

File No. 170301

Committee Item No. _____

Board Item No. 25

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: _____
Board of Supervisors Meeting

Date: _____
Date: April 4, 2017

Cmte Board

- | | | |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER (Click the text below for a direct link to the document)

- | | | |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Board Resolution in File No. 161349</u> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Legislative Digest in File No. 161349</u> |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
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| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |

Prepared by: Brent Jalipa
Prepared by: _____

Date: March 30, 2017
Date: _____

1 [Approval of a 90-Day Extension for Planning Commission Review of an Ordinance (File
2 No. 161349) Allowing Scooter Parking In Certain Designated Parking Spaces]

3 **Resolution extending by 90 days the prescribed time within which the Planning**
4 **Commission may render its decision on a Ordinance (File No. 161349) amending the**
5 **Planning Code to allow scooter parking in certain designated parking spaces; affirming**
6 **the Planning Department’s determination under the California Environmental Quality**
7 **Act; making findings of consistency with the General Plan, and the eight priority**
8 **policies of Planning Code, Section 101.1; and making findings under Planning Code,**
9 **Section 302.**

10
11 WHEREAS, On December 13, 2016, Supervisor Breed introduced legislation amending
12 the Planning Code to allow scooter parking in certain designated parking spaces; affirming the
13 Planning Department’s determination under the California Environmental Quality Act; making
14 findings of consistency with the General Plan, and the eight priority policies of Planning Code,
15 Section 101.1; and making findings under Planning Code, Section 302.; and

16 WHEREAS, On or about January 11, 2017, the Clerk of the Board of Supervisors
17 referred the proposed ordinance to the Planning Commission; and

18 WHEREAS, The Planning Commission shall, in accordance with Planning Code,
19 Section 306.4(d), render a decision on the proposed Ordinance within 90 days from the date
20 of referral of the proposed amendment or modification by the Board to the Commission; and

21 WHEREAS, Failure of the Commission to act within 90 days shall be deemed to
22 constitute disapproval; and

23 WHEREAS, The Board, in accordance with Planning Code, Section 306.4(d) may, by
24 Resolution, extend the prescribed time within which the Planning Commission is to render its
25

1 decision on proposed amendments to the Planning Code that the Board of Supervisors
2 initiates; and

3 WHEREAS, Supervisor Breed has requested additional time for the Planning
4 Commission to review the proposed Ordinance; and

5 WHEREAS, The Board deems it appropriate in this instance to grant to the Planning
6 Commission additional time to review the proposed Ordinance and render its decision; now,
7 therefore, be it

8 RESOLVED, That by this Resolution, the Board hereby extends the prescribed time
9 within which the Planning Commission may render its decision on the proposed Ordinance for
10 approximately 90 additional days, until July 10, 2017.

1 [Planning Code - Scooter Parking]

2
3 **Ordinance amending the Planning Code to allow scooter parking in certain designated**
4 **parking spaces; affirming the Planning Department's determination under the**
5 **California Environmental Quality Act; making findings of consistency with the General**
6 **Plan, and the eight priority policies of Planning Code, Section 101.1; and making**
7 **findings under Planning Code, Section 302.**

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

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

16 Section 1.

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. 161349 and is incorporated herein by reference. The Board affirms
21 this determination.

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

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

5
6 Section 2. The Planning Code is hereby amended by adding new Section 166.1, to
7 read as follows:

8 SEC. 166.1. SCOOTER PARKING.

9 (a) Findings.

10 (1) San Francisco is committed to expanding sustainable modes of transportation,
11 adopting the Transit First policy over four decades ago and establishing a goal to have 50% of all trips
12 made through sustainable modes by 2018. Emission-free scooters occupy far less space and consume
13 far less energy than private automobiles. They are a sustainable mode whose use San Francisco seeks
14 to encourage.

15 (2) The provisions of this Section 166.1 shall apply to off-street parking spaces for
16 scooters, which shall be defined as light two-wheeled open motor zero emission vehicles on which the
17 driver sits over an enclosed motor with legs together and feet resting on a floorboard.

18 (b) Owners and operators of off-street parking spaces may lease parking spaces for scooters,
19 without changing the nature of the permitted parking use, and without requiring any additional permit
20 or approvals from the City that may otherwise be required by the Planning Code, under any of the
21 following circumstances:

22 (1) If a building is subject to a minimum parking requirement and provides more
23 parking than is required by the Planning Code, such additional parking spaces may be used as parking
24 spaces for scooters; or

1 (2) If a building is subject to a maximum parking requirement, and is not subject to a
2 minimum parking requirement, up to 50% of the parking spaces may be used as parking spaces for
3 scooters, provided that such use shall not result in the creation of additional parking spaces; or

4 (3) If a building contains commercial or retail uses that require parking spaces, any
5 parking spaces above the minimum requirement may be used as parking spaces for scooters; or

6 (4) A building owner may use any garage space that is not currently in use as parking
7 space or for tenant amenities, including but not limited to space that is used for tenant storage space or
8 laundry facilities, as parking spaces for scooters.

9
10 Section 3. Effective Date. This ordinance shall become effective 30 days after
11 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
12 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
13 of Supervisors overrides the Mayor's veto of the ordinance.

14
15 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
16 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
17 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
18 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
19 additions, and Board amendment deletions in accordance with the "Note" that appears under
20 the official title of the ordinance.

21
22 APPROVED AS TO FORM:
23 DENNIS J. HERRERA, City Attorney

24 By: _____
25 KATE H. STACY
Deputy City Attorney

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LEGISLATIVE DIGEST

[Planning Code - Scooter Parking]

Ordinance amending the Planning Code to allow scooter parking in certain designated parking spaces; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings under Planning Code, Section 302.

Existing Law

The Planning Code currently regulates parking space requirements, including minimum and maximum amounts of permitted parking, depending on the zoning district and the use of the site. There are no special provisions for parking scooters.

Amendments to Current Law

The legislation would create a category for parking spaces to be used by scooters, defined as light two-wheeled open motor zero emission vehicles on which the driver sits over an enclosed motor with legs together and feet resting on a floorboard. A building owner or operator may use parking spaces for scooters in certain circumstances, which include (1) If a building is subject to a minimum parking requirement and provides more parking than is required by the Planning Code, such additional parking spaces may be used as parking spaces for scooters; (2) If a building is subject to a maximum parking requirement, and is not subject to a minimum parking requirement, up to 50% of the parking spaces may be used as parking spaces for scooters, provided that such use shall not result in the creation of additional parking spaces; (3) If a building contains commercial or retail uses that require parking spaces, any parking spaces above the minimum requirement may be used as parking spaces for scooters; or (4) A building owner may use any garage space that is not currently in use as parking space or for tenant amenities, including but not limited to space that is used for tenant storage space or laundry facilities, as parking spaces for scooters.

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Print Form

Introduction Form

By a Member of the Board of Supervisors or the Mayor

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2017 MAR 21 PM 4:50
Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

BY _____

- 1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter Amendment)
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor" inquires"
- 5. City Attorney request.
- 6. Call File No. from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Question(s) submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission Youth Commission Ethics Commission
- Planning Commission Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative Form.

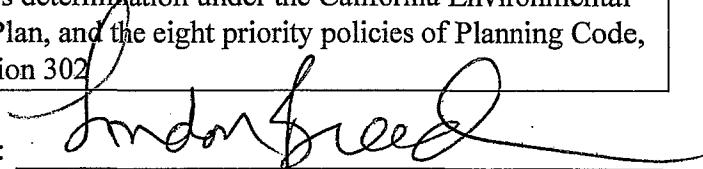
Sponsor(s):

Subject:

The text is listed below or attached:

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a Ordinance (File No. 161349) amending the San Francisco Planning Code to allow scooter parking in certain designated parking spaces; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings under Planning Code, Section 302

Signature of Sponsoring Supervisor: _____



For Clerk's Use Only: