

1 [Planning Code, Zoning Map - Establishment of Geary-Masonic Special Use District]

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3 **Ordinance amending the Planning Code to establish the Geary-Masonic Special Use**
4 **District in the area generally bounded by Geary Boulevard to the south, Masonic**
5 **Avenue to the east, and Assessor’s Parcel Block No. 1071, Lots 001 and 004 to the**
6 **north and west, respectively, and amending Sheet SU03 of the Zoning Map; affirming**
7 **the Planning Department’s determination under the California Environmental Quality**
8 **Act; making findings of consistency with the General Plan, and the eight priority**
9 **policies of Planning Code, Section 101.1; and adopting findings of public convenience,**
10 **necessity, and welfare under Planning Code, Section 302.**

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

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

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20 Section 1. Findings.

21 (a) The Planning Department has determined that the actions contemplated in this
22 ordinance comply with the California Environmental Quality Act (California Public Resources
23 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
24 Supervisors in File No. 161109 and is incorporated herein by reference. The Board affirms
25 this determination.

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1 (b) On November 30, 2017, the Planning Commission, in Resolution No. 20063,
2 adopted findings that the actions contemplated in this ordinance are consistent, on balance,
3 with the City's General Plan and eight priority policies of Planning Code Section 101.1. The
4 Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of
5 the Board of Supervisors in File No.161109, and is incorporated herein by reference.

6 (c) Pursuant to Planning Code Section 302, this Board finds that this ordinance will
7 serve the public necessity, convenience, and welfare for the reasons set forth in Planning
8 Commission Resolution No. 20063 and the Board incorporates such reasons herein by
9 reference. A copy of Planning Commission Resolution No. 20063 is on file with the Clerk of
10 the Board of Supervisors in File No. 161109.

11 Section 2. Car-Share Parking Findings.

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

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

18 (c) Car-sharing can address the negative impacts of new development by reducing
19 the rate of individual car-ownership per household, reducing the average number of vehicle
20 miles traveled ("VMT") per household and reducing the total amount of automobile-
21 generated pollution per household, while satisfying the need for certain trips that may be
22 made easier by automobile.

23 (d) The City of San Francisco both encourages car-sharing and "unbundles" off-
24 street parking from residential housing, which means off-street residential parking is not
25

1 required to be tied to a particular dwelling unit lease or contract. (Planning Code Section
2 167.)

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

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

16 (g) In the same way, car-sharing has been demonstrated to be effective based upon
17 the same basic economic theory that explicit costs of paying for a shared-vehicle per use
18 will reduce the decision to drive, thereby reducing VMT. Specifically, according to a 2013
19 report produced by Kristen Lovejoy and Susan Handy with the University of California,
20 Davis, car-share members have shown an average VMT reduction of up to 32.9% annually
21 due in large part to the fact that users pay per use. Drivers tend to think more consciously
22 about driving, in contrast to private vehicle owners who have paid a substantial cost at the
23 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-share
18 member households owned an average of 0.47 vehicles per household before joining car-
19 sharing, but that average dropped to 0.24 after membership; and (3) car-share households
20 exhibited a dramatic shift towards a carless lifestyle. The vehicles shed are often older,
21 and a car-share fleet is an average of 10 mpg more efficient than the vehicles shed.

22 (m) Similarly, a look at a different model of car-sharing, known as one-way car-
23 sharing, demonstrated similar results and made the following key findings: (1) access to
24 ubiquitous shared automobiles allows some residents to get rid of a car or avoid acquiring
25 one altogether; (2) the actions of either shedding a car or otherwise not acquiring one taken

1 by a minority of members have VMT-reducing effects that are estimated to exceed the
2 additional driving that may take place within a car-sharing vehicle; (3) the results of this
3 analysis suggest that one-way car-sharing reduces the net vehicles that would be owned
4 by households and reduces driving, thus lowering GHG emissions; and (4) overall, the
5 results of this study suggest that one-way car-sharing substantively affects travel behavior,
6 miles driven, GHG emissions, and the number of vehicles on urban roads within operating
7 regions.

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

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

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

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

22 (r) According to the San Francisco Planning Department’s Transportation Demand
23 Management Program (adopted on February 7, 2017, Planning Commission Resolution
24 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. The SFMTA concluded that increased visibility of car-share spaces will
17 increase car-sharing overall in the July 2013 study of their on-street car-sharing policy and
18 pilot project.

19 (v) The required car-share parking spaces for new developments, found in Section
20 166 of the Planning Code, are designed to ensure maximum visibility of the car-share
21 parking spaces through required signage at the car-share parking space location and on
22 the exterior of the building; creating the best conditions for increased utilization by current
23 and potential car-share members who both reside in the building and the surrounding area.

24 (w) Whether new development is located within a zoning district that caps the
25 amount of parking allowed or if the development is located within a zoning district that still

1 requires some private-ownership parking spaces; spaces dedicated to car-sharing will
2 assist the City in pursuit of its environmental and transportation goals.

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

8 (y) The car share requirements set forth in the Planning Code and this ordinance are
9 lower than the studies would justify. The amount of required car-share spaces would help to
10 offset the impacts of development, while not placing an overly burdensome requirement on
11 residential development. The amount of required car-share spaces in this ordinance would
12 help to offset the impacts of development with the special use district, while not placing an
13 overly burdensome requirement on residential development in the district, particularly due to
14 its location on two major transit streets, and near neighborhood commercial uses, that
15 together will allow fewer residents to own private vehicles if there is greater access to car-
16 share.

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18 Section 23. The Planning Code is hereby amended by adding Section 249.20, to read
19 as follows:

20 **SEC. 249.20. GEARY-MASONIC SPECIAL USE DISTRICT.**

21 (a) General. A Special Use District entitled the Geary-Masonic Special Use District
22 ("District"), the boundaries of which are shown on Sectional Map SU03 of the Zoning Maps of the City
23 and County of San Francisco, is hereby established for the purpose set out below.

24 (b) Purpose. In order to provide for a mixed use development project with ground floor retail,
25 and a combination of very low income, low-income, moderate-income, middle-income, and market

1 rate residential units, at densities higher than what otherwise would be permitted in the NC-3 zoning
2 district and 80 foot height district, in an area well-served by transit, there shall be a Geary-Masonic
3 Special Use District consisting of Assessor's Block 1071, Lot 003 as designated on Sectional Map
4 SU03 of the Zoning Maps of the City and County of San Francisco.

5 (c) Development Controls. Applicable provisions of the Planning Code for NCT-3 Districts as
6 set forth in Section 752 shall apply within this Special Use District, except for the following:

7 (1) Use Size. Non-residential uses 3000 square feet and above shall require a
8 conditional use under Section 121.2. Uses more than 6000 square feet in size are not permitted.

9 (2) Accessory Vehicle Parking. No parking shall be permitted above .5 cars for
10 each Dwelling Unit.

11 (3) Car-sharing. Notwithstanding the provisions of section 166, no less than
12 25% of parking spaces provided shall be an off-street car-share parking space and shall be
13 provided on the building site. Except as expressly provided herein, all other provisions of
14 section 166 shall apply.

15 ~~(3)~~(4) Parking and Loading Access. Parking and Loading access from Masonic
16 Avenue is not permitted.

17 (4)~~(5)~~ Dwelling Unit Mix. The project shall provide a minimum dwelling unit mix of
18 (A) at least 40% two and three bedroom units, including at least 10% three bedroom units; or (B) any
19 unit mix which includes some three bedroom or larger units such that 50% of all bedrooms within the
20 project are provided in units with more than one bedroom.

21 (d) Inclusionary Housing. In order to allow for the increased residential densities provided
22 by this Special Use District, on-site inclusionary units pursuant to Planning Code Section 415.6 shall
23 be required and required in the following amounts and income levels.

24 (1) In a rental project, at least 10% of units must be affordable to very
25 low-income households, at least 4% must be affordable to low-income households, at least

1 4% must be affordable to moderate-income households and at least 5% must be affordable to
2 middle-income households. For purposes of this section, rental units for very low-income
3 households shall have an affordable rent set at 55% of Area Median Income or less, with
4 households earning up to 65% of Area Median Income eligible to apply for very low-income
5 units. For purposes of this section, rental units for low-income households shall have an
6 affordable rent set at 80% of Area Median Income or less, with households earning up from
7 65% to 90% of Area Median Income eligible to apply for low-income units. For purposes of
8 this section, rental units for moderate-income households shall have an affordable rent set at
9 110% of Area Median Income or less, with households earning from 90% to 120% of Area
10 Median Income eligible to apply for moderate-income units. For purposes of this section,
11 rental units for middle-income households shall have an affordable rent set at 120% of Area
12 Median Income or less, with households earning from 120% to 140% of Area Median Income
13 eligible to apply for middle-income units. For any affordable units with rental rates set at
14 110% of Area Median Income or above, the units shall have a minimum occupancy of two
15 persons. , and at the income levels, set forth in Section 415.6(a). The grandfathering
16 provisions in Section 415.3(b) shall not apply.

17 (2) In an ownership project, at least 11% of units must be affordable to
18 very low-income households, at least 5% must be affordable to low-income households, at
19 least 5% must be affordable to moderate income households and at least 5% must be
20 affordable to middle-income households. For purposes of this section, ownership units for
21 very low-income households shall have an affordable sales price set at 80% of Area Median
22 Income or less, with households earning up to 100% of Area Median Income eligible to apply
23 for very low-income units. For purposes of this section, ownership units for low-income
24 households shall have an affordable sales price set at 105% of Area Median Income or less,
25 with households earning up from 95% to 120% of Area Median Income eligible to apply for

1 low-income units. For purposes of this section, ownership units for moderate-income
 2 households shall have an affordable sales price set at 130% of Area Median Income or less,
 3 with households earning from 120% to 140% of Area Median Income eligible to apply for
 4 moderate-income units. For purposes of this section, ownership units for middle-income
 5 households shall have an affordable sales price set at 150% of Area Median Income or less,
 6 with households earning from 140% to 160% of Area Median Income eligible to apply for
 7 middle-income units. For any affordable units with sales prices set at 130% of Area Median
 8 Income or above, the units shall have a minimum occupancy of two persons.

9 *(3) The grandfathering provisions in Section 415.3(b) shall not apply. Except*
 10 *as expressly provided in this subsection (d), all other provisions of Section 415 shall apply.*

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12 Section 3.4. The Planning Code is hereby amended by revising Sheet SU03 of the
 13 Zoning Map as follows:

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Description of Property	Use District to be Superseded	Use District Hereby Approved
Assessor's Block 1071, Lot 3	NC-3	Geary-Masonic SUD

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19 Section 4.5. Effective Date. This ordinance shall become effective 30 days after
 20 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
 21 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
 22 of Supervisors overrides the Mayor's veto of the ordinance.

23

24 Section 5.6. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
 25 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,

1 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
2 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
3 additions, and Board amendment deletions in accordance with the “Note” that appears under
4 the official title of the ordinance.

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

8 By: _____
9 AUDREY W. PEARSON
Deputy City Attorney

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