

BOARD of SUPERVISORS



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May 31, 2017

Planning Commission
Attn: Jonas Ionin
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Commissioners:

On May 23, 2017, Supervisor Breed introduced the following proposed legislation:

File No. 170625

Ordinance amending the Planning Code to allow Shared Limited Range Vehicle (scooter) off-street parking in certain designated spaces and amending the Car-Share Program provisions; 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.

The proposed ordinance is being transmitted pursuant to Planning Code, Section 302(b), for public hearing and recommendation. The ordinance is pending before the Land Use and Transportation Committee and will be scheduled for hearing upon receipt of your response.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script, appearing to read "Erica Major".

By: Erica Major, Assistant Clerk
Land Use and Transportation Committee

- c: John Rahaim, Director of Planning
- Aaron Starr, Acting Manager of Legislative Affairs
- Scott Sanchez, Zoning Administrator
- Lisa Gibson, Acting Environmental Review Officer
- AnMarie Rodgers, Senior Policy Advisor
- Jeanie Poling, Environmental Planning
- Joy Navarrete, Environmental Planning

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 ~~*italics Times New Roman font*~~.
12 **Board amendment additions** are in Arial font.
13 **Board amendment deletions** are in ~~Arial font~~.
14 **Asterisks (* * * *)** indicate the omission of unchanged Code
15 subsections or parts of tables.

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

17 Section 1. Environmental and Land Use Findings.

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

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

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.
25

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

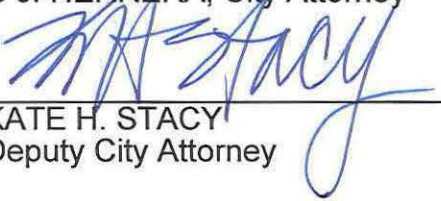
21 (B) In order to preserve space that may be used for future tenant amenities, no
22 owner shall convert any unused accessory garage space of a contiguous area measuring greater
23 than 112.5 square feet for shared LRV parking.

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

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

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

By: 
KATE H. STACY
Deputy City Attorney

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LEGISLATIVE DIGEST

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

Ordinance amending the Planning Code to allow Shared Limited Range Vehicle (scooter) off-street parking in certain designated spaces and amending the Car-Share Program provisions; 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

Planning Code Section 166 provides requirements for car-share parking spaces in new residential development projects. Section 166 also sets forth criteria for qualifying a car-share organization to use the car-share parking spaces, and includes a requirement that a car-share organization provide an independent report documenting achievement of certain performance goals.

Amendments to Current Law

The proposed amendments include findings demonstrating the need for Car-Share parking spaces. The amendments would also change the criteria for qualifying a car-share organization to eliminate the requirement to submit an annual report documenting whether it has met specified performance goals. A car-share organization may ask the Zoning Administrator to make a written determination that the car-share organization meets the definitions of Planning Code Section 166. Once that written determination is made, a car-share organization is eligible to use available car-share parking spaces in a residential building.

The proposed amendments would define a car-share vehicle as either an automobile or as a limited range vehicle ("LRV"), which is defined as a two, three, or four-wheeled self-propelled vehicle capable of attaining a speed of at least 20 miles per hour and no greater than 40 miles per hour, which can seat no more than two passengers. LRVs may be gas or electric powered. Golf carts and electric bicycles are not considered LRVs.

The amendments provide that if it is demonstrated to the satisfaction of the Planning Department that no certified car-share organization can make use of the dedicated Automobile Car-Share parking spaces for Automobile use, the spaces may be occupied by shared LRVs.

The amendments would allow any existing accessory parking space to be voluntarily converted to any type of car-share space without the need for a site or building permit,

except for the conversion of required non-residential accessory parking spaces. Such required non-residential spaces may only be converted upon obtaining a variance or other exception to the property's parking requirements. In addition, the amendments would allow a building owner to convert any space within a principal or accessory garage to a shared LRV space if that space is not being converted from tenant amenities, including but not limited to tenant storage, laundry facilities, or bicycle parking, under the following conditions:

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

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

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