



# SAN FRANCISCO PLANNING DEPARTMENT

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August 23, 2010

Ms. Angela Calvillo, Clerk  
Board of Supervisors  
City and County of San Francisco  
City Hall, Room 244  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

**Re: Transmittal of Planning Department Case Number 2009.0187I:  
Car-Share Ordinance**

**BOS File No: \_\_\_\_\_ (pending)  
Planning Commission Recommendation: Approval**

Dear Ms. Calvillo,

On August 12, 2010 the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance;

The proposed Ordinance initiated by the Planning Commission would amend Sections 151.1, 163, and 166 of the Planning Code (hereinafter "Code") to update car-share controls including but not limited to:

- establish that car-share shall generally be permitted in the same manner as residential parking, including the voluntary conversion of any residential or commercial parking to car-share spaces;
- expand the commercial car-share parking requirements to all zoning districts;
- establish that car-share may satisfy or substitute for required residential or commercial parking but that car-share spaces shall not be counted against the maximum allowance;
- amend the parking requirement to enable the Commission to require car-share memberships be provided to future residents when a project seeks to exceed the permitted levels of parking and when the Commission makes certain findings regarding the project's impact on transportation; and
- amend the Code to include the promotion and encouragement of car-share services as another option for transportation management programs offered in Section 163.

The proposed changes have been determined to be categorically exempt from environmental review under the California Environmental Quality Act Section 15060(c)(2).

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At the August 12, hearing, the Commission voted to recommend approval of the proposed Ordinance. Please find attached documents relating to the Commission's action. If you have any questions or require further information please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read 'AM-Rodgers', with a horizontal line extending to the right.

AnMarie Rodgers  
Manager of Legislative Affairs

cc:

Mayor's Office, Starr Terrell  
Supervisor Sophie Maxwell  
Supervisor Eric Mar  
Supervisor David Chiu

Attachments (one copy of the following):

Planning Commission Resolution No. 18164  
Planning Commission Executive Summary for Case No. 2009.0187T  
Draft Ordinance (original sent via interoffice mail)



# SAN FRANCISCO PLANNING DEPARTMENT

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## Executive Summary Proposed Planning Code Amendment of Car-Share Controls

HEARING DATE: AUGUST 12, 2010

*Project Name:* Car-Share Controls  
*Case Number:* 2009.0187T  
*Staff Contact:* Kevin Guy, Sharon Lai and Joshua Switzky  
[kevin.guy@sfgov.org](mailto:kevin.guy@sfgov.org), [sharon.lai@sfgov.org](mailto:sharon.lai@sfgov.org)  
*Reviewed by:* AnMarie Rodgers, Manager Legislative Affairs  
[anmarie.rodgers@sfgov.org](mailto:anmarie.rodgers@sfgov.org), 415-558-6395

*Recommendation:* **Recommend Approval**

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### PLANNING CODE AMENDMENT

On April 8, 2010 the Planning Commission considered a draft policy that would update zoning controls relating to car-sharing. At that hearing, the Commission embraced the proposed policy changes and requested that additional changes be considered as legislative amendments to the Planning Code. On June 10, 2010 the Commission initiated amendments to the Planning Code controls for car-share. At that hearing and pursuant to Planning Code Section 306.3, the Planning Commission authorized the Department to provide notice for a hearing to consider the Planning Code amendments contained in the draft Ordinance and with additional modifications to revise the car-share controls.

#### The Way It Is Now:

The proposed Ordinance amends three existing Sections of the Planning Code (hereafter referred to as "Code"). Below is a concise summary of the pertinent components of the Sections proposed for amendment.

- **Section 166– Car Sharing** establishes 1) the definitions related to car-sharing; 2) the car-share requirements for certain residential developments; and 3) the requirements to become a certified car-share organization. Currently, Section 166 is silent on topics such as how non-required car-share spaces should be treated and how required car-share spaces should be considered relative to parking minimum and maximum requirements. At present, nonresidential developments in certain zoning districts are not subject to car-share requirements<sup>1</sup>.
- **Section 151.1 - Scheduled of Permitted Off-Street Parking Spaces In Specified Districts** establishes controls for parking in districts that establish "maximum" controls for accessory

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<sup>1</sup> Currently the non-residential requirements only apply to newly constructed buildings in NCT, MU-G, MU-R, MU-O, UMU, DTR, and SPD Districts or the Van Ness and Market Downtown Residential Special Use District.

parking and establishes parameters for when a conditional use authorization would be required for parking above permitted levels. This section also establishes Commission “findings” and additional controls that are required for parking above the required levels in certain districts. This section does not currently require the provision of car-share memberships for building occupants.

- **Section 163 - Transportation Management Programs And Transportation Brokerage Services In C-3, Eastern Neighborhoods Mixed Use, And South Of Market Mixed Use Districts** establishes controls to minimize the transportation impacts of added office employment in the downtown and South of Market area. It currently uses tools such as: the provision of transit information and on-site sale of transit passes; the provision and coordination of ridesharing; measures to reduce parking demand; and encouragement of flextime or staggered work hours to move trips outside of peak commute time. This section does not currently include the provision of car-share as an option for transportation management.

#### The Way It Would Be:

The proposed Ordinance would amend the following existing Sections within the Code:

- **Amend Section 166 Car-Sharing** to:
  - a. Generally permit car-share spaces in the same manner and locations as residential parking. All residential spaces may be voluntarily converted to car-share spaces.
  - b. Provide that required car-share parking space shall satisfy or may substitute for any required residential parking; however, it 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.
  - c. Expand non-residential requirements to all districts and to explicitly allow car-share parking wherever residential parking is permitted.
- **Amend Section 151.1 - Scheduled Of Permitted Off-Street Parking Spaces In Specified Districts** to
  - a. Enable the Commission to require that property owners seeking to exceed the permitted levels of residential parking provide car-share memberships to future residents when certain findings are made.
- **Amend Section 163 Transportation Management Programs And Transportation Brokerage Services In C-3, Eastern Neighborhoods Mixed Use, And South Of Market Mixed Use Districts** to include the promotion and encouragement of car-share services as a component of transportation management programs and transportation brokerage services in C-3, Eastern Neighborhoods Mixed Use and South of Market Mixed Use Districts as described in Section 163 of the Code.

## REQUIRED COMMISSION ACTIONS

The proposed Ordinance is before the Commission so that it may approve or disapprove the proposed Planning Code Amendments.

## RECOMMENDATION

The Department recommends that the Commission recommend *approval* of the proposed Ordinance and adopt the attached Draft Resolution to that effect.

## BASIS FOR RECOMMENDATION

Our basic choices for urban transportation modes haven't changed much since the early 20<sup>th</sup> Century: public transit, walking, biking, and the single-owner automobile. The newest option, car-share, isn't a technological innovation as much as it is a new way to use cars, a sort of library service for cars. San Francisco is a leader in the car-share movement. Car-sharing began in the United States just over 10 years ago<sup>2</sup>. City Car-Share began in 2001 and the Planning Commission instituted car-share requirements as part of project "Conditions of Approval" as early as June 2002<sup>3</sup>. Shortly thereafter, the Commission codified uniform requirements in the Planning Code, with the 2005 adoption of the Rincon Hill Plan. To date, the Department's research could not locate any other municipality that requires car-share parking by local ordinance<sup>4</sup>. As an early adopter of car-share, the City is still learning about how to best implement car-share and about how car-share relates to other policy goals. This case report and associated hearing seek to refine our car-share regulations in San Francisco. The specific arguments for each amendment is discussed below.

- **Basis for Section 166 Car-Sharing Amendments:**

- a. **Proposed Amendment: Car-share spaces shall be generally permitted in the same manner as residential parking. All residential spaces may be voluntarily converted to car-share spaces.**

Basis For Amendment: Under Ordinance Number 112-08 [Board File No. 08-0095], Section 150 was amended to allow residential accessory parking, including required spaces, to be rented or leased to residents who live within a quarter mile. Given that car-share spaces would also serve residents who live in the building and/or the area, this proposed amendment would help address neighborhood trip demand and is consistent with existing City policy.

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<sup>2</sup> Balish, Chris. How to Live Well Without Owning a Car, Ten Speed Press, pg 161, 2006.

<sup>3</sup> On June 20, 2002 the Planning Commission adopted Motion No. 16443 for the project at 724 Van Ness Avenue/650 Turk noting, "The Project Sponsor has offered two parking spaces to City CarShare in order to provide for shared car use by Project residents as well as the general public."

<sup>4</sup> According to Rick Rybeck of Washington D.C's Department of Transportation, the D.C. Commission will at times exact car-share spaces in developments requiring discretionary approval but there are no standards that would automatically trigger a set number of car-share parking spaces.

- b. **Proposed Amendment:** Provide that required car-share parking space shall satisfy or may substitute for any required residential parking; however, it 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.

Basis For Amendment: This amendment would clarify that the provision of required car-share parking can be used to satisfy or substitute for requirements but that required car-share spaces should not reduce the number of parking spaces that may be allowed for private automobile use.

- c. **Proposed Amendment:** Expand non-residential requirements to all districts.

Basis For Amendment: At past hearings, Members of the Commission discussed the application of nonresidential car-share requirement to additional zoning districts. At present, nonresidential developments in certain Districts are not subject to these requirements, such as the large office projects proposed within the C-3 Zoning Districts. Staff has concluded that it is appropriate to apply non-residential car-share requirements to projects in all Districts. Such spaces could be particularly beneficial to employees within office buildings or large institutions where the pods are located, to run errands or attend off-site meetings throughout the day. These requirements would typically only capture larger development projects, because they are triggered for projects that propose at least 25 off-street parking spaces for non-residential uses.

- **Basis for Section 151.1 Scheduled Of Permitted Off-Street Parking Spaces In Specified Districts Amendment.**

- b. **Proposed Amendment:** Enable the Commission to require that property owners seeking to exceed the permitted levels of residential parking provide car-share memberships to future residents.

Basis For Amendment: Under the theory of induced demand and consistent with the economic theory of supply and demand, projects that add parking supply may lead to increased use of private automobiles. While the proposed project will still increase supply (by exceeding the permitted levels of parking), some of the increased trips may be mitigated by making the car-share alternative more attractive through guaranteed memberships. According to the proposal, when the Planning Commission determines that a proposed project has exceeded the targeted levels of parking as identified in the Planning Code, *and* that the provision of this additional parking may result in increased traffic within the neighborhood, the Commission can require that car-share membership be provided to residents of the development. The Commission would need to find that 1) the proposed project exceeds the amount of parking permitted by the Planning Code or 2) the project or additional parking encourages additional private-automobile use, creating localized transportation impact for the neighborhood; *and* 3)

this transportation burden may be lessened for the neighborhood by the provision of car-share memberships to future residents.

The anticipated financial cost of such a requirement is currently estimated at an annual cost of \$30 per unit. This assumes that the development would only pay for the membership fees and that any car usage fees would be paid by the resident.<sup>5</sup>

- **Basis for Section 163 Transportation Management Programs And Transportation Brokerage Services In C-3, Eastern Neighborhoods Mixed Use, And South Of Market Mixed Use Districts Amendment.**
  - i. **Proposed Amendment: Include the promotion and encouragement of car-share services as a component of transportation management programs.**

Basis For Amendment: Car-sharing can be used as a tool to offset the urban impacts of a new development. Car-share services have been demonstrated to reduce: (i) the number of individually-owned automobiles per household<sup>6</sup>; (ii) vehicle miles traveled per household<sup>7</sup>; and (iii) vehicle emissions generated per household. For these reasons, car-sharing should be added to the options for transportation management in Section 163.

## ENVIRONMENTAL REVIEW

The proposed amendment is exempt from environmental review under Section 15060(c)(2) of the CEQA Guidelines.

## PUBLIC COMMENT

As of the date of this report, the Planning Department has received no letters regarding this proposal.

<b>RECOMMENDATION:</b>	<b>Recommendation of Approval</b>
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<sup>5</sup> According to Zipcar, development memberships could be offered to any location where the Planning Commission required memberships under the following parameters. All residents wishing to opt-in to the program must apply with Zipcar and pass a DMV driving record check. Depending on one's driving history, a potential member could be rejected. Zipcar's current residency program discount is as follows: 1) Under an affiliate group, such as a condominium group, each member would be assessed a reduced membership fee for \$25. This \$25 membership fee is renewed annually. 2) Standard membership with no association to an affiliate group is a \$50 annual fee and \$25 application fee. 3) Individual members would be responsible for usage fees including: hourly rates and fees that are dependent on the type of vehicle and the length of the reservation.

<sup>6</sup> R. Cervero, A. Golub, and B. Nee, SF City CartShare: Longer-Term Travel-Demand and Car Ownership Impacts, Prepared for Department of Transportation & Parking, City of San Francisco (Institute of Urban and Regional Development, UC Berkely, Working Paper 2006-07) p.14-33.

<sup>7</sup> Ibid.



# SAN FRANCISCO PLANNING DEPARTMENT

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## Planning Commission Resolution No. 18164

HEARING DATE: AUGUST 12, 2010

*Project Name:* **Car-Share Controls**  
*Case Number:* 2009.0187T  
*Staff Contact:* Kevin Guy, Sharon Lai and Joshua Switzky  
[kevin.guy@sfgov.org](mailto:kevin.guy@sfgov.org), [sharon.lai@sfgov.org](mailto:sharon.lai@sfgov.org)  
*Reviewed by:* AnMarie Rodgers, Manager Legislative Affairs  
[anmarie.rodgers@sfgov.org](mailto:anmarie.rodgers@sfgov.org), 415-558-6395

*Recommendation:* **Recommend Approval**

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RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT A PROPOSED ORDINANCE THAT WOULD AMEND PLANNING CODE CONTROLS FOR CAR-SHARE VARIOUS SECTIONS, INCLUDING BUT NOT LIMITED TO SECTIONS 151.1, 163, AND 166; ADOPTING FINDINGS, INCLUDING ENVIRONMENTAL FINDINGS, PLANNING CODE SECTION 302 FINDINGS, AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND THE PRIORITY POLICIES OF PLANNING CODE SECTION 101.

### PREAMBLE

Whereas, at multiple public hearings during the fiscal year 2008/2009, the Planning Commission requested that staff explore the current controls and issues relating to car-share;

Whereas, our basic choices for urban transportation modes haven't changed much since the early 20th Century: public transit, walking, biking, and the single-owner automobile. The newest option, car-share, isn't a technological innovation but is a new way to use cars;

Whereas, San Francisco is a leader in the car-share movement. Car-sharing began in the United States just over 10 years ago. City CarShare began in 2001 and the Planning Commission instituted car-share requirements shortly thereafter, with the 2005 adoption of the Rincon Hill Plan;

Whereas, the City is still learning about how to best implement car-share and about how car-share relates to other policy goals;

Whereas, the Commission seeks to refine implementation of car-share controls in San Francisco.

Whereas, on April 8, 2010, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance; and



Whereas, pursuant to Planning Code Section 306.3 the Planning Commission adopted Resolution No. 18106 initiating amendments to the Planning Code on July 8, 2010; and

Whereas, also at the July 8, 2010 hearing, the Planning Commission adopted Commission policy in Resolution No. 18106 that established that:

1. The Commission recognized that voluntary car-share parking spaces are a valuable component to the success of San Francisco’s overall car-sharing program.
2. The Commission established that residential and mixed-use development proposals that would result in the loss of existing car-share spaces shall be reviewed in the context of our general preference outlined in the chart below.
3. Where the Commission finds extraordinary circumstances as described in Finding Number Three of Resolution Number 18106, the Planning Commission may require additional car-share at the amounts reflected in this table:

<b>Project Description</b>	<b>Proposed Replacement Policy</b>
<b>Removal of Existing Required Car-Share Parking Where the Associated Project is Not Demolished.</b>	<b>1:1 Replacement Required</b>
<b>Loss of Existing Required Car-Share Parking Where the Initial Project is proposed for Demolition and Replacement.</b>	<b>No Replacement Required</b> Benefits and impacts of new project should be evaluated as a whole. Project is subject to the car-share requirements of the Planning Code.
<b>Loss of Existing Fee-Based Car-Share Parking without new proposed project.</b>	<b>No Replacement Required</b>

4. The Commission acknowledged that the arbitrary allocation of required car-share parking beyond that stated here may result in an imbalance of development and undue financial burden to the sponsor.
5. It behooves the City to establish a larger framework that works in coordination with the City’s proposed residential growth and plans for transportation infrastructure investment.
6. The benefit of providing on-street car-share spaces can significantly improve the quality of the City’s car-share program in the following ways: a) proliferation of spaces; b) legitimacy of car-sharing; c) perceived safety of car-share; and d) efficiency of on-street parking spaces.
7. The Commission requested that further exploration of these issues through independent analysis by the City and that the findings be part of an update to the City’s General Plan, especially the Transportation Element.
8. The Commission urged the Planning Department to engage the issue in coordination with other transportation agencies of the City and County and the region at large.

Whereas, the Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties; and

Whereas, the pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

**MOVED**, that the Commission hereby *adopts* this Resolution to recommend approval of the draft Ordinance to the Board of Supervisors with the following modification: allow the conversion of required commercial parking for car-share use; and

## FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. **General Plan Compliance.** This Resolution is consistent with the following Objectives and Policies of the General Plan:

### I. HOUSING ELEMENT (2004)

#### **OBJECTIVE 1**

TO PROVIDE NEW HOUSING, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING, IN APPROPRIATE LOCATIONS WHICH MEETS IDENTIFIED HOUSING NEEDS AND TAKES INTO ACCOUNT THE DEMAND FOR AFFORDABLE HOUSING CREATED BY EMPLOYMENT DEMAND.

#### **POLICY 1.6**

Create incentives for the inclusion of housing, particularly permanently affordable housing, in new commercial development projects.

### II. TRANSPORTATION ELEMENT

#### **OBJECTIVE 1**

MEET THE NEEDS OF ALL RESIDENTS AND VISITORS FOR SAFE, CONVENIENT AND INEXPENSIVE TRAVEL WITHIN SAN FRANCISCO AND BETWEEN THE CITY AND OTHER PARTS OF THE REGION WHILE MAINTAINING THE HIGH QUALITY LIVING ENVIRONMENT OF THE BAY AREA.

#### **OBJECTIVE 4**

MAINTAIN AND ENHANCE SAN FRANCISCO'S POSITION AS THE HUB OF A REGIONAL, CITY-CENTERED TRANSIT SYSTEM.

**OBJECTIVE 12**

DEVELOP AND IMPLEMENT PROGRAMS IN THE PUBLIC AND PRIVATE SECTORS, WHICH WILL SUPPORT CONGESTION MANAGEMENT AND AIR QUALITY OBJECTIVES, MAINTAIN MOBILITY AND ENHANCE BUSINESS VITALITY AT MINIMUM COST.

**OBJECTIVE 34**

RELATE THE AMOUNT OF PARKING IN RESIDENTIAL AREAS AND NEIGHBORHOOD COMMERCIAL DISTRICTS TO THE CAPACITY OF THE CITY'S STREET SYSTEM AND LAND USE PATTERNS.

**POLICY 34.1**

Regulate off-street parking in new housing so as to guarantee needed spaces without requiring excesses and to encourage low auto ownership in neighborhoods that are well served by transit and are convenient to neighborhood shopping.

**POLICY 34.3**

Permit minimal or reduced off-street parking supply for new buildings in residential and commercial areas adjacent to transit centers and along transit preferential streets.

2. This Resolution is consistent with the eight General Plan priority policies set forth in Section 101.1 in that:
  - A) The existing neighborhood-serving retail uses will be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses will be enhanced.
  - B) The existing housing and neighborhood character will be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.
  - C) The City's supply of affordable housing will be preserved and enhanced.
  - D) The commuter traffic will not impede MUNI transit service or overburden our streets or neighborhood parking.
  - E) A diverse economic base will be maintained by protecting our industrial and service sectors from displacement due to commercial office development. And future opportunities for resident employment and ownership in these sectors will be enhanced.
  - F) The City will achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.
  - G) That landmark and historic buildings will be preserved.

- H) Parks and open space and their access to sunlight and vistas will be protected from development.

I hereby certify that the Planning Commission ADOPTED the foregoing Resolution on August 12, 2010.



Linda Avery  
Commission Secretary

AYES: Miguel, Olague, Antonini, Borden, Lee, Moore, and Sugaya.

NAYS: None

ABSENT: None

ADOPTED: August 12, 2010