

BOARD of SUPERVISORS



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MEMORANDUM

TO: Ed Reiskin, Executive Director, Municipal Transportation Agency

FROM: *ll*
for Alisa Somera, Legislative Deputy Director
Land Use and Transportation Committee

DATE: January 10, 2017

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislation, introduced by Supervisor Breed on December 13, 2016:

File No. 161349

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.

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: alisa.somera@sfgov.org.

c: Janet Martinsen, Municipal Transportation Agency
Kate Breen, Municipal Transportation Agency
Dillon Auyoung, Municipal Transportation Agency
Viktoriya Wise, Municipal Transportation Agency

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