

[Planning Code - Car Share Parking Spaces]

Ordinance amending the San Francisco Planning Code by amending Section 166 to
1) 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;
2) 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 3)
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.

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

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

Section 1. Findings.

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

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

Supervisor Wiener
BOARD OF SUPERVISORS

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. _____ and the Board hereby incorporates such
4 reasons herein by reference.

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

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

18 (b) **Definitions.** For purposes of this Code, the following definitions shall apply:

19 (1) A "car-share service" is a mobility enhancement service that provides an integrated
20 citywide network of neighborhood-based motor vehicles available only to members by
21 reservation on an hourly basis, or in smaller intervals, and at variable rates. Car-sharing is
22 designed to complement existing transit and bicycle transportation systems by providing a
23 practical alternative to private motor vehicle ownership, with the goal of reducing over-
24 dependency on individually owned motor vehicles. Car-share vehicles must be located at
25 unstaffed, self-service locations (other than any incidental garage valet service), and generally

1 be available for pick-up by members 24 hours per day. A car-share service shall provide
2 automobile insurance for its members when using car-share vehicles and shall assume
3 responsibility for maintaining car-share vehicles.

4 (2) A "certified car-share organization" is any public or private entity that provides a
5 membership-based car-share service to the public and manages, maintains and insures motor
6 vehicles for shared use by individual and group members. To qualify as a certified car-share
7 organization, a car-share organization shall submit a written report prepared by an
8 independent third party academic institution or transportation consulting firm that clearly
9 demonstrates, based on a statistically significant analysis of quantitative data, that such car-
10 sharing service has achieved two or more of the following environmental performance goals in
11 any market where they have operated for at least two years: (i) lower household automobile
12 ownership among members than the market area's general population; (ii) lower annual
13 vehicle miles traveled per member household than the market area's general population; (iii)
14 lower annual vehicle emissions per member household than the market area's general
15 population; and (iv) higher rates of transit usage, walking, bicycling and other non-automobile
16 modes of transportation usage for commute trips among members than the market area's
17 general population. This report shall be called a Car-sharing Certification Study and shall be
18 reviewed by Planning Department staff for accuracy and made available to the public upon
19 request. The Zoning Administrator shall only approve certification of a car-share organization
20 if the Planning Department concludes that the Certification Study is technically accurate and
21 clearly demonstrates that the car-share organization has achieved two or more of the above
22 environmental performance goals during a two-year period of operation. The Zoning
23 Administrator shall establish specific quantifiable performance thresholds, as appropriate, for
24 each of the three environmental performance goals set forth in this subsection.

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

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

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

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

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

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

(1) In newly constructed buildings containing residential uses or existing buildings being converted to residential uses, if parking is provided, car-share parking spaces shall be provided in the amount specified in Table 166. In newly constructed buildings containing parking for non-residential uses, including non-accessory parking in a garage or lot, car-share parking spaces shall be provided in the amount specified in Table 166.

Table 166

REQUIRED CAR-SHARE PARKING SPACES

Number of Residential Units	Number of Required Car-Share Parking Spaces
0 - 49	0, <u>see subsection (g) for number of permitted car-share spaces</u>
50 - 200	1, <u>see subsection (g) for number of permitted car-share spaces</u>
201 or more	2, plus 1 for every 200 dwelling units over 200, <u>see subsection (g) for number of permitted car-share spaces</u>
Number of Parking Spaces Provided for Non-Residential Uses or in a Non-Accessory Parking Facility	Number of Required Car-Share Parking Spaces
0 - 24	0

1	25 - 49	1
2	50 or more	1, plus 1 for every 50 parking spaces over 50

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

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

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

(B) Prior to Planning Department approval of the first building or site permit for a building subject to the car-share requirement, a Notice of Special Restriction on the property shall be recorded indicating the nature of requirements of this Section and identifying the minimum number and location of the required car-share parking spaces. The form of the notice and the location or locations of the car-share parking spaces shall be approved by the Planning Department; (2) The required car-share spaces shall be made available, at no cost, to a certified car-share organization for purposes of providing car-share services for its car-share service subscribers. At the election of the property owner, the car-share spaces may be provided (i) on the building site, (ii) on another off-street site within 800 feet of the building site.

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

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

7 (e) Provision of a required car-share parking space shall satisfy or may substitute for
8 any required residential parking; however, such space shall not be counted against the
9 maximum number of parking spaces allowed by this Code as a principal use, an accessory
10 use, or a conditional use.

11 (f) The Planning Department shall maintain a publicly-accessible list, updated
12 quarterly, of all projects approved with required off-street car-share parking spaces. The list
13 shall contain the Assessor's Block and Lot number, address, number of required off-street
14 car-share parking spaces, project sponsor or property owner contact information and other
15 pertinent information as determined by the Zoning Administrator.

16 **(g) Residential Projects.**

17 In addition to any permitted or required parking that may apply to the project, the property
18 owner may elect to provide up to five car-share spaces for a project with 49 residential units or less
19 and up to eight car-share spaces for a project with 50 residential units or more, which shall not be
20 counted against the maximum number of parking spaces allowed by this Code as a principal use, an
21 accessory use, or a conditional use. All car-share spaces are subject to the following:

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

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

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

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

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

12 Section 3. Effective Date. This ordinance shall become effective 30 days from the
13 date of passage.

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

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

23 By: _____
24 JUDITH A. BOYAJIAN
25 Deputy City Attorney

Supervisor Wiener
BOARD OF SUPERVISORS