

1 [Planning Code - Car Share Parking Spaces]

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3 **Ordinance amending the Planning Code, Section 166, to authorize owners of projects**
4 **with residential units to elect to provide additional parking spaces for car-share use**
5 **which will not count against any parking maximums; allow the car-share spaces to be**
6 **used for other permitted uses other than parking a motorized vehicle if a car-share**
7 **organization chooses not to use the space; and making environmental findings,**
8 **Planning Code, Section 302, findings, and findings of consistency with the General**
9 **Plan and the Priority Policies of Planning Code, Section 101.1.**

10 NOTE: Additions are single-underline italics Times New Roman;
11 deletions are ~~strike-through italics Times New Roman~~.
12 Board amendment additions are double-underlined;
13 Board amendment deletions are ~~strikethrough-normal~~.

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

15 Section 1. Findings.

16 (a) The Planning Department has determined that the actions contemplated in this
17 ordinance comply with the California Environmental Quality Act (California Public Resources
18 Code Section 21000 et seq.). Said determination is on file with the Clerk of the Board of
19 Supervisors in File No. 120900 and is incorporated herein by reference.

20 (b) Pursuant to Planning Code Section 302, this Board finds that these Planning Code
21 amendments will serve the public necessity, convenience, and welfare for the reasons set
22 forth in Planning Commission Resolution No. 18755 and the Board hereby incorporates such
23 reasons herein by reference. A copy of Planning Commission Resolution No. 18755 is on file
24 with the Clerk of the Board of Supervisors in File No. 120900.

1 (c) This Board finds that these Planning Code amendments are consistent with the
2 General Plan and with the Priority Policies of Planning Code Section 101.1 for the reasons set
3 forth in Planning Commission Resolution No. 18755 and the Board hereby incorporates such
4 reasons herein by reference.

5
6 Section 2. The San Francisco Planning Code is hereby amended by amending Section
7 166, to read as follows:

8 (a) **Findings.** The Board hereby finds and declares as follows: One of the challenges
9 posed by new development is the increased number of privately-owned automobiles it brings
10 to San Francisco's congested neighborhoods. Growth in the number of privately-owned
11 automobiles increases demands on the City's limited parking supply and often contributes to
12 increased traffic congestion, transit delays, pollution and noise. Car-sharing can mitigate the
13 negative impacts of new development by reducing the rate of individual car-ownership per
14 household, the average number of vehicle miles driven per household and the total amount of
15 automobile-generated pollution per household. Accordingly, car-sharing services should be
16 supported through the Planning Code when a car-sharing organization can demonstrate that it
17 reduces: (i) the number of individually-owned automobiles per household; (ii) vehicle miles
18 traveled per household; and (iii) vehicle emissions generated per household.

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 members
22 by reservation on an hourly basis, or in smaller intervals, and at variable rates. Car-sharing is
23 designed to complement existing transit and bicycle transportation systems by providing a
24 practical alternative to private motor vehicle ownership, with the goal of reducing over-
25 dependency on individually owned motor vehicles. Car-share vehicles must be located at

1 unstaffed, self-service locations (other than any incidental garage valet service), and generally
2 be available for pick-up by members 24 hours per day. A car-share service shall provide
3 automobile insurance for its members when using car-share vehicles and shall assume
4 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 organization shall submit a written report
9 prepared by an independent third party academic institution or transportation consulting firm
10 that clearly demonstrates, based on a statistically significant analysis of quantitative data, that
11 such car-sharing service has achieved two or more of the following environmental
12 performance goals in any market where they have operated for at least two years: ~~(i)~~ (A) lower
13 household automobile ownership among members than the market area's general population;
14 ~~(ii)~~ (B) lower annual vehicle miles traveled per member household than the market area's
15 general population; ~~(iii)~~ (C) lower annual vehicle emissions per member household than the
16 market area's general population; and ~~(iv)~~ (D) higher rates of transit usage, walking, bicycling
17 and other non-automobile modes of transportation usage for commute trips among members
18 than the market area's general population. This report shall be called a Car-sharing
19 Certification Study and shall be reviewed by Planning Department staff for accuracy and
20 made available to the public upon request. The Zoning Administrator shall only approve
21 certification of a car-share organization if the Planning Department concludes that the
22 Certification Study is technically accurate and clearly demonstrates that the car-share
23 organization has achieved two or more of the above environmental performance goals during
24 a two-year period of operation. The Zoning Administrator shall establish specific quantifiable
25

1 performance thresholds, as appropriate, for each of the three environmental performance
2 goals set forth in this subsection.

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

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

24 (5) A "car-share vehicle" is a vehicle provided by a certified car-share
25 organization for the purpose of providing a car-share-service.

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

3 (c) **Generally Permitted.** Car-share spaces shall be generally permitted in the same
4 manner as residential accessory parking. Any residential or commercial parking space may be
5 voluntarily converted to a car-share space.

6 (d) **Requirements for Provision of Car-Share Parking Spaces.**

7 (1) **Amount of Required Spaces.** In newly constructed buildings containing
8 residential uses or existing buildings being converted to residential uses, if parking is
9 provided, car-share parking spaces shall be provided in the amount specified in Table 166. In
10 newly constructed buildings containing parking for non-residential uses, including non-
11 accessory parking in a garage or lot, car-share parking spaces shall be provided in the
12 amount specified in Table 166.

13 **Table 166**

14 **REQUIRED CAR-SHARE PARKING SPACES**

15 Number of Residential Units	16 Number of Required Car-Share Parking Spaces
17 0 - 49	0
18 50 - 200	1
19 201 or more	2, plus 1 for every 200 dwelling units over 200
21 Number of Parking Spaces Provided for Non-Residential Uses or in a Non-Accessory Parking Facility	22 Number of Required Car-Share Parking Spaces
23 0 - 24	0
24 25 - 49	1
25 50 or more	1, plus 1 for every 50 parking spaces over 50

1 (2) Availability of Car-Share Spaces. The required car-share spaces shall be
2 made available, at no cost, to a certified car-share organization for purposes of providing car-
3 share services for its car-share service subscribers. At the election of the property owner, the
4 car-share spaces may be provided ~~(i)~~ (A) on the building site, ~~(ii)~~ or (B) on another off-street
5 site within 800 feet of the building site.

6 (3) **Off-Street Spaces.** If the car-share space or spaces are located on the
7 building site or another off-street site:

8 (A) The parking areas of the building shall be designed in a manner that
9 will make the car-share parking spaces accessible to non-resident subscribers from outside
10 the building as well as building residents;

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

17 (C) All required car-share parking spaces shall be constructed and
18 provided at no cost concurrently with the construction and sale of units; and

19 (D) if it is demonstrated to the satisfaction of the Planning Department
20 that no certified car-share organization can make use of the dedicated car-share parking
21 spaces, the spaces may be occupied by non-car-share vehicles; provided, however, that upon
22 ninety (90) days of advance written notice to the property owner from a certified car-sharing
23 organization, the property owner shall terminate any non car-sharing leases for such spaces
24 and shall make the spaces available to the car-share organization for its use of such spaces.
25

1 (e) Substitution for Required Parking. Provision of a required car-share parking space
 2 shall satisfy or may substitute for any required residential parking; however, such space shall
 3 not be counted against the maximum number of parking spaces allowed by this Code as a
 4 principal use, an accessory use, or a conditional use.

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

10 (g) Optional Car-Share Spaces.

11 (1) Amount of Optional Spaces. In addition to any permitted or required parking that
 12 may apply to the project, the property owner may elect to provide additional car-share parking spaces
 13 in the maximum amount specified in Table 166A; provided, however, that the optional car-share
 14 parking spaces authorized by this subsection (g) are not permitted for a project that receives a
 15 Conditional Use authorization to increase parking.

16 Table 166A

17 OPTIONAL CAR-SHARE PARKING SPACES

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

10,000 – 19,999 sq. ft.	<u>3</u>
20,000 or more sq. ft.	<u>5</u>

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

(2) Requirements for Optional Car-Share Spaces. All car-share spaces are subject to the following:

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

(B) The car-share parking spaces shall be deed-restricted and dedicated for car-sharing, and must be offered and maintained in perpetuity.

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

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

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

(F) A sign shall be placed above or next to each car-share parking space stating that the parking space is for car-sharing and cannot be used for private automobile parking. The sign shall meet the Department's design specifications and shall include the name and contact information of a person to call for enforcement of this requirement and such other information as the Department

1 requires. An informational plaque shall also be placed on the outside of the building location, which
2 shall meet the design, location and information requirements established by the Department.

3 **(3) Existing Car-Share Spaces Located on Gas Stations Sites and Surface Parking**

4 **Lots. If the number of car-share spaces located on a gas station, surface parking lot, or other similar**
5 **site for at least one year exceeds the total number of required and/or optional car-share parking spaces**
6 **as provided for under Table 166 and Table 166A, the developer may retain those car-share spaces if**
7 **the site is redeveloped without reducing the permitted levels of private parking; provided, however, that**
8 **a property owner cannot seek additional optional car-share parking spaces per Table 166A.**

9
10 Section 3. Effective Date. This ordinance shall become effective 30 days from the
11 date of passage.

12
13 Section 4. This section is uncodified. In enacting this Ordinance, the Board intends to
14 amend only those words, phrases, paragraphs, subsections, sections, articles, numbers,
15 punctuation, charts, diagrams, or any other constituent part of the Planning Code that are
16 explicitly shown in this legislation as additions, deletions, Board amendment additions, and
17 Board amendment deletions in accordance with the "Note" that appears under the official title
18 of the legislation.

19
20 APPROVED AS TO FORM:
21 DENNIS J. HERRERA, City Attorney

22 By:


23 JUDITH A. BOYAJIAN
24 Deputy City Attorney

25
Supervisor Wiener, Chiu, Cohen, Chu, Campos
BOARD OF SUPERVISORS



City and County of San Francisco
Tails
Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120900

Date Passed: February 26, 2013

Ordinance amending the Planning Code, Section 166, to authorize owners of projects with residential units to elect to provide additional parking spaces for car-share use which will not count against any parking maximums; allow the car-share spaces to be used for other permitted uses other than parking a motorized vehicle if a car-share organization chooses not to use the space; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

February 04, 2013 Land Use and Economic Development Committee - RECOMMENDED

February 12, 2013 Board of Supervisors - PASSED, ON FIRST READING

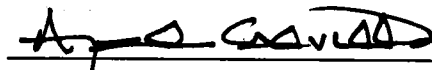
Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener and Yee

February 26, 2013 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Wiener and Yee

File No. 120900

I hereby certify that the foregoing
Ordinance was FINALLY PASSED on
2/26/2013 by the Board of Supervisors of the
City and County of San Francisco.


Angela Calvillo
Clerk of the Board


Mayor


Date Approved