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8/2/11

ORDINANCE NUMBER O- 20082 (NEW SERIES)

DATE OF FINAL PASSAGE AUG 04 2011

AN ORDINANCE AMENDING CHAPTER 8, ARTICLE 6, DIVISION 0 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 86.06 AND 86.23, RELATING TO CAR-SHARE VEHICLES.

WHEREAS, the City of San Diego wishes to encourage environment-friendly transportation options by instituting a car-sharing program that includes the use of existing municipal parking spaces; and

WHEREAS, car-sharing programs support the City's efforts to reduce greenhouse gas emissions; provides City residents, employers, and visitors with affordable transportation options; and is compatible with the City's existing infrastructure, including the 1,000 charging stations within the City; and

WHEREAS, according to a report by the Mineta Transportation Institute entitled "Car-sharing and Public Parking Policies: Assessing Benefits, Costs, and Best Practices in North America," issued in March 2010, between 23 to 32 percent of car-sharing participants sold a personal vehicle, and between 29 to 68 percent postponed or entirely avoided a car purchase; and

WHEREAS, according to a report issued by the San Diego Association of Governments (SANDAG) entitled "On-Street Parking Carshare Demonstration Project" (the "SANDAG Report,") each shared vehicle is estimated to take an average of 15 private vehicles off of the road; and

WHEREAS, the SANDAG Report further states car-sharing results in an average net reduction of 40 to 60 percent in per capita driving among participants; and

WHEREAS, in order to institute a car-sharing program, the San Diego Municipal Code must be amended to allow the use of municipal parking spaces for car-sharing programs; and

WHEREAS, the proposed changes to the San Diego Municipal Code will add car-sharing parking zones to the list of existing parking zones; allow car-share vehicles to be parked on public streets while not under lease; and allow the storage of a car-share vehicle on a public street for more than 72 hours; and

WHEREAS, San Diego Municipal Code sections 86.06 and 86.23 refer to San Diego Municipal Code sections 75.0101 through 75.0604, which are obsolete; and

WHEREAS, the proposed amendments to San Diego Municipal Code sections 86.06 and 86.23 delete these obsolete references; and

WHEREAS, section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines provide that CEQA applies only to projects having the potential to cause a significant effect on the environment; and

WHEREAS, although this activity is a "project" as defined in CEQA Guidelines section 15378, it is exempt from CEQA review pursuant to the "common sense" exemption; and

WHEREAS, future carshare programs or operating areas resulting from changes to San Diego Municipal Code sections 86.06 and 86.23 will undergo CEQA review as appropriate;

NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That Chapter 8, Article 6, Division 0 of the San Diego Municipal Code is amended by amending sections 86.06 and 86.23 to read as follows:

§86.06 Parking, Standing, Loading Zones, Street Sweeping Zones

The City Manager is hereby authorized to determine the location of Loading Zones, Passenger Loading Zones, Bus Loading Zones, Taxi Zones, prohibited Standing or Parking Zones, Time-Limited Parking Zones of 30 Minutes or Less, Time-Limited Parking Zones for Ballpark Event Residential Permit Parking Districts, Safety Zones, Disabled Persons Parking Zones, Alley Parking Zones, Consular Parking Zones, Street Sweeping Zones, Pedicab Resting Zones, Pedicab Parking Zones, and Car Share Parking Zones. Such zones shall be effective when appropriate signs or curb markings giving notice thereof are erected upon such zones.

§86.23 Use Of Streets For Storage, Service or Sale Of Vehicles or For Habitation Prohibited

(a) through (c) [No change in text.]

(d) It is unlawful for any person who deals in, or whose business involves the sale, lease, rental, or charter of vehicles to store, park, or stand any such vehicle upon any public street, except while such vehicle is under lease, rental, or charter by a customer. Section 86.23(d) does not apply to car share vehicles as defined in California Vehicle Code section 22507.1(d).

(e) through (f) [No change in text.]

(g) It is unlawful for any person to store, or cause to be stored, any vehicle on any street. A vehicle shall be considered stored when it has been left standing on a street without having been moved more than one-tenth of a mile within a seventy-two consecutive hour period. Section 86.23(g) does

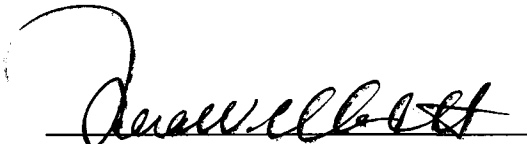
not apply to car share vehicles as defined in California Vehicle Code
section 22507.1(d).

(h) through (i) [No change in text.]

Section 2. That a full reading of this ordinance is dispensed with prior to its passage, a written or printed copy having been made available to the City Council and the public prior to the day of its passage.

Section 3. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Mara W. Elliott
Deputy City Attorney

MWE:als
06/28/2011
07/18/2011 COR.
Or.Dept:CPCI
Doc. No. 214792_2

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of ~~AUG 02 2011~~

ELIZABETH S. MALAND
City Clerk

By *Carmela J. Trujano*
Deputy City Clerk

Approved: 8.4.11
(date)

JSL
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor