speed of at least 65 miles per hour. Automobiles may be gas or electric powered.
 - b. Proposed Classification for LRVs: LRVs placed on private property with the intention of renting them out to individual users would still be considered an Automotive Sales and Rental use unless they are operating as a certified car-share service.
 - c. Converting Existing Accessory Parking to Car-Share Spaces: LRV's would be added as allowed without any additional permitting.
 - d. Conversion of Unused Garage Space to LRV Parking: Spaces in accessory or principal garages that are not currently being utilized for tenant amenities may be converted to LRV parking spaces (max. of 112.5 sq. feet of contiguous space, building permit required).
 - e. Required Car-Share Parking for New Projects: The existing requirements for car share and car share spaces would still apply. LRV spaces would not be eligible to satisfy the car-share space requirement for new developments unless no certified car-share organization can utilize a required car-share space for automobile use. Only if no car-share vehicles or LRVs can use the space, may the project offer the spaces to non-car-share entities.

2. The Planning Code in relation to the Car-Share Program:

¹ On February 7, 2017, the San Francisco Board of Supervisors approved the Transportation Demand Management Program. (Board of Supervisors File #160925)

- a. The proposed Ordinance would remove the requirement for Car-Share Services who apply to become a Certified Car-Share Organization to file a “Certification Study”. The legislation would retain the requirement for Car-Share Services to request written determination from the Zoning Administrator and the Zoning Administrator shall only approve those companies who meet the standards of 166(b).
- b. The proposed Ordinance would add an annual reporting requirement of all Certified Car-Share Organizations to the Department on the number and location of each parking space.
- c. As general cleanup of the Car-Share program, the proposed ordinance would clarify several points of confusion surrounding number of spaces required, new Transportation Demand Management standards, and when a developed parking space is no longer held to the restrictions of a new project.

BACKGROUND

The Car-Share Program has been in existence in the City since 2005. The Car-Share Program, which is outlined in Planning Code Section 166, regulates parking space requirements for car-share vehicles, including but not limited to: certifying Car-Share Services, maintaining a list of Certified Car-Share Organizations, and determining the minimum and maximum amounts of car-share parking permitted for a project.

Only Certified Car-Share Organizations may participate in the Car-Share Program.

Only Certified Car-Share Organizations may participate in the Car-Share Program. In order for a Car-Share Service to become a Certified Car-Share Organization, the Department requires the Car-Share Service to submit a written report prepared by an independent third party academic institution or transportation consulting firm that clearly demonstrates, based on a statistically significant analysis of quantitative data, that such car-sharing service has achieved two or more of the following environmental performance goals in any market where they have operated for at least two years: (A) lower household automobile ownership among members than the market area’s general population; (B) lower annual vehicle miles traveled per member household than the market area’s general population; and (D) higher rates of transit usage, walking, bicycling and other non-automobile modes of transportation usage for commute trips among members than the market area’s general population. This certification study must be submitted along with a request for a written determination from the Zoning Administrator.

ISSUES AND CONSIDERATIONS

Car-Share in San Francisco

Since the establishment of the car-share program over ten years ago, the Bay Area’s car-share organizations, and the industry itself has changed.

Until recently, the car-share market in San Francisco was fairly straight forward; the City had two certified car-share companies, CityCarShare and Zip Car. Since the establishment of the car-share program over ten years ago, the Bay Area’s car-share organizations, and the industry itself has changed.

The first major change to the car-share industry in San Francisco was the merger of CityCarShare with another company called "Getaround". The Zoning Administrator has determined that Getaround was ineligible to become a Certified Car-Share Organization due to its rental structure and privatization of its vehicles. As a result of the merger, CityCarShare began to operate with the same model as Getaround. This move disqualified CityCarShare from remaining in the Certified Car-Share program, and left the City with only one Certified Car-Share Organization, Zip Car.

Companies like "Scoot" have tapped into the shared electric vehicle market: offering scooters and quadricycles for car-share purposes.

The car-share industry in San Francisco is also changing as a whole. Traditional car rental companies like Hertz, have begun to diversify their business model by offering both traditional rental cars and car-share cars. Companies like "Scoot" have tapped into the shared electric vehicle market: offering scooters and quadricycles for car-share purposes. Although Scoot is currently the only scooter-share operator in San Francisco, other LRV companies are already operating in Europe and Asia, and would be expected to spread their businesses to the Bay Area in the future. Nissan's Innovation Project, for example, is currently testing 12 quadricycle cars on the streets of Manhattan, with the intention of bringing the vehicles to market.

Shared Limited-Range Vehicle As mentioned above, the success of car-share services in San Francisco has triggered an expansion of the car-share industry to include electric scooters and electric quadricycle vehicles (see images to the right).

In addition to the new electric vehicles currently being utilized by car-share companies, variations of the electric scooters and quadricycles are being tested in other parts of the world for "car-share" style rentals.



Image courtesy of Scoot

Above: Scoot currently operates 10 of these quadricycle vehicles in San Francisco.

Below: The "alternative vehicle" is emerging across Europe as a favorable substitute for private cars. Concept quadricycles like those pictured below are currently in various stages of development and are expected to expand to the U.S. markets.



Images collected from Google

The Zoning Administrator considers current off-street non-automobile shared parking spaces to be an Automotive Sales and Service Use and therefore not permitted in most residentially-zoned off-street parking lots and garages.

The Car-Share Program does not currently regulate non-automobile (scooter) parking spaces for shared use. The Zoning Administrator considers current off-street non-automobile shared parking spaces to be an Automotive Sales and Service Use and therefore not permitted in most residentially-zoned off-street parking lots and garages. "Scoot" is the first and only scooter-share company currently operating both electric scooters and electric quadricycle vehicles in San Francisco. Other scooter-share companies are operating in other parts of the world, and are expected to enter the market in the Bay Area, in addition to traditional car-share companies adding LRV's to their fleet.

On-Street Parking for LRVs

SFMTA launched a pilot program for electric scooter-share vehicle on-street parking in September of 2015. The pilot program allows shared electric scooter vehicles to park in on-street parking spaces without a Residential Parking Permit under the following conditions: (1) The vehicle must be parked perpendicular to the curb and at a curb segment no longer than 8 feet in length or, (2) The parking space must be a marked motorcycle parking stall.

"..The Pilot effectively addressed the SFMTA's Strategic Plan goal to encourage the use of car sharing by those who live and work in San Francisco."

In January of 2017, SFMTA released an evaluation of this pilot program² and concluded: *"Placing car share spaces on neighborhood streets increases access to, and visibility of, car sharing in a simple and direct manner. The Pilot effectively addressed the SFMTA's Strategic Plan goal to encourage the use of car sharing by those who live and work in San Francisco."*

On June 20th, 2017, the Shared Electric Moped Parking Permit Program was approved by the SFMTA Board of Directors. The board voted to lift the 8-foot curb space limit and allow permitted shared e-mopeds to park along any curb in Residential Parking Permit areas.³

Certification Study

Currently, a "Certification Study" is required for all business that seek to become a Certified Car Share.

Currently, a "Certification Study" is required for all business that seek to become a Certified Car Share. A "Certification Study" is a written report prepared by an independent third party academic institution or transportation consulting firm that clearly demonstrates, based on a statistically significant analysis of

² SFMTA On-Street Car Sharing Pilot Program Evaluation Report :
https://www.sfmta.com/sites/default/files/projects/2017/Carshare_eval_final.pdf

³ <https://www.sfmta.com/about-sfmta/blog/approval-new-type-parking-permit-shared-e-mopeds>

quantitative data, that the car-sharing service has achieved two or more of the following environmental performance goals in any market where they have operated for at least two years: (A) lower household automobile ownership among members than the market area's general population; (B) lower annual vehicle miles traveled per member household than the market area's general population; (C) lower annual vehicle emissions per member household than the market area's general population; and (D) higher rates of transit usage, walking, bicycling and other non-automobile modes of transportation usage for commute trips among members than the market area's general population. This study is then reviewed by the Zoning Administrator who makes a determination on whether or not the car-share service is qualified to be a "Certified Car-Share Organization".

As part of this Ordinance, the Certification Study would be removed as a requirement to become a Certified Car-Share service.

The Zoning Administrator has determined that this requirement sets too high a barrier to entry for most car-share organizations; and is not necessary for the Zoning Administrator to make a determination as to whether a particular service could become a Certified Car-Share Organization. As part of this Ordinance, the Certification Study would be removed as a requirement to become a Certified Car-Share service.

Conversion of Unused Garage Space to LRV Parking

The intention of this provision is to utilize currently unused space for a use that benefits the building residents, surrounding neighbors, and the property owner.

The proposed Ordinance would allow garage space that is not currently being utilized for tenant amenities such as storage, laundry facilities, and bicycle parking to be converted to LRV parking spaces. The intention of this provision is to utilize currently unused space for a use that benefits the building residents, surrounding neighbors, and the property owner. Unused garage space may only be converted if the owner obtains a building permit and if the proposed area for conversion is no greater than 112.5 square feet. The requirement that a building permit be acquired allows the Planning Department to review the plans to ensure that the space is not currently being utilized for tenant amenities. Further, the space restriction is there to ensure that spaces large enough for tenant amenities, such as storage, are not being converted to LRV parking.

The calculation of 112.5 square feet as the maximum area that may be converted is based on the minimum measurements for a compact car parking space. It's likely that in most buildings, areas of this size would already be utilized for car parking. If they are not being utilized for car parking (potentially due to an obstruction or clearance issue), this size of space could in fact be slightly too small for a car parking space, but large enough for one of many other tenant amenities. Once an unused space is under a square footage of 112.5 feet, staff believes that tenant amenities, such as storage or laundry facilities, may be more difficult to install, making the space ideal for LRV parking.

Car-Share Findings

The proposed Ordinance also updates the car-share findings in the Planning Code to further clarify the City's need for a Car-Share Program and to highlight the benefits that the program provides. Since the

initial adoption of Section 166 in 2005, the amount of data related to car-sharing both on a local and global scale has amassed to a wealth of information that demonstrates the importance of this industry for the environmental, transportation, and economic vitality of the City. The findings updated in the proposed Ordinance summarize much of this valuable data.

General Plan Compliance

The General Plan seeks ensure that the qualities that make San Francisco unique are preserved and enhanced while also serving as the embodiment of the community's vision for the future of San Francisco. As a whole, the General Plan's goals are to: create and maintain the economic, social, cultural, and esthetic values that establish the desirable quality and unique character of the city; improve the city as a place for healthful, safe, and satisfying living by providing adequate open spaces, community facilities and affordable housing of a high standard; ensuring commerce and industry are able to thrive; coordinating the varied patterns of land use with circulation routes and facilities that are required for the efficient movement of people and goods; and reflecting the growth and development of the city with the surrounding region.

The proposed Ordinance will assist in creating an efficient and cost-effective alternative form of transportation for residents, all while not negatively impacting the healthful, safe, and satisfying living conditions of residential neighborhoods.

The proposed Ordinance will assist in creating an efficient and cost-effective alternative form of transportation for residents, all while not negatively impacting the healthful, safe, and satisfying living conditions of residential neighborhoods. The proposed Ordinance ensures that any parking allocated to LRV vehicles does not occupy space that could otherwise be used for tenant facilities and storage. Furthermore, the proposed Ordinance assists in accomplishing the environmental goals and technological advancement goals by defining LRV's as 100 percent electric vehicles, helping the city to move forward with creating opportunities for environmentally friendly and technologically advanced modes of transportation.

RECOMMENDATION

The Department recommends that the Commission recommend *approval with modifications* of the proposed Ordinance and adopt the attached Draft Resolution to that effect. All of the Department's recommendations are intended to correct drafting errors and are at the request of Supervisor Breed.

1. Replace terms "Limited-Range Vehicle" and "LRV" with the terms "Short-Range Vehicle" and "SRV" respectively.
2. Modify the definition of "Limited-Range Vehicle" to state all vehicles must be zero-emission vehicles in Sec. 166(b)(4)(B) on page 10, line 5:

~~LRV's may be gas or electric powered.~~ SRV's must be zero-emission vehicles.

3. Correct non-substantive drafting errors in the following Sections:
 - a. Strike the following language on page 2, lines 20-24:

~~Accordingly, car sharing should be supported through the Planning Code when data demonstrates that it reduces:~~

~~(1) the number of individually owned automobiles per household;~~

~~(2) VMT per household; and~~

~~(3) vehicle emissions generated per household.~~

- b. Strike the word “automobiles” from page 2, line 10.
- c. Replace the word “automobiles” with the word “vehicles” on page 2, line 12.
- d. Correct the word “con” to the word “convert” on page 16, line 19.

BASIS FOR RECOMMENDATION

Adding LRV’s to the Car-Share Program is in line with the Department and City’s mission to expand sustainable modes of transportation, adopting the Transit First policy over four decades ago and establishing a goal to have 50% of all trips made through sustainable modes by 2018. Small, emission-free vehicles occupy far less space and consume far less energy than private automobiles. They are a sustainable mode whose use San Francisco seeks to encourage. These amendments also allow for unused space to be converted to LRV parking while ensuring that tenant amenities are not removed. Lastly, removing the Certification Study lowers an unnecessarily high burden of entry for car-share organizations who would otherwise meet the city’s standards for becoming a Certified Car-Share Organization.

All recommendations below have been made due to drafting errors in the reintroduced Ordinance. The recommendations have been made at the request of Supervisor Breed in order to correct the Ordinance to reflect its original intent.

Recommendation 1: Replace terms “Limited-Range Vehicle” and “LRV” with the terms “Short-Range Vehicle” and “SRV” respectively. Some of the early drafts of the Ordinance contained the term “Limited Range Vehicle”. The request was made to alter this term and its corresponding acronym due to “LRV” being very similar to a term that is already in use to describe “Light Rail Vehicles”. The change from “Limited-Range Vehicle” and “LRV” to “Short-Range Vehicle” and “SRV” was left out of the reintroduced Ordinance in error.

Recommendation 2: Modify the definition of “Limited-Range Vehicle” to state all vehicles must be zero-emission vehicles in Sec. 166(b)(4)(B) on page 10, line 5. Limited-Range Vehicles were always intended to be zero-emission vehicles only. Zero-emission vehicles that utilize electric or fuel cell power improve the environmental quality of the City’s air and noise. The use of such vehicles is more sustainable and more easily implemented due to the smaller nature of “LRV” vehicles. Again, this error was made during the drafting of the Ordinance and this recommendation seeks to correct it.

Recommendation 3: Correct spelling and other non-substantive drafting errors. These corrections are all intended to clarify the intent of the Ordinance.

REQUIRED COMMISSION ACTION

The proposed Ordinance is before the Commission so that it may recommend adoption, rejection, or adoption with modifications to the Board of Supervisors.

IMPLEMENTATION

The Department determined that this Ordinance will impact our current implementation procedures; however the proposed changes can be implemented without increasing permit costs or review time.

ENVIRONMENTAL REVIEW

The proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c)(2) and 15378 because they do not result in a physical change in the environment.

PUBLIC COMMENT

As of the date of this report, the Planning Department has not received any public comment regarding the proposed Ordinance.

RECOMMENDATION: Recommendation of Approval
--

Attachments:

Exhibit A: Draft Planning Commission Resolution

Exhibit B: Board of Supervisors File No. 170625



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Draft Resolution

HEARING DATE JULY 6, 2017

Project Name: Shared Limited-Range Vehicle Parking
Case Number: 2017-000475PCA [Board File No. 170625]
Initiated by: Supervisor Breed / Introduced May 23, 2017
Staff Contact: Audrey Butkus, Legislative Affairs
audrey.butkus@sfgov.org, (415) 575-9129
Reviewed by: Aaron Starr, Manager of Legislative Affairs
aaron.starr@sfgov.org, 415-558-6362

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT A PROPOSED ORDINANCE THAT WOULD AMEND PLANNING CODE SECTION 166 TO ALLOW SHARED LIMITED-RANGE VEHICLE (SCOOTER) PARKING IN CERTAIN DESIGNATED SPACES AND AMENDING THE CAR-SHARE PROGRAM; ADOPTING FINDINGS, INCLUDING ENVIRONMENTAL FINDINGS, PLANNING CODE SECTION 302 FINDINGS, AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND PLANNING CODE SECTION 101.1.

WHEREAS, on May 23, 2017 Supervisor Breed introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 170625, which would amend Sections 166 of the Planning Code to allow shared limited-range vehicle (scooter) parking in certain designated spaces and amending the car-share program;

WHEREAS, The Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on July 6, 2017; and,

WHEREAS, the proposed Ordinance has been determined to be categorically exempt from environmental review under the California Environmental Quality Act Section 15060(c)(2) and 15378; and

WHEREAS, the Planning Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of Department staff and other interested parties; and

WHEREAS, all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

WHEREAS, the Planning Commission has reviewed the proposed Ordinance; and

MOVED, that the Planning Commission hereby recommends that the Board of Supervisors **approve with modification** the proposed ordinance.

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The Commission finds that adding LRV's to the Car-Share Program is in line with the City's mission to expand sustainable modes of transportation, adopting the Transit First policy over four decades ago and establishing a goal to have 50% of all trips made through sustainable modes by 2018. Small, emission-free vehicles (as LRV's will be under the amendments requested by Supervisor Breed for LRV's to be zero-emission vehicles) occupy far less space and consume far less energy than private automobiles. They are a sustainable mode whose use San Francisco seeks to encourage.
2. **General Plan Compliance.** The proposed Ordinance is consistent with the following Objectives and Policies of the General Plan:

GENERAL PLAN PRIORITIES

The General Plan seeks ensure that the qualities that make San Francisco unique are preserved and enhanced while also serving as the embodiment of the community's vision for the future of San Francisco. As a whole, the General Plan's goals are to: create and maintain the economic, social, cultural, and esthetic values that establish the desirable quality and unique character of the city; improve the city as a place for healthful, safe, and satisfying living by providing adequate open spaces, community facilities and affordable housing of a high standard; ensuring commerce and industry are able to thrive; coordinating the varied patterns of land use with circulation routes and facilities that are required for the efficient movement of people and goods; and reflecting the growth and development of the city with the surrounding region.

The proposed Ordinance will assist in creating an efficient and cost-effective alternative form of transportation for residents, all while not negatively impacting the healthful, safe, and satisfying living conditions of residential neighborhoods. The proposed Ordinance ensures that any parking allocated to LRV vehicles does not occupy space that could otherwise be used for tenant facilities and storage. Furthermore, the proposed Ordinance assists in accomplishing the environmental goals and technological advancement goals by defining LRV's as 100 percent electric vehicles (under the proposed amendment from Supervisor Breed), helping the city to move forward with creating opportunities for environmentally friendly and technologically advanced modes of transportation.

COMMERCE AND INDUSTRY ELEMENT

OBJECTIVE 1

MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

Policy 1.2

Assure that all commercial and industrial uses meet minimum, reasonable performance standards.

The proposed Ordinance will facilitate the establishment of a low-impact commercial use that provides net benefits in the form of shared electric vehicle use to residents across the city. Potential negative impacts have been mitigated through the standards set in the proposed Ordinance's definitions of vehicle types, and requirements for conversion of space to LRV parking.

OBJECTIVE 2

MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

Policy 2.3

Maintain a favorable social and cultural climate in the city in order to enhance its attractiveness as a firm location.

The proposed Ordinance allows new, low impact commercial activity that directly benefits residents by providing cost effective, environmentally friendly, and conveniently located transportation options in districts where this use was once was prohibited. This added commercial activity will help maintain a favorable social and cultural climate in San Francisco as it adds to the number of transportation options to residents. This enhances San Francisco as a location for residing in.

TRANSPORTATION ELEMENT

OBJECTIVE 1

MEET THE NEEDS OF ALL RESIDENTS AND VISITORS FOR SAFE, CONVENIENT AND INEXPENSIVE TRAVEL WITHIN SAN FRANCISCO AND BETWEEN THE CITY AND OTHER PARTS OF THE REGION WHILE MAINTAINING THE HIGH QUALITY LIVING ENVIRONMENT OF THE BAY AREA.

Policy 1.3

Give priority to public transit and other alternatives to the private automobile as the means of meeting San Francisco's transportation needs, particularly those of commuters.

The proposed Ordinance expands alternative transportation options for the city's residents and workers. LRV's are defined as zero-emission vehicles that must be able to reach a speed of at least 20 miles per hour and no greater than a speed of 40 miles per hour. The vehicles must be shared vehicles. The emerging scooter-share industry should be encouraged in the city as one solution to congestion and pollution caused by private automobiles.

OBJECTIVE 2

USE THE TRANSPORTATION SYSTEM AS A MEANS FOR GUIDING DEVELOPMENT AND IMPROVING THE ENVIRONMENT.

Policy 2.2

Reduce pollution, noise and energy consumption.

The proposed Ordinance advances the city's goal to increase transit powered by electricity versus fossil fuel.

Policy 2.5

Provide incentives for the use of transit, carpools, vanpools, walking and bicycling and reduce the need for new or expanded automobile and automobile parking facilities.

The proposed Ordinance ensures the successful utilization of LRV vehicles by allowing, with appropriate restrictions, LRV's to be parked in residential buildings city-wide, which creates easy and convenient access for all the city's residents.

OBJECTIVE 12

DEVELOP AND IMPLEMENT PROGRAMS IN THE PUBLIC AND PRIVATE SECTORS, WHICH WILL SUPPORT CONGESTION MANAGEMENT AND AIR QUALITY OBJECTIVES, MAINTAIN MOBILITY AND ENHANCE BUSINESS VITALITY AT MINIMUM COST.

Policy 12.1

Develop and implement strategies which provide incentives for individuals to use public transit, ridesharing, bicycling and walking to the best advantage, thereby reducing the number of single occupant auto trips.

The proposed Ordinance enables the car-sharing industry to grow and diversify. As summarized in the proposed Ordinance's findings, car-sharing has been proven to reduce the number of single occupant auto trips and reduce the number of privately owned vehicles.

OBJECTIVE 16

DEVELOP AND IMPLEMENT PROGRAMS THAT WILL EFFICIENTLY MANAGE THE SUPPLY OF PARKING AT EMPLOYMENT CENTERS THROUGHOUT THE CITY SO AS TO DISCOURAGE SINGLE-OCCUPANT RIDERSHIP AND ENCOURAGE RIDESHARING, TRANSIT AND OTHER ALTERNATIVES TO THE SINGLE-OCCUPANT AUTOMOBILE.

Policy 16.3

Reduce parking demand through the provision of incentives for the use of carpools and vanpools at new and existing parking facilities throughout the City.

The proposed Ordinance maintains the requirement in Sec. 166 for required car-share parking spaces for new developments, and adds LRV's to the required vehicle type to fill a space if no certified car-share organizations can fill the required car-share space at any time.

Policy 16.6

Encourage alternatives to the private automobile by locating public transit access and ride-share vehicle and bicycle parking at more close-in and convenient locations on-site, and by locating parking facilities for single-occupant vehicles more remotely.

The proposed Ordinance greatly expands access to alternative modes of transportation for all residents of the city by allowing LRV parking in residentially zoned parcel's parking spaces.

ENVIRONMENTAL ELEMENT

OBJECTIVE 15

INCREASE THE ENERGY EFFICIENCY OF TRANSPORTATION AND ENCOURAGE LAND USE PATTERNS AND METHODS OF TRANSPORTATION WHICH USE LESS ENERGY.

Policy 15.1

Increase the use of transportation alternatives to the automobile.

The proposed Ordinance expands the variety and amount of alternative vehicles to the automobile through the facilitation of LRV parking allowances in residential buildings.

3. **Planning Code Section 101 Findings.** The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

The proposed Ordinance would not have a negative effect on neighborhood serving retail uses and will not have a negative effect on opportunities for resident employment in and ownership of neighborhood-serving retail.

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

The proposed Ordinance would not have a negative effect on housing or neighborhood character.

3. That the City's supply of affordable housing be preserved and enhanced;

The proposed Ordinance would not have an adverse effect on the City's supply of affordable housing.

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

The proposed Ordinance would not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.

5. That a diverse economic base be maintained by protecting our industrial and service sectors

from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

The proposed Ordinance would not cause displacement of the industrial or service sectors due to office development, and future opportunities for resident employment or ownership in these sectors would not be impaired.

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

The proposed Ordinance would not have an adverse effect on City's preparedness against injury and loss of life in an earthquake.

7. That the landmarks and historic buildings be preserved;

The proposed Ordinance would not have an adverse effect on the City's Landmarks and historic buildings.

8. That our parks and open space and their access to sunlight and vistas be protected from development;

The proposed Ordinance would not have an adverse effect on the City's parks and open space and their access to sunlight and vistas.

4. **Planning Code Section 302 Findings.** The Planning Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code as set forth in Section 302.

NOW THEREFORE BE IT RESOLVED that the Commission hereby recommends that the Board ADOPT the proposed Ordinance described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on July 6, 2017.

Jonas P. Ionin
Commission Secretary

AYES:

NOES:

ABSENT:

ADOPTED: July 06, 2017

1 [Planning Code - Car-Share and Shared Limited Range Vehicle Parking Requirements]

2

3 **Ordinance amending the Planning Code to allow Shared Limited Range Vehicle**
 4 **(scooter) off-street parking in certain designated spaces and amending the Car-Share**
 5 **Program provisions; affirming the Planning Department's determination under the**
 6 **California Environmental Quality Act; making findings of consistency with the General**
 7 **Plan, and the eight priority policies of Planning Code, Section 101.1; and making**
 8 **findings under Planning Code, Section 302.**

9

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

13

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

15

16 Section 1. Environmental and Land Use Findings.

17

(a) The Planning Department has determined that the actions contemplated in this
 18 ordinance comply with the California Environmental Quality Act (California Public Resources
 19 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
 20 Supervisors in File No. 170625 and is incorporated herein by reference. The Board affirms
 21 this determination.

22

(b) On June __, 2017, the Planning Commission, in Resolution No. _____, adopted
 23 findings that the actions contemplated in this ordinance are consistent, on balance, with the
 24 City's General Plan and eight priority policies of Planning Code Section 101.1. The Board

25

1 adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the
2 Board of Supervisors in File No. _____, and is incorporated herein by reference.

3 (c) Pursuant to Planning Code Section 302, this Board finds that this Planning Code
4 Amendment will serve the public necessity, convenience, and welfare for the reasons set
5 forth in Planning Commission Resolution No. _____ and the Board incorporates such
6 reasons herein by reference.

7
8 Section 2. Car-Share and Limited Range Vehicle Parking Findings.

9 (a) One of the challenges posed by new development is the increased number of
10 privately-owned automobiles vehicles it brings to San Francisco's congested
11 neighborhoods.

12 (b) Growth in the number of privately-owned automobiles increases demands on the
13 City's limited parking supply and often contributes to increased traffic congestion, transit
14 delays, traffic accidents, pollution and noise, while also increasing the costs of housing and
15 reducing the amount of housing that may be provided on a parcel.

16 (c) Car-sharing can address the negative impacts of new development by reducing
17 the rate of individual car-ownership per household, reducing the average number of vehicle
18 miles traveled (“VMT”) per household and reducing the total amount of automobile-
19 generated pollution per household, while satisfying the need for certain trips that may be
20 made easier by automobile. Accordingly, car-sharing should be supported through the
21 Planning Code when data demonstrates that it reduces:

- 22 (1) the number of individually-owned automobiles per household;
- 23 (2) VMT per household; and
- 24 (3) vehicle emissions generated per household.

1 (d) The City of San Francisco both encourages car-sharing and “unbundles” off-
2 street parking from residential housing, which means off-street residential parking is not
3 required to be tied to a particular dwelling unit lease or contract. (Planning Code Section
4 167.)

5 (e) The benefits of both car-sharing and unbundling in reducing parking demand
6 and car use are well documented in national and local studies and reports, including those
7 referenced in this section. While these findings below relate primarily to car-sharing, it
8 should be noted that basic economic theory also predicts that making costs explicit will
9 reduce spending on those costs, because a user is less likely to pay costs when
10 immediately confronted by a quantifiable and explicit cost when making purchases of this
11 nature, as opposed to an intrinsic cost that has no hard quantifiable value up front.

12 (f) This basic economic theory has been demonstrated to be true for parking in that
13 leasing of parking separate from the housing will reduce the demand for parking altogether.
14 Specifically, according to the January 2009 Report by Nelson|Nygaard Consulting and
15 CityCarShare, titled “Managing Residential Parking, Carsharing, and Unbundling in Urban
16 Development, Best Practices” unbundling parking and housing can reduce parking demand
17 by as much as 30%.

18 (g) In the same way, car-sharing has been demonstrated to be effective based upon
19 the same basic economic theory that explicit costs of paying for a shared-vehicle per use
20 will reduce the decision to drive, thereby reducing VMT. Specifically, according to a 2013
21 report produced by Kristen Lovejoy and Susan Handy with the University of California,
22 Davis, car-share members have shown an average VMT reduction of up to 32.9% annually
23 due in large part to the fact that users pay per use. Drivers tend to think more consciously
24 about driving, in contrast to private vehicle owners who have paid a substantial cost at the
25 outset and would not consider as carefully the costs per use.

1 (h) The Lovejoy & Handy report also showed that car-sharing enables the efficient
2 utilization of parking spaces in space-restricted areas due to the car-share's higher
3 utilization of a parking spot versus a privately owned vehicle.

4 (i) Increased vehicle utilization also leads to faster turnover of vehicles, meaning the
5 car-share vehicles are replaced more often than privately owned vehicles, leading to newer
6 and more environmentally friendly cars being on the road.

7 (j) Car-sharing also reduces vehicle ownership; and, importantly, reduced car
8 ownership has been demonstrated to reduce VMT.

9 (k) The Nelson/Nygaard 2009 Report reported that recent U.C. Berkeley studies
10 had found between 24% -29% of CityCarShare members sold their private car.

11 (l) Car-sharing not only reduces the number of personal vehicles owned across the
12 sample; it can also deter carless households from acquiring a vehicle, according to "The
13 Impact of Carsharing on Household Vehicle Ownership" by Elliot Martin and Susan
14 Shaheen in Access Number 38, published in spring 2011. This report made three
15 important conclusions: (1) Car-sharing can substantially reduce the number of vehicles
16 owned by member households, even accounting for the fact that 60% of all car-share
17 member households are carless at the time of becoming a car-share member; (2) Car-
18 share member households owned an average of 0.47 vehicles per household before joining
19 car-sharing, but that average dropped to 0.24 after membership; and (3) Car-share
20 households exhibited a dramatic shift towards a carless lifestyle. The vehicles shed are
21 often older, and a car-share fleet is an average of 10 mpg more efficient than the vehicles
22 shed.

23 (m) Similarly, a look at a different model of car-sharing, known as one-way car-
24 sharing, demonstrated similar results and made the following key findings: (1) Access to
25 ubiquitous shared automobiles allows some residents to get rid of a car or avoid acquiring

1 one altogether; (2) The actions of either shedding a car or otherwise not acquiring one
2 taken by a minority of members have VMT-reducing effects that are estimated to exceed
3 the additional driving that may take place within a car-sharing vehicle; (3) The results of this
4 analysis suggest that one-way car-sharing reduces the net vehicles that would be owned
5 by households and reduces driving, thus lowering GHG emissions; and (4) Overall, the
6 results of this study suggest that one-way car-sharing substantively affects travel behavior,
7 miles driven, GHG emissions, and the number of vehicles on urban roads within operating
8 regions.

9 (n) Putting specific numbers to the GHG reduction, Martin & Shaheen estimated
10 that the savings added up to 5,300 to 10,000 metric tons of greenhouse gas emissions
11 across the five cities—about 10 to 14 metric tons per year, per each one-way car-sharing
12 vehicle, as summarized in The Atlantic’s CityLab article by Laura Bliss as published on July
13 20, 2016.

14 (o) When looking at car ownership, according to the 2010-2013 American
15 Community Survey, the average number of vehicles owned in San Francisco is 1.1 vehicles
16 per household.

17 (p) Car ownership rates can and do change. For example, the average number of
18 vehicles per household drops by approximately 50% after becoming a car-share member,
19 according to the study by E. Martin, S. Shaheen, and J. Lidicker entitled “Impact of
20 Carsharing on Household Vehicle Holdings.”

21 (q) By this metric, car-sharing has the potential to reduce the number of vehicles per
22 household in San Francisco from 1.1 vehicles per household, to 0.55 cars per household.

23 (r) According to the San Francisco Planning Department’s Transportation Demand
24 Management Program (adopted on February 7, 2017, Planning Commission Resolution
25 No. 19838), each car-share automobile can serve up to twenty households.

1 (s) Using the metrics set forth in the Transportation Demand Management Program,
2 as justified by the Technical Justification Document, approximately half of any residential
3 development will utilize a car-share service, which means adding a proportional amount of
4 car-share automobile parking spaces to a development can offset the negative impacts of
5 approximately half of the dwelling units of a new or converted building by reducing the rate
6 of individual car-ownership per household, the average number of VMT per household and
7 the total amount of automobile-generated pollution per household.

8 (t) Prior research on the car-sharing business has revealed that one of the critical
9 factors impacting car-share performance is the location of car-share parking stations, or
10 spaces. Most car-share members tend to walk to the nearest station or car-share parking
11 space in order to access a car-share vehicle, therefore it is important to locate the facility as
12 close to the user as possible, according to the 2012 study by V. Kumar and M. Bierlaire
13 entitled "Optimizing Locations for a Vehicle Sharing System."

14 (u) It is important to ensure car-share spaces are visible to current and potential car-
15 share users in order for the user to have the knowledge of a car-share vehicle's location in
16 their neighborhood.

17 (v) The SFMTA concluded that increased visibility of car-share spaces will increase
18 car-sharing overall in the July 2013 study of their on-street car-sharing policy and pilot
19 project.

20 (w) The required car-share parking spaces for new developments are designed to
21 ensure maximum visibility of the car-share parking spaces through required signage at the
22 car-share parking space location and on the exterior of the building; creating the best
23 conditions for increased utilization by current and potential car-share members who both
24 reside in the building and the surrounding area.

1 (x) Whether new development is located within a zoning district that caps the
2 amount of parking allowed or if the development is located within a zoning district that still
3 requires some private-ownership parking spaces; spaces dedicated to car-sharing will
4 assist the City in pursuit of its environmental and transportation goals.

5 (y) The required car-share parking spaces for large-scale residential and
6 commercial developments, along with voluntary programs like the Transportation Demand
7 Management Program, and the requirement to unbundle parking in Section 167, will assist
8 in offsetting a proportion of the aforementioned negative impacts of development, while
9 also striking a balance in space allowance for some amount of private vehicles.

10 (z) The car share requirements set forth in the Planning Code and this ordinance
11 are lower than the studies would justify. The amount of required car-share spaces would
12 help to offset the impacts of development, while not placing an overly burdensome
13 requirement on residential development.

14
15 Section 3. The Planning Code is hereby amended by revising Section 166, to read as
16 follows:

17 **SEC. 166. CAR SHARING.**

18 * * * *

19 (b) **Definitions.** For purposes of this Code, the following definitions shall apply:

20 (1) A "car-share service" is a mobility enhancement service that provides an
21 integrated citywide network of neighborhood-based motor vehicles available only to
22 members by reservation on an hourly basis, or in smaller intervals, and at variable rates.
23 Car-sharing is designed to complement existing transit and bicycle transportation systems
24 by providing a practical alternative to private motor vehicle ownership, with the goal of
25 reducing over-dependency on individually owned motor vehicles. Car-share vehicles must

1 be located at unstaffed, self-service locations (other than any incidental garage valet
2 service), and generally be available for pick-up by members 24 hours per day. A car-share
3 service shall provide automobile insurance for its members when using car-share vehicles
4 and shall assume responsibility for maintaining car-share vehicles.

5 (2) A "certified car-share organization" is any public or private entity that
6 provides a membership-based car-share service to the public and manages, maintains and
7 insures motor vehicles for shared use by individual and group members. To qualify as a
8 certified car-share organization, ~~a car-share an~~ organization shall ~~submit a written report~~
9 ~~prepared by an independent third party academic institution or transportation consulting firm that~~
10 ~~clearly demonstrates, based on a statistically significant analysis of quantitative data, that such car-~~
11 ~~sharing service has achieved two or more of the following environmental performance goals in any~~
12 ~~market where they have operated for at least two years: (A) lower household automobile ownership~~
13 ~~among members than the market area's general population; (B) lower annual vehicle miles traveled~~
14 ~~per member household than the market area's general population; (C) lower annual vehicle~~
15 ~~emissions per member household than the market area's general population; and (D) higher rates of~~
16 ~~transit usage, walking, bicycling and other non-automobile modes of transportation usage for~~
17 ~~commute trips among members than the market area's general population. This report shall be~~
18 ~~called a Car-sharing Certification Study and shall be reviewed by Planning Department staff for~~
19 ~~accuracy and made available to the public upon request. The Zoning Administrator shall only~~
20 ~~approve certification of a car-share organization if the Planning Department concludes that the~~
21 ~~Certification Study is technically accurate and clearly demonstrates that the car-share organization~~
22 ~~has achieved two or more of the above environmental performance goals during a two-year period~~
23 ~~of operation. The Zoning Administrator shall establish specific quantifiable performance thresholds,~~
24 ~~as appropriate, for each of the three environmental performance goals set forth in this subsection.~~
25 request a written determination from the Zoning Administrator. If the Zoning Administrator

1 determines that the car-share organization meets the definitions of this Subsection 166(b), the car-
2 share organization may be certified.

3 ~~—— (3) The Planning Department shall maintain a list of certified car-share~~
4 ~~organizations that the Zoning Administrator has determined satisfy the minimum environmental~~
5 ~~performance criteria set forth in subsection 166(b)(2) above. Any car-share organization seeking to~~
6 ~~benefit from any of the provisions of this Code must be listed as a certified car-share organization.~~

7 ~~(4)~~ (3) An "off-street car-share parking space" is any parking space generally
8 complying with the standards set forth for the district in which it is located and dedicated for
9 current or future use by any car-share organization through a deed restriction, condition of
10 approval or license agreement. Such deed restriction, condition of approval or license
11 agreement must grant priority use to any certified car-share organization that can make use
12 of the space, although such spaces may be occupied by other vehicles so long as no
13 certified car-share organization can make use of the dedicated car-share spaces. Any off-
14 street car-share parking space provided under this Section must be provided as an
15 independently accessible parking space. In new parking facilities that do not provide any
16 independently accessible spaces other than those spaces required for disabled parking,
17 off-street car-share parking may be provided on vehicle lifts so long as the parking space is
18 easily accessible on a self-service basis 24 hours per day to members of the certified car-
19 share organization. Property owners may enact reasonable security measures to ensure
20 such 24-hour access does not jeopardize the safety and security of the larger parking
21 facility where the car-share parking space is located so long as such security measures do
22 not prevent practical and ready access to the off-street car-share parking spaces.

23 ~~(5)~~ (4) A "car-share vehicle" is a vehicle provided by a certified car-share
24 organization for the purpose of providing a car-share-service. Car-share vehicles are divided
25 into two distinctive groups:

1 (A) “Automobile” is a four-wheeled self-propelled vehicle capable of
2 attaining a speed of at least 65 miles per hour. Automobiles may be gas or electric powered.

3 (B) “Limited-Range Vehicle” or “LRV” is a two, three, or four-wheeled self-
4 propelled vehicle capable of attaining a speed of at least 20 miles per hour and no greater than 40
5 miles per hour, and can seat no more than two passengers. LRVs may be gas or electric powered.
6 For the purposes of this section, golf carts and electric bicycles are not considered LRVs.

7 (6)(5) A "property owner" refers to the owner of a property at the time of
8 project approval and its successors and assigns.

9 ~~(e) **Generally Permitted.** Car share spaces shall be generally permitted in the same~~
10 ~~manner as residential accessory parking. Any residential or commercial parking space may be~~
11 ~~voluntarily converted to a car share space.~~

12 (4)(c) **Requirements for Provision of Car-Share Parking Spaces.**

13 (1) **Amount of Required Spaces.** In newly constructed buildings containing
14 residential uses or existing buildings being converted to residential uses, if parking is
15 provided, Automobile eCar-sShare parking spaces shall be provided in the amount specified
16 in Table 166. The required amount of Automobile Car-Share parking spaces shall be based on the
17 exact number of dwelling units or parking spaces, and rounding shall not be used to require a higher
18 number of automobile car-share parking spaces. In newly constructed buildings containing
19 parking for non-residential uses, including non-accessory parking in a garage or lot,
20 Automobile eCar-sShare parking spaces shall be provided in the amount specified in Table
21 166.

22 //
23 //
24 //
25 //

Table 166

REQUIRED CAR-SHARE PARKING SPACES

Number of Residential Units	Number of Required <u>Automobile</u> Car-Share Parking Spaces
0 - 49	0
50 - 200	1
201 or more	2, plus 1 for every 200 dwelling units over 200
Number of Parking Spaces Provided for Non-Residential Uses or in a Non-Accessory Parking Facility	Number of Required <u>Automobile</u> Car-Share Parking Spaces
0 - 24	0
25 - 49	1
50 or more	1, plus 1 for every 50 parking spaces over 50

(2) **Availability of Car-Share Spaces.** The required Automobile eCar-sShare spaces shall be made available, at no cost, to a certified car-share organization for purposes of providing Automobile eCar-sShare services for its Automobile eCar-sShare service subscribers. *LRV parking spaces may not be used to satisfy the requirement for car-share parking spaces in Table 166, except as provided in subsection (c)(3)(D) below.* At the election of the property owner, the Automobile eCar-sShare spaces may be provided

(A) on the building site, or

(B) on another off-street site within 800 feet of the building site.

1 (3) **Off-Street Spaces.** If the Automobile eCar-sShare space or spaces are
2 located on the building site or another off-street site:

3 (A) The parking areas of the building shall be designed in a manner
4 that will make the Automobile eCar-sShare parking spaces accessible to non-resident
5 subscribers from outside the building as well as building residents;

6 (B) Prior to Planning Department approval of the first building or site
7 permit for a building subject to the car-share requirement, a Notice of Special Restriction on
8 the property shall be recorded indicating the nature of requirements of this Section and
9 identifying the minimum number and location of the required Automobile eCar-sShare
10 parking spaces. The form of the notice and the location or locations of the Automobile eCar-
11 sShare parking spaces shall be approved by the Planning Department;

12 (C) All required Automobile eCar-sShare parking spaces shall be
13 constructed and provided at no cost concurrently with the construction and sale of units;
14 and

15 (D) *if* it is demonstrated to the satisfaction of the Planning
16 Department that no certified car-share organization can make use of the dedicated
17 Automobile eCar-sShare parking spaces for Automobile use, the spaces may be occupied by
18 shared LRVs at no cost. Upon ninety (90) days of advance written notice to the property owner from
19 a certified car-sharing organization that any required Automobile Car-Share parking space may be
20 utilized for a shared Automobile, the property owner shall make the space available to the Car-
21 Share organization for its use of such space. If it is demonstrated to the satisfaction of the Planning
22 Department that no certified car-share organizations can make use of the dedicated car-share
23 parking spaces for shared Automobile or LRV parking, the space may be occupied by non-car-
24 share vehicles; provided, however, that upon ninety (90) days of advance written notice to
25 the property owner from a certified car-sharing organization, the property owner shall

1 ~~terminate any non-car sharing leases for such spaces and shall~~ make the spaces available to the
2 car-share organization for its use of such spaces.

3 (ed) **Substitution for Required Parking.** Provision of a required Automobile eCar-
4 sShare parking space shall satisfy or may substitute for any required residential parking;
5 however, such space shall not be counted against the maximum number of parking spaces
6 allowed by this Code as a principal use, an accessory use, or a conditional use.

7 (e) **List of Certified Car-Share Organizations.** The Planning Department shall maintain a
8 list of certified car-share organizations that the Zoning Administrator has determined meet the
9 definitions set forth in Subsection 166(b) above. Any car-share organization seeking to benefit from
10 any of the provisions of this Code must be listed as a certified organization. Every certified car-
11 share organization shall report annually to the Department, by January 31 of each year, the number
12 and location of each active parking space.

13 (f) **List of Car-Share Projects.** The Planning Department shall maintain a publicly-
14 accessible list, updated quarterly, of all projects approved with required off-street car-share
15 parking spaces. The list shall contain the Assessor's Block and Lot number, address,
16 number of required off-street car-share parking spaces, project sponsor or property owner
17 contact information and other pertinent information as determined by the Zoning
18 Administrator.

19 (g) **Optional Car-Share Spaces.**

20 (1) **Amount of Optional Spaces.** In addition to any permitted or required
21 parking that may apply to the project, the property owner may elect to provide additional
22 Automobile eCar-sShare parking spaces in the maximum amount specified in Table 166A;
23 provided, however, that the optional car-share parking spaces authorized by this
24 subsection (g) are not permitted for a project that receives a Conditional Use authorization
25 to increase parking. Additional car-share parking spaces shall be allowed beyond the maximum

1 amount specified in Table 166A, to the extent needed, when such additional Car-Share parking
 2 spaces are part of a Development Project's compliance with the Transportation Demand
 3 Management Program set forth in Section 169 of the Planning Code.

4 The optional Automobile Car-Share spaces shall not be counted against the maximum
 5 number of parking spaces allowed by this Code as a principal use, an accessory use, or a
 6 conditional use.

7 **Table 166A**

8 **OPTIONAL CAR-SHARE PARKING SPACES**

Number of Residential Units	Maximum Number of Optional <u>Automobile</u> Car-Share Parking Spaces
10 - 24	2
25 - 49	3
50 or more	5
Amount of Square Footage for Non-Residential Uses	Maximum Number of Optional <u>Automobile</u> Car-Share Parking Spaces
5,000 - 9,999 sq. ft.	2
10,000 - 19,999 sq. ft.	3
20,000 or more sq. ft.	5

19
 20 The optional car share spaces shall not be counted against the maximum number of parking
 21 spaces allowed by this Code as a principal use, an accessory use, or a conditional use.

22 **(2) Requirements for Optional Car-Share Spaces in New Projects.** All
 23 Automobile eCar-sShare spaces are subject to the following:

24 (A) They shall meet the provisions of this Section 166.

1 (B) The Automobile eCar-sShare parking spaces shall be deed-
2 restricted and dedicated for car-sharing, and must be offered and maintained in perpetuity.

3 (C) At project entitlement, the property owner must submit a letter of
4 intent from a certified car-share organization that articulates the car-share organization's
5 intent to occupy the requested car-share spaces under this Subsection (gh).

6 (D) Use of the car-share vehicles shall not be limited to residents of
7 the building.

8 (E) If an additional car-share space is built, and a certified car-share
9 organization chooses not to place vehicles in that space, the owner of the project may not
10 sell, rent, or otherwise earn fees on the space but may use it for (i) bicycle parking, or (ii)
11 permitted storage and other permitted uses but not for parking of any motorized vehicle;
12 provided, however, that upon ninety (90) days of advance written notice to the property
13 owner from a certified car-sharing organization, the property owner shall terminate any non-
14 car-sharing use for such space and shall make the space available to the car-share
15 organization for its use of such space.

16 (F) A sign shall be placed above or next to each car-share parking
17 space stating that the parking space is for car-sharing and cannot be used for private
18 automobile parking. The sign shall meet the Department's design specifications and shall
19 include the name and contact information of a person to call for enforcement of this
20 requirement and such other information as the Department requires. An informational
21 plaque shall also be placed on the outside of the building location, which shall meet the
22 design, location and information requirements established by the Department.

23 (3) **Existing Car-Share Spaces Located on Gas Stations Sites and**
24 **Surface Parking Lots.** If the number of car-share spaces located on a Development Project
25 site that is a gas station, surface parking lot, or other similar site for at least one year prior to

1 the submittal of a complete Environmental Evaluation Application or a Development application
2 exceeds the total number of required and/or optional car-share parking spaces as provided
3 for under Table 166 and Table 166A for the existing use, the ~~developer~~ new project may retain
4 those car-share spaces ~~if the site is redeveloped~~ without reducing the permitted levels of
5 ~~private~~ accessory parking for the project; provided, however, that a ~~property owner~~ Development
6 Project can may not seek additional optional car-share parking spaces per Table 166A if such
7 existing car-share spaces are retained.

8 **(h) Conversion of Existing Accessory Parking to Car-Share Spaces.**

9 Car-share spaces shall be generally permitted in the same manner as residential
10 accessory parking. Any existing accessory parking space may be voluntarily converted to any type
11 of car-share space defined in this Section without the need for a site or building permit, except for
12 the conversion of required non-residential accessory parking spaces. Such required non-residential
13 spaces may only be converted upon obtaining a variance or other exception to the property's
14 parking requirements.

15 **(i) Conversion of Unused Garage Space to LRV Parking Spaces.**

16 (1) A building owner may convert any space within a principal or accessory garage
17 to a shared LRV space if that space is not being converted from tenant amenities, including but not
18 limited to tenant storage, laundry facilities, or bicycle parking, under the following conditions:

19 (A) The owner obtains a building permit to convert unused principal or accessory
20 garage space to shared LRV parking; and

21 (B) In order to preserve space that may be used for future tenant amenities, no
22 owner shall convert any unused accessory garage space of a contiguous area measuring greater
23 than 112.5 square feet for shared LRV parking.

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

5
6 Section 5. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
7 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
8 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
9 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
10 additions, and Board amendment deletions in accordance with the "Note" that appears under
11 the official title of the ordinance.

12
13 APPROVED AS TO FORM:
14 DENNIS J. HERRERA, City Attorney

15 By: _____
16 KATE H. STACY
17 Deputy City Attorney

18 n:\legana\as2017\1700324\01190098.docx