



City of Emeryville

CALIFORNIA

MEMORANDUM

DATE: May 18, 2021

TO: Christine Daniel, City Manager

FROM: Mary Grace Houlihan, Public Works Director

SUBJECT: **First Reading Of An Ordinance Of The City Council Of The City Of Emeryville Establishing A Vehicle Share Policy As Chapter 14 Of Title 4 Of The Emeryville Municipal Code (CEQA Determination: Exempt Pursuant to State CEQA Guidelines 15061(b)(3))**

RECOMMENDATION

Staff recommends that the City Council adopt the first reading of the above-entitled ordinance adding Chapter 14, "Vehicle Share," to Title 4 of the Emeryville Municipal Code.

BACKGROUND

On June 22, 2017, July 20, 2017, and September 21, 2017, the Transportation Committee discussed one-way car sharing, and, at the September 21, 2017 meeting, the Committee voted unanimously to recommend that the City Council direct staff to prepare an ordinance similar to Oakland's and Berkeley's. On December 5, 2017, the City Council expressed support for preparation of such an ordinance. The staff report from the December 5, 2017 City Council meeting, which provides detailed background information, is attached for reference. (See Attachment 1.) At that time, the City was embarking on a parking management planning process. Staff decided to wait until that process was completed to bring the car sharing ordinance to Council so that the two could be coordinated. On February 19, 2019, the City Council adopted a framework for introducing paid parking to Emeryville, and in March 2021, the paid parking program was implemented.

In 2020, a one-way electric moped program launched in neighboring cities, and on March 11, 2021 and April 8, 2021, the Transportation Committee discussed the provisions in the attached ordinance covering new provisions for one-way car share and one-way electric moped share, and codifying regulations for existing dedicated-space car sharing.

Additions to the Master Fee Schedule to include fees for permit application, renewal and issuance for vehicles covered by the proposed ordinance will be presented in a separate Resolution for the City Council's consideration.

DISCUSSION

Shared mobility in a dense urban area is a regional service, and providing a seamless experience for users, and to some extent to operators, provides benefit to the community. This proposal is largely consistent with the ordinances and permit processes in the neighboring cities of Oakland and Berkeley, and the system data and community outreach requirements are in alignment with those. In addition, as a matter of equity and access to shared mobility, staff has included an affordability requirement for these services similar to the requirement in our Dockless Shared Mobility ordinance.

Responses to Council's Vehicle Share Questions

When the City Council discussed a car sharing ordinance on December 5, 2017, the Council members had a number of questions. These questions and staff's responses are discussed below.

How will first-year parking revenue be estimated? Parking revenue estimates will be based on meter rates, meter hours per year, number of cars in the fleet, and percent of the fleet that is expected to be at Emeryville meters at a time. This method of estimating meter revenue is similar to that of Oakland and Berkeley (Attachment 2). Emeryville's method is simpler because Emeryville only has one kind of meter zone, and it factors in meter use because Emeryville has many un-metered spaces. The City will charge the projected meter revenues at permit issuance and perform a true-up at the end of the year. If the projection is high, the City will refund the difference; if the projection is low, the company will be required to pay the difference in order to renew the permit. Given the unusual nature of transportation this year, in the first year of operation, the City will collect half of the projected meter revenues and require true-up information from operators at six months.

Will parking be allowed in 2-hour parking zones? Section 4-14.201 of the proposed ordinance, "Permits," stipulates that Free Floating Parking Permits entitle One-Way Car Share Organization members to park One-Way Car Share Vehicles in metered and unmetered spaces in which parking is allowed for two (2) hours or longer, for up to seventy-two (72) hours, within the designated Service Area. Members may park at meters without paying the meter. Members may park in other zones and shall pay meters. Members may also park for less than two hours where parking is limited to less than two hours.

How will time limits that apply to car share vehicles be enforced? For zones with time limits less than 2 hours and for vehicles parked more than 72 hours, the Emeryville Police Department can enforce time limits as for any other vehicle. Tickets would be the responsibility of the vehicle share operator.

How will car share affect on-street parking that businesses have been using? Gig studied three commercial corridors in Berkeley and Oakland – 4th Street from Delaware Street to Addison Street, Telegraph Avenue from 23rd Street to 29th Street, and San Pablo Avenue from Parker Street to University Avenue. Average idle time ranged from 28 minutes on

San Pablo Avenue to 3 hours 8 minutes on 4th Street. The longest a car was parked was 22 hours 34 minutes on Telegraph Avenue. The median parking time for Gig cars during the September 2017 quarterly report was 1 hour 46 minutes for Berkeley and 2 hours 35 minutes for the region. This does not appear to be a significant impact on parking resources in these business areas. It should also be noted that Gig drivers parking in these areas are very likely patronizing the businesses located there.

How will car share affect transit agencies? The Emery Go-Round Executive Director said that car sharing can complement transit, especially as a back-up option. It would be an issue if it were more convenient than transit. Transportation network companies (TNCs) such as Lyft and Uber are more likely to affect transit ridership, particularly when there is a high volume of available vehicles, wait times are less than five minutes, and accessibility is more convenient. Free-floating vehicle share seems to be more similar to dedicated-space car share than to TNCs; dedicated-space car share has not impeded transit ridership.

Electric Moped Share Provisions

Staff is proposing that one-way electric moped share vehicle riders be allowed to park in metered zones, permit parking zones, and unregulated curb areas free of charge, as long as they park perpendicular to the curb. This is because properly parked mopeds would not take up an entire automobile space. As with other share vehicles, share mopeds would be allowed to park for up to 72 hours in parking spaces with time limits of two hours or more.

ENVIRONMENTAL REVIEW

The proposed ordinance is exempt from the California Environmental Quality Act (CEQA) under State CEQA Guidelines Sections 15061(b)(3), which exempts activities for which there is no possibility of a significant adverse effect on the environment. Vehicle share impacts on the environment are similar to the impacts of private vehicles on the right of way, but further, it is limited to low-emissions vehicles and it has been shown to reduce private vehicle ownership and use, thereby mitigating rather than adding to the adverse effects of vehicle use.

PROPOSED FEES

The Master Fee Schedule currently has fees for dockless mobility systems including: permit application, permit renewal, and permit issuance. The amendment applies these fees to vehicle share systems with one proposed change: the proposed permit issuance fee for dedicated-space car sharing systems would be set at \$5,000 per space per year. For free-floating vehicle share, the proposed permit issuance fee is \$5,000. The proposed application fee is \$2,500 for an initial permit and \$1,000 for permit renewals in subsequent years. For free-floating car share systems, a charge for pre-paid meter revenues charged at of \$3,984 (meter rate times meter hours per year) times number of cars in fleet times percent of fleet in Emeryville at meters at a time. In the program's first

year, half the calculated amount (therefore \$1,992 per vehicle) would be collected and a true-up would be performed at six months. Signage, striping, and potential meter revenue loss for Dedicated Space vehicle share would be charged to the Operator at the City's cost.

FISCAL IMPACT

Implementation would involve one-way vehicle share permit program set-up cost, ongoing costs, and fees to cover those costs as described in the attached staff report from the December 5, 2017 discussion. Moped share set-up, operation, and fees would also be involved. The draft ordinance specifies that fees may be adopted by resolution of the City Council.

STAFF COMMUNICATION WITH THE PUBLIC

These proposals have been discussed at public meetings of the Transportation Committee on March 11 and April 8, 2021, in addition to the discussions in 2017 at the Transportation Committee and City Council.

CONCLUSION

Staff recommends that the City Council:

1. Introduce the proposed ordinance by title only.
2. Take public comment on the proposed ordinance.
3. Adopt the first reading of the proposed ordinance.

PREPARED BY: Nancy Humphrey, Environmental Programs Supervisor

**APPROVED AND FORWARDED TO THE
CITY COUNCIL OF THE CITY OF EMERYVILLE:**



Christine Daniel, City Manager

ATTACHMENTS

- Attachment 1 – City Council December 5, 2017 Staff Report
- Proposed Ordinance