



SAN FRANCISCO PLANNING DEPARTMENT

John Arntz
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Department of Elections
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July 27, 2007

Mr Arntz,

In response to your request of July 11, 2007, attached is the Planning Department's assessment of the "Regulation of Parking Space; Ordinance" initiative. The first section contains an executive summary of the most significant and notable effects of the proposed measure on current law and planning practice. The second section comprises a detailed analysis of each section of the initiative, its proposed changes to current law and practice, and its corresponding effects. The final section contains a brief synopsis of selected portions of the initiative that may have minimal effect, but are notable for various reasons.

Please know that we have an additional general concern. The initiative as proposed could be inconsistent with the General Plan of San Francisco. The relevant policies of the General Plan are intended to move the city toward public transit and other means of travel rather than the automobile in order to reduce congestion. This initiative, it appears, moves the city in the direction of more reliance on the automobile. Additionally, the City Charter contains a section entitled: Transit-First Policy. This policy identifies ten principles that taken together may be in contradiction to the proposed initiative. We are further analyzing these issues and they require additional consideration.

Because the effects of this proposed initiative are very complex and there are numerous varied proposed policy and Code changes, we would appreciate an opportunity to review any summaries produced and, if feasible, be included in discussions with the Ballot Simplification Committee.

Thank you.

Sincerely,

A handwritten signature in black ink that reads "Dean Macris".

Dean Macris

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SECTION 1: SUMMARY OF PRIMARY EFFECTS

Following is a summary of the most notable likely effects of the proposed initiative. For more detailed analysis, please refer to the corresponding portions in Section 2. The related Planning Code Sections that produce the effects are listed for reference; where the effect is the general result of the initiative taken as a whole, the term “General Effect” is used.

1. Downtown Commuter Parking and Corresponding Effects on Traffic Congestion, Commute Mode Shares, Transit Ridership

(Related Sections: 151.1, 204.5)

- A significant increase in parking, as allowed by the proposed ordinance, could lead a significantly larger share of commute and shopping trips into the downtown made by auto and a significantly reduced share of trips made by transit and other modes as downtown continues to grow. This would result in an increase in traffic on key regional corridors and surface streets into the downtown, with corresponding increases in congestion, air pollution, greenhouse gas emissions, delays to public transit, and conflicts with pedestrians and cyclists.
- Compared to existing regulations, the initiative would significantly increase the amount of allowable parking downtown for all non-residential uses, including office (up to 556%) and retail (up to 1,454%). Based on the current controls, compared to those proposed in the initiative, the Department estimates that the proposed initiative could lead to an increase over the next 20 years of up to approximately 8,200 – 19,000 additional commute cars (mostly at peak hours) over the baseline existing controls. Based on employment densities, average vehicle occupancy, and the number of parking spaces allowed per worker proposed in the initiative, the Department estimates that commute mode share for transit and other non-auto modes could decline (for workers in new buildings) by 20% or more, and auto mode share could rise by 20% or more.

2. On-Street Public Parking

(Related Section: 150)

The initiative could eliminate several thousand public on-street parking spaces because it would enable the insertion of new garages and curb-cuts into older residential buildings.

3. Transit Stops

(Related Section: 150)

The insertion of garages with new curb cuts could cause a negative impact on transit stops, including potential elimination of transit shelters and waiting/boarding areas, reduction in ADA accessibility, and disruption/conflicts by cars driving through waiting and boarding areas.

4. Street Trees

(Related Section: 150)

Insertion of new garages into older residential buildings and the accompanying curb-cuts could potentially eliminate existing mature street trees that presumably could be replaced with young trees.

5. Garage Size for “Low-Emission Vehicles”

(Related Sections: 151, 155)

Under the initiative, parking spaces dedicated to such vehicles would be exempt from maximum parking limitations. It is the Department’s understanding that practically all new cars and trucks (at least 208 models) sold in California are “low emission vehicles”, meeting the minimum standard (ULEV) proposed by the initiative, which is one step above the minimum legal limit (LEV) for all new vehicles. The qualifying vehicles including large, low fuel-efficiency vehicles such as the Hummer H1 and H3 (ULEV, 16 mpg), Cadillac Escalade (SULEV, 13/17 mpg), Ford Expedition (SULEV 14/20 mpg), Land Rover Range Rover (SULEV, 14/19 mpg) and Lincoln Navigator (SULEV, 13/18 mpg).

6. Building Design/Bulk, Neighborhood Commercial Environment, Retail Activity/Revenue

(Related Section: General Effect, 102.9, 151.1, 161)

- The initiative would exclude parking from the calculation of the Gross Floor Area of new buildings. This could increase the size and bulk of buildings, particularly Downtown and South of Market Street, with corresponding effects on the visual environment and environmental comfort (e.g. sunlight to streets).
- The requirement of 1:1 residential parking and the elimination of efforts to minimize parking could lead to a significant loss of retail space in Neighborhood Commercial (NC) Districts because of the direct spatial conflicts between providing ground floor retail space and providing garage

access and parking. Based on the number of lots in NC districts citywide identified by the Planning Department as likely to be redeveloped over time (excluding corner parcels), could result in as many as 1,500 fewer small neighborhood retail spaces if parking is built on these lots.

7. Land for Housing, Subsidy for Affordable Housing

(Related Sections: General Effect, 151, 161)

- The requirement of 1:1 residential parking increases the cost (both production costs and consumer price) and decreases the space available for housing. A parking space typically costs between \$20,000 to \$50,000 to construct, with below-grade parking substantially more expensive. The high cost customarily leads housing developers if allowed to limit below-grade parking construction whenever possible. Physical requirements for parking facilities (maneuvering, ramps, pedestrian circulation, ventilation/utilities, parking spaces), particularly for ground-level and above-grade parking facilities, reduce the space that otherwise could be used to build housing units, especially in denser residential areas. Despite zoning allowances, parking requirements proposed by the initiative may significantly constrain the number of housing units built.
- The financial effect of required residential parking is especially acute for affordable housing development, as funds available for construction are generally fixed and limited, and additional costs cannot be passed on to residents as rents and sales prices for affordable units typically cannot be raised due to income-based restrictions. The fixed limited funding available for affordable housing construction could be stretched to build fewer units without additional subsidy.

8. Joint-Use/Share Parking Facilities

(Related Section: 160)

The initiative reduces the maximum distance within which accessory parking could be located. This could discourage joint-use/shared parking facilities for two or more uses.

9. Administration and Consistency of Planning Regulations

(Related Section: 102.23, 151, 151.1)

The initiative divides the city into “quadrants”, which are unrelated to any planning basis such as zoning districts, General Plan designations, plan areas, or neighborhoods distinctions. This could increase the cost and complexities of administering the Planning Code, reviewing projects and policy or drafting and adopting neighborhood plans.

SECTION 2: DETAILED ANALYSIS OF THE PROPOSED PLANNING CODE AMENDMENTS AND THEIR EFFECTS

Section 102.9: Floor Area Calculations.

The overall development density on any parcel, particularly in the downtown commercial districts (e.g. C-3), is limited by the Floor Area Ratio (FAR) allowed on a parcel. The initiative increases the exemptions from this FAR calculation by (1) excluding any parking approved by the Planning Commission as accessory (which is proposed to increase from current limitations), rather than the current exemption of up to 150% of the current maximum, and (2) excluding any parking *approved* by the Planning Commission to replace existing parking, rather than the current exemption which is only for parking that is *required* by the Commission. Together with the significant increases in the allowance for accessory commuter parking downtown (see Section 151.1), this exemption could lead to a significant increase in the potential physical envelope of buildings on any parcel because height limits downtown are generally higher than can be achieved under the maximum Floor Area Ratios. *The effect could be (1) a reduction in the disincentive for building commuter parking and (2) likely increase the size and bulk of new buildings, particularly commercial buildings downtown. Given the amount of allowable parking created by the initiative, this could lead to building that are several stories taller in Downtown and South of Market districts, depending on the allowable height limits.*

Section 102.23: Quadrants.

This new section creates geographic “Quadrants” based on current Metropolitan Transportation Commission (MTC) Superdistricts and Transportation Analysis Zones (TAZs). These “Quadrants” are unrelated and non-contiguous to any existing zoning districts, General Plan Plan Area designations, neighborhood boundaries, or other boundaries contained in the Planning Code, Zoning Maps, or General Plan. According to the chief transportation modeler at MTC, Chuck Purvis, Superdistricts are very informal, established by staff, not officially adopted, and used as a matter of convenience for analysis purposes only. The boundaries, and the TAZs nested within them, are based on the boundaries of Census Tracts. TAZs and Census Tract boundaries most recently changed in 2000, but the Superdistrict boundaries remained static.

Section 150(c)(1): Addition of Parking to Existing Residential Structures.

The amendments to this section permit approval of the addition of new garages in existing residential buildings with 4 or fewer units in R districts explicitly without regard to its impact on transit stops, pedestrian conditions, bicycle facilities, Significant Trees or other street trees, or its location on a designated Transit, Pedestrian, or Bicycle Street. The likely impacts of these are several:

(1) *Loss of On-Street Public Parking Spaces.* The creation of a new garage requires the elimination of at least one on-street parking space in almost every case, and in some cases one driveway may result in the loss of two curb spaces depending on the arrangement of existing spaces and the resulting curb arrangement. *As there are likely up to 10,000 or more* eligible residential buildings in the City that do not have garages, the addition of garages could result in a corresponding loss of on-street parking.*

[*While no specific data is currently available, the universe of buildings built in 1920 or earlier is a reasonable proxy for assessing the number of eligible buildings which may not currently have garages and would be able to add one under the proposed initiative. The Planning Department estimates that approximately 1/4 to 1/3 of these buildings older than 1920 do not currently have garages. City databases indicate that there are approximately 37,400 residential structures in R districts with 1-4 dwelling units built before 1920 (and approximately 15,000 before 1906).]

(2) *Potential loss of transit stops or required relocation of transit stops, and the associated reduction of transit service, ADA accessibility, passenger amenities and increased costs to MTA (e.g. forced relocation of transit stops).* Transit stops require 60'-80' of uninterrupted curb frontages where passengers can wait for transit vehicles, bus shelters and signage can be located, and where passengers can board and de-board buses. Conditions for passengers could be significantly diminished through the insertion of driveways into the middle of bus stops, with the corresponding potential elimination of bus shelters and waiting areas, and the certainty of cars cutting through passenger waiting areas. Insertion of driveways into bus stops could also reduce the ADA accessibility of those stops through sloping of the sidewalk and elimination of raised curb where the bus meets the curb.

(3) *Potential significant loss of mature street trees.* The initiative proposes that in the case of a conflict between a Significant Tree and the addition of a new garage to an existing building, the Significant Tree may be removed and replaced within 1,000 feet with a 15-gallon sized new tree. A Significant Tree is defined as "Trees within 10-feet of the property edge of the sidewalk that are above 20-feet in height, or with a canopy greater than 15-feet in diameter, or with a trunk diameter greater than 12-inches in diameter at breast height." Significant trees generally are fairly mature and have grown in place for many years, hence their loss could take many years to recover, along with their added value of wildlife habitat, shade, and carbon sequestration. Based on the analysis above of the potential number of eligible buildings, *the proposal could lead to the removal of up to several thousand mature street trees and replacement with young trees.*

(4) *Historic Preservation.* While the proposal does not eliminate consideration of design or historic preservation, it is important to note that because most buildings built after the 1950s, and indeed after the 1920s, included garages, the effect of the proposed initiative is to facilitate the alteration of 10,000 or more older, historic structures.

(5) *Reduction in pervious surface and landscaping, increase in stormwater runoff.* The creation of a driveway/curb-cut requires the elimination of (or the potential for) sidewalk landscaping and other permeable surfaces (for a stretch of at least 12') that allow stormwater to percolate into the ground (which slows and reduces runoff into the stormwater system). While possible, almost no driveways are constructed with permeable surfaces. *An increase in impervious surface could increase stormwater runoff into the combined sewer system, increasing the stress on wastewater treatment facilities and possibly contributing to an increase in the number of times untreated wastewater is discharged into the Bay and Ocean.*

Section 150(e): Reduction in Purview of Planning Commission

Currently, when a project is subject to Planning Commission review and approval for Conditional Use authorization, the Planning Commission may generally consider and require modifications or conditions to any aspect of the project (including the appropriateness of the amount of parking proposed) it deems appropriate to achieving and balancing the objectives of the Code. (The Conditional Use criteria spelled out in the Planning Code – Section 303 – are general policy considerations related to the project as a whole). *The proposed amendment prohibits the Commission from requiring reductions of parking in cases where the Commission would otherwise consider reductions appropriate or necessary based on the unique characteristics of the site (e.g. conflicts with neighborhood commercial activity, transit stops, busy sidewalks, etc.).*

Section 151(a) and Table 151. Zoning Districts and Parking Controls.

Currently, the quantitative parking requirements for all land uses in the City for all districts except C-3 and DTR are described in Table 151. The proposed amendments to this Section do not change existing controls, add or subtract requirements or standards. The amendments to the Section and Table (except as noted below for proposed new subsection (d)) are generally reiterative, grammatical, or cosmetic – that is, they do not appear to change the meaning or application of the current controls. The proposed amendments do not change any of the requirements listed in Table 151. Though already stated explicitly, the proposed amendments to Section 151(a) add new emphasis that the only places where parking requirements differ from those in Table 151 are those for the C-3 and DTR districts as listed in Section 151.1 and where exemptions exist in Section 161. *The intent and effect of changes to this Section are thus uncertain and cannot be assessed on their face. However the effects could be significant if interpreted to freeze in place current rules regarding parking (minimums, maximums, exceptions) in all zoning districts for all land uses.*

If the initiative incorporates with the proposed changes current controls requiring minimum amounts of parking, it could have significant negative impacts on achieving

numerous General Plan and City Charter (Transit First Policy) objectives including the production of affordable housing, protection and enhancement of viable neighborhood commercial districts, and facilitating infill residential development in appropriate places (such as NC Districts) to meet identified housing needs.

Any requirement of residential parking increases the cost (both production costs and consumer price) and decreases the space available for housing. A parking space typically costs between \$20,000 to \$50,000 to construct, with below-grade parking substantially more expensive. The high cost typically leads housing developers to limit below-grade parking construction whenever possible where allowed. The spatial requirements for parking facilities (maneuvering, ramps, pedestrian circulation, ventilation/utilities, parking spaces), particularly for ground-level and above-grade parking facilities, reduces the space that otherwise could be used to build housing units, especially in denser residential areas, to less than zoning allowances otherwise permit and can significantly constrain the number of housing units built based on the available space for parking rather than the allowable zoning density, height limit or other physical factors.

Many affordable housing developments do not provide one parking space per unit because lower income individuals own significantly fewer cars and the priority for such developers is to provide the maximum amount of housing and services for the population, rather than being constrained by the cost and the corresponding space demands of parking. The financial effect of required residential parking is especially acute for affordable housing development, as funds available for construction are generally fixed and limited, and additional costs cannot be passed on to residents as rents and sales prices for affordable units typically cannot be raised due to income-based restrictions. Required parking adds 10-20% to the cost of production for each unit. Required parking stretches fixed limited funding available for affordable housing construction to build fewer units without additional subsidy.

The provision of parking for buildings on Neighborhood Commercial streets (e.g. Haight, Hayes, Valencia, 24th Street, Union, Chestnut, Clement, Irving, Fillmore Streets) directly conflicts with the provision of ground floor commercial space, particularly with the San Francisco historical pattern of continuous ground floor retail unbroken and uninterrupted by garages or driveways, and mixed-use (residential over ground floor retail) buildings with retail shops instead of parking. Additionally, traditional San Francisco lots are 25-30 feet wide: after accounting for lobbies for upper story uses (e.g. residential), required secondary means of emergency egress, and garage doors, no room is left for ground floor commercial uses. Where lots sit on corners or are thru-block lots, parking may be accessed from side streets or alleys, thus reducing, but not eliminating the impact on the provision of ground floor commercial space. For non-corner lots, if parking is provided there is an inescapable loss of retail frontage. *Based on the number of lots in NC districts*

citywide identified by the Planning Department as likely to be redeveloped over time (approx. 1,875 lots, excluding corner parcels), the inclusion of parking could result in up to 30,000 feet less linear frontage of ground floor retail (average of 16' width garage per parcel), or approximately 1,500 fewer small retail spaces (average 20' per frontage) than if parking was not included.

Section 151(d): No limit on quantity of parking spaces intended for “Low Emission Vehicles.”

This amendment exempts spaces dedicated for use by “low-emission vehicles” from counting toward accessory parking limitations. Because parking for such vehicles are exempt from counting toward maximums, any number of spaces, or even an entire garage, could be built and designated for “low-emission vehicles.” As described below under the analysis of the proposed Section 155(t), almost all new passenger cars and trucks sold in California meet the minimum standards proposed in the ordinance (ULEV). This subsection creates an exemption for any number of spaces dedicated for such vehicles, not just those required per the proposed Section 155(t).

Section 151.1(a): Limitation on application of C-3 or DTR zoning districts.

This amendment proposes to absolutely limit the classification of parcels as C-3 or DTR to only the “Northeast Quadrant,” which equates to San Francisco Superdistrict 1. This contradicts existing zoning, as there are parcels currently zoned C-3 in Superdistricts 2 and 3 along Van Ness Avenue. This also precludes expansion of either C-3 or DTR districts, even to adjacent parcels, such as currently proposed and pending in at least one current major planning effort. The Market-Octavia Plan, approved by the Planning Commission but not yet approved by the Board of Supervisors, contains several parcels currently zoned C-M (Heavy Commercial) in the vicinity of Mission and South Van Ness Streets and proposes to rezone these parcels to C-3 to permit residential and other uses.

Section 151.1(b) and Table 151.1: Maximum Allowed Parking for All Uses in C-3 Districts and for Residential and Office Uses in DTR Districts.

The proposed initiative increases the allowable parking in C-3 and DTR districts for all uses, both non-residential and residential uses. The changes proposed for non-residential uses are significantly greater, and represent a greater change from existing controls, than those proposed for residential uses.

These proposed amendments significantly increase the permitted parking in C-3 (Downtown) Districts. Currently, the maximum amount of parking permitted for all non-

residential uses (e.g. office, retail) in C-3 Districts is seven percent of the gross floor area (7% gfa) of such uses. The proposed initiative establishes new, and significantly higher, maximums for each specific use in the C-3. *For two typical land uses, office and retail, the proposed higher allowances equate to increases in the permitted parking by up to 556% and 1,454% respectively.* For illustration, here are two examples of typical developments for each use:

Office	Maximum Parking	Independently Accessible Spaces	Valet Spaces
500,000 gsf Office Building			
Current Controls	7% gfa	108	189
Initiative Proposal	1:750 sf ofa*	600	600**
<i>Net Change</i>	+ 556%		

Retail

100,000 gsf Retail Building			
Current Controls	7% gfa	22	38
Initiative Proposal	1:500 sf (sf under 20,000 ofa*) 1:250 sf (sf over 20,000)	320	320**
<i>Net Change:</i>	+ 1,454%		

Typical Independently Accessible Parking Space: 325 sf

Typical Valet Space: 185 sf

[*The proposed maximums are based on “occupied floor area” of land uses as opposed to gross floor area, which for large single use buildings such as are found in the C-3, are estimated to be around 10% lower than gross floor area]

[** The proposed initiative would regulate non-residential parking in the C-3 by numbers of parking spaces, rather than by square footage of parking as is the current rule.

Increasing the capacity of a garage by using valet, such that it would exceed the number of approved parking spaces, would not be permitted by the initiative. Valet operation can increase capacity of a garage by up to 75%. However, this is nearly impossible to monitor, enforce or regulate, thus it is possible that independently accessible parking spaces could be operated with valet to substantially increase parking capacity. This practical reality is the reason the current controls regulate downtown parking by square footage. Thus, the true capacity of a garage under the proposed initiative would be up to 75% greater than permitted, and in practice, once built, it could be operated in this manner.]

The current controls have been in place since prior to the 1985 Downtown Plan. As reported in the 2004 Downtown Monitoring Report, largely due to these restrictions, the travel patterns (i.e. mode share) of downtown commuters has remained relatively stable in the past 20 years, despite the addition of 15 million square feet of office space downtown, with approximately 65-70% of commuters using transit, 20-25% carpooling or driving alone, and 5-10% walking or cycling.

Historical development trends show an average of about 900,000 square feet of office space is added to the City each year, about 500,000 square feet of which is in the C-3. If parking is built to extent permitted by the existing controls, over the next 20 years, there would be approximately 2,100 (independent) to 3,800 (valet) parking spaces in new office buildings in the core downtown C-3 districts. If parking is built to the extent permitted by the controls of the proposed initiative, over the next 20 years there would be approximately 12,000 parking spaces (and, though not permitted, if such garages operated as valet there would be an increase of 21,100 parking spaces). These parking spaces would be primarily used and oriented to commute trips. *The proposed initiative could lead to an increase over the existing controls in up to approximately 8,200-19,000 additional commuter-oriented parking spaces (and a corresponding number of vehicles entering the downtown, primarily in the peak hours). Based on employment densities, average vehicle occupancy, and the number of parking spaces allowed per worker proposed in the initiative, the Department estimates that commute mode share for transit and other non-auto modes could decline for workers in new buildings from the current 75% by 20% or more, and auto mode share could rise by 20% or more from the current 25%. (See table below. The ranges in the net change depend on whether parking is independently accessible or valet).*

4Mode Share for Workers in a 500,000 gsf Office Building

500,000 square feet office

285 square feet office space per worker (employment density)

1754 Total workers in building

	Parking Spaces Allowed by Initiative	Person/ Vehicle	Drive/Carpool Workers	Auto Mode Share	Transit and Other Mode Share
Independent	600	1.4	840	48%	52%
Valet*	600*	1.4	1476	84%	16%

(see comments regarding valet operation in footnote ** to the above table)

A significant increase in parking, as allowed by the proposed ordinance, would lead a significantly larger share of commute and shopping trips into the downtown made by auto and a significantly reduced share of trips made by transit and other modes than do currently as downtown continues to grow. This would result in an increase in traffic on key regional corridors and surface streets into the downtown, with corresponding increases in congestion, air pollution, greenhouse gas emissions, delays to public transit, and conflicts with pedestrians and cyclists.

Additionally, the permitted parking for residential uses would be increased in C-3 Districts. The “as-of-right” amounts increase from one space per four units to three spaces per four units. For units that are one bedroom and smaller, the maximum permitted parking would increase from three spaces per four units to one space per unit. *The implications of increasing the availability of parking for one-bedroom and studio units are the likely increases in future residential population that both (1) owns vehicles and (2) commutes out of the city by car for work. Given the increased cost of building parking and the additional premium parking adds to housing units, additional parking would also increase the cost of housing downtown by \$35,000 - \$75,000 dollars (based on current market prices for parking).*

Section 151.1(e)(1): Requirements for Valet or Mechanically Stacked Parking

The proposed amendments reduce the requirement to arrange parking with valet, mechanical stackers or similar non-independently accessible means from all parking above 0.5 spaces per unit to parking above 0.75 spaces per unit. *This would allow more parking to be independently accessible, which would facilitate causal and daily auto use more readily. Additionally, this would lead to parking facilities that are spatially larger and that could, in theory, be operated at even higher capacity by valets or tandem parking.* (Parking spaces in independently accessible garages average 325 sf per space, including drive aisles and ramps; spaces in valet operations average 185 sf per space).

Section 155(s)(5)(B): Porte Cocheres

Currently, porte cocheres are prohibited except for hotel uses. The initiative would expand the exemption to residential and institutional uses. A porte cochere is a condition in which the ground floor facades of buildings are set back from the public sidewalk, oriented to and behind a driveway, rather than the public sidewalk. *The impact would be less pedestrian-oriented and more vehicular-oriented buildings, with corresponding decrease in visual pedestrian interest and activity, and more conflicts between pedestrians and vehicles. The typical alternatives are white-painted curb loading zones and drop-off zones within parking garages.*

Section 155(t): Parking for Low Emission Vehicles

This proposed new subsection would require that in new residential buildings, one out of every 25 parking spaces be dedicated to “low emission” vehicles that meet the California Air Resources Board (CARB) standards of ULEV, SULEV, or ATPZEV, meet Federal ILEV or are deemed eligible by CARB to use a High-Occupancy Vehicle lane. No rules are established for usage of the spaces, including how/whether such spaces should be signed, publicized, or enforced. Unlike the rules for spaces dedicated to car sharing vehicles (Section 166), no rules are proposed as to the limitation on usage of the spaces if no such vehicles are available to use the space. Theoretically, the proposal could encourage the purchase and use of low emission vehicles if parking were scarce enough and the likelihood of San Francisco auto owners owning a low emission vehicles in San Francisco was low enough. However, most models of new vehicles sold in California feature at least one engine configuration that meets at least ULEV standards, which is one step up from the lowest legal standard for new vehicles; every new vehicle sold in California must be certified as LEV, or “Low Emission Vehicle.” In November 1998 CARB adopted new regulations requiring all SUVs, pick-ups, and vans to meet LEV standards by 2007. Discounting for the fact that most vehicle models come in multiple configurations, in 2006 CARB certified 208 models of cars and trucks as meeting the minimum standards proposed in the initiative. The list of CARB certified vehicles (available at <http://www.arb.ca.gov/msprog/ccvl/2006ccvl.htm>), in addition to including most models of compacts, sedans, pick-up trucks, and wagons, includes such large luxury sport-utility, low fuel efficiency vehicles as the Hummer H1 and H3 (ULEV, 16 mpg), the Cadillac Escalade (SULEV, 13/17 mpg), the Ford Expedition (SULEV 14/20 mpg), Land Rover Range Rover (SULEV, 14/19 mpg) and Lincoln Navigator (SULEV, 13/18 mpg). *Because of the prevalence of qualifying low emission vehicles, it is unlikely that the standards of the proposed initiative will have an effect on encouraging the purchase or use of cleaner vehicles.*

Additionally, should CARB change its standards or nomenclature in the future, these controls could be rendered meaningless, moot, or have a different effect, and could not be rectified in the Code without further ballot measures.

Section 160: Collective and Joint Use Parking

The proposed amendments imposes new requirements on the ability of multiple structures or uses to collectively meet parking requirements in a joint-use parking facility by instituting maximum distances (800'-1,000') that such facilities may be from the uses they serve. No such limitation currently exists. The initiative also proposes to reduce the time-period that such parking needs to exist from the life of the structures to which it the parking is accessory to not less than 90 years. Despite the slightly more liberal allowance for time, the amendments would make it notably more difficult to build joint-use parking facilities because of the lower likelihood of two buildings being able to find a suitable available location for a shared facility within 800 - 1,000 feet (one to two blocks) of both structures (rather than within any feasible distance). *The impact is that individual buildings are more likely to build individual garages, with more driveways and garage doors, as well as diminished ground floor space in both buildings available for active uses (e.g. retail).*

Section 161(g): Parking in Neighborhood Commercial (NC) Districts; In-lieu Payment for Reduced Parking in NC Districts.

The Code already contains an option for the Planning Commission to waive parking requirements in exchange for such an in-lieu payment but does not contain a fee amount. *The proposed amendment would set a fee amount of \$15,000 (adjusted annually) per parking space not provided in an NC District. The funding would be used to acquire land, design and build parking facilities or fund the SFgo traffic signal management program.* The Planning Commission may also waive or reduce the parking requirements for dwellings in NC districts per Section 161(j) without levying a fee through the Conditional Use process, and this is typically the course of action. The proposed initiative does not change this latter procedure.

Section 166: Car Sharing.

The proposed initiative proposes three substantive changes regarding the definition of “car share service,” the ratio of required car share parking spaces, and distance such spaces may be located from a project site.

The proposed amendment to 166(b)(1) would eliminate the requirement that car share vehicles be located at unstaffed, self-service locations (other than incidental garage valet). This is a key defining characteristic of all car sharing services that differentiate them from traditional car rental companies and may lead to car rental companies claiming status as car sharing services, thus potentially undermining or confusing the objectives of the requirement.

The proposal incrementally increases the number of required dedicated car sharing spaces for large housing developments by requiring an additional space for every 150 housing units rather than for every 200 units. This would create a minor additional cost (\$20,000-40,000 per space) to very large housing developments (300 units or larger) to provide and maintain an additional one to two spaces. While minimal, the increase in requirement for car sharing spaces is consistent with existing policy to encourage use and proliferation of car sharing services as an alternative or supplement to private household auto ownership. Such large housing projects are typically found in and around the downtown. *The impact would be a de minimis additional cost for large developments (approx. \$200-400 per unit), and minor increase in the future supply of car share parking spaces.*

The initiative also would increase the distance, from 800 to 1,000 feet, that required car sharing spaces may be located from the subject development, increasing the likelihood that project sponsors may locate them off-site. *This could be beneficial in providing more flexibility for pooling required spaces with one or more developments or with existing car share parking locations, but could also diminish the intended dispersion of car share parking availability throughout the city and close to in the large projects which create the demand. The impact is likely neutral.*

SECTION 3: DESCRIPTION AND ANALYSIS OF NOTABLE PROPOSED PLANNING CODE AMENDMENTS LIKELY TO HAVE MINIMAL EFFECT

Several Planning Code text changes are proposed which are grammatical, incidental, do not materially change existing Code regulations or policies, or are likely to have minimal or no impacts on existing development or transportation outcomes. The notable ones include:

Section 151(d): Car-sharing Vehicle exemption.

This amendment reiterates an existing exemption in Section 166 of spaces dedicated for car share vehicles from counting toward limits on accessory parking.

Deletion of Section 151.1(e)(2)

This Section was previously rendered moot by recently adopted changes to Section 315.

Section 155(c): Non-Independently Accessible Spaces in South of Market

This proposed amendment would explicitly allow projects in the South of Market to create non-independently accessible spaces in lieu of independently accessible spaces. Valet and mechanical stackers are currently allowed. This would hypothetically allow other arrangements. However, the effect from current practice would be minimal.

Section 159: Off-Site Required Residential Parking

The proposed amendments slightly liberalize the allowance for off-site siting of required accessory parking for residential building with 3 or more units in R districts by (1) increasing the allowable distance from 600 to 1,000 feet, (2) reducing the requirement to seek additional approval for such parking if located in a parking facility that already exists lawfully, and (3) reducing the time-period that such parking needs to exist from the life of the structure to which it is accessory to not less than 90 years. These provisions could make it somewhat more likely that required parking would be satisfied off-site (mostly in higher-density R districts where satisfying all parking on-site could be difficult), reducing the physical design and spatial impact of parking on the residential building and improving building design. However the instances where project sponsors might voluntarily locate parking off-site is exceptionally rare, especially in R districts. The likelihood of a new multi-unit residential building voluntarily seeking to locate parking off-site *and* finding an existing parking facility within 1,000 feet (one to two blocks) of a

new residential building that *both* has excess capacity and is willing to offer a minimum 90-year lease on some of its spaces is very low.

Section 204.5(b): Rental of Required Parking to Nearby Residents

The proposed initiative amends this Section to permit existing required residential parking spaces to be rented to a resident of a different lot who lives within 1,000 feet, without such action being considered as a reduction in required parking for the subject lot or use. While this has been explicitly prohibited under the existing rules of Section 204.5 (which require that accessory parking is only for use of the occupants, tenants or patrons of the use to which the parking is accessory), such rental is very common practice throughout the City (i.e. an average of 5-15 advertisements offering rental parking in residential buildings to non-residents appear on the popular Craigslist website daily). The enforcement of the existing prohibition has been minimal (especially compared with the high prevalence of the practice) and generally based on complaints. Such provision would be consistent with existing policy to require and encourage the separation (“unbundling”) of parking from housing units, and would bring Code allowances in line with common practice. However because such transactions are fairly common and currently unregulated, the practical impact would be minimal.