

Capitola Planning Commission

Agenda Report



Meeting: November 2, 2023

From: Community Development Department

Subject: Regional Bikeshare Permitting

Permit Number: #23-0463

APN: City-Wide

Major Encroachment Permits (MEP) and Coastal Development Permits (CDP) for BCycle docking stations for the regional bike share program located within the right-of-way in 18 locations within Capitola.

The project is in the Coastal Zone and requires a Coastal Development Permit. Some docking locations are appealable to California Coastal Commission after all possible appeals are exhausted through the City.

Environmental Determination: Categorically Exempt 15301(c) and 15303 (e)

Property Owner: City of Capitola

Representative: Community Development Department

Recommendation: Staff recommends the Planning Commission review and **approve** the proposed docking locations for project application #23-0463 with the Conditions and Findings for Approval below. Any locations requiring additional review may be continued to the December 7, 2023, Planning Commission meeting.

Background:

On February 28, 2019, the City Council adopted Ordinance 1027 updating Capitola Municipal Code Chapter 10.44: Bicycles and Personal Transportation Devices to establish a framework for a future local bikeshare program. The ordinance added new definitions and standards around electric bicycles, scooters, and shared mobility operators. The ordinance requires any operator of a "shared mobility service" within City limits to have a contract with the City approved by the City Council. The ordinance also includes safety standards, prohibits riding on sidewalks (with an exception for children), and sets clear rules on bicycle parking.

In October 2019, the City released a Request for Proposals (RFP) for a bikeshare program in collaboration with the County; however the City received no viable no-cost proposals in response to that RFP. Due to the pandemic, staff's efforts on the bike share program were put on hold. In the fall of 2020, staff collaborated with regional agency partners to discuss the possibility of a potential regional bikeshare program. Ultimately, a regional working group was formed, which included the University of California Santa Cruz (UCSC), Cabrillo College, the County of Santa Cruz, and the cities of Santa Cruz, Watsonville, and Capitola. The City of Scotts Valley decided not to participate but asked that if a regional agreement was established, that it be set to allow for the addition of new participants at a later date.

In April 2021, the regional working group published a Request for Information (RFI) to evaluate the range of viable options that vendors would propose for the region.

In November 2021, the regional working group interviewed the three top vendors and test rode the electric bicycles. BCycle was selected as the top choice. Over the past two years, the working group has been fine tuning the contract details to establish the same basic terms and conditions in each jurisdiction.

In January 2023, the City Council approved a five-year agreement with BCycle for 50 bikes and 100 docking locations. Pursuant to the contract, BCycle is required to have the bikes and docks installed and available to the public in Capitola within six months from the time of permit approval.

Discussion:

BCycle is part of the Trek Bicycle organization and has over 12 years of experience providing bikeshare services in over 50 communities. The proposed BCycle system is docked, which requires riders to end each ride by locking the bike into a BCycle dock, unlike Jump Bike which allowed riders to end rides at unspecified locations. BCycle will provide two docks per bicycle. BCycle is committed to launching a regional bikeshare system with 660 e-bikes and 1,320 docks from Watsonville to UCSC. The launch has seen installation at UCSC, City of Santa Cruz, and parts of the County over the past year. For the rest of the region, the launch date will be in 2024 within six months of permit approval. During the initial five-years of the agreement, BCycle has the option to expand services with up to 2,000 bicycles regionwide.

Electric bicycles with lock and individual docks will be allocated to participating jurisdictions, as outlined in the table below:

Jurisdiction	Minimum Electric Bicycles	Individual Docks
City of Santa Cruz	300	600
City of Capitola	50	100
Cabrillo College	50	100
UCSC	160	320
Watsonville	25	50
Aptos	25	50
Soquel	25	50
Other Unincorporated	25	50
Total	660	1,320

Each e-bike is accessed through walk-up registration and an online app. The agreement also requires BCycle to have a fare card integrated with other transportation networks like Metro and ParkCards. There will also be payment options available for users who are unbanked and/or do not have a credit card or smartphone.

The regional bikeshare program is a no-cost system for participating jurisdictions. All costs are paid by the vendor. Also, the agreement includes a potential revenue share option after the first two years to help jurisdictions cover administrative costs of up to \$25 per dock.

The agreement includes consumer protections related to: maximum price increases, maintenance and repair, customer service, bike availability standards, response times, safety, and education. BCycle is also required to provide quarterly reports to the participating jurisdictions on the deliverables outlined in the scope and minimal performance standards identified in the service level agreement.

User fees are as follows:

- a. Walk Up Pass: \$7 per each 30 minutes; daily maximum is \$75
- b. Monthly: \$30 for unlimited 30-minute trips, extra 30 minutes \$3 each
- c. Annual: \$150 for unlimited 30-minute trips, extra 30 minutes \$3 each

In the agreement, BCycle agrees to pursue bulk-member pricing programs for low income and students. In addition, special event pricing can be negotiated with the vendor. Pricing cannot be modified for the first two years. After the second year, pricing may go up 10 percent per contract year or CPI + three percent, whichever is less.

Permits

The docking stations proposed on public property require a Major Encroachment Permit (MEP) and docking stations in the Coastal Overlay Zone require a Coastal Development Permit (CDP). The current application is for 18 MEPs, 15 of which require a CDP. Attachment 1 includes the full details of each docking site including location, design, and number of docks.

Major Encroachment Permit Considerations

Section 12.56.060 (B) of the Capitola Municipal Code requires that the Planning Commission review the following considerations when evaluating Major Revocable Encroachment Permits:

1. The expense and difficulty that will be entailed in removing the improvement in the event of street widening.
The improvements are fastened to concrete with anchors or set on surfaces with ballast weighting. BCycle is required to remove these improvements if docking sites need to be relocated or removed.
2. Whether the proposed improvements are in conformity with the size, scale, and aesthetics of the surrounding neighborhood; preservation of views.
The visual impacts and scale of the installations is similar to bikes and bike racks, which are common and minimal accessory improvements to the proposed sites. There will be no significant impact to views.
3. Whether granting the permit would tend to result in the granting of a special privilege, in the sense that granting this permit would tend to preclude granting similar permits to neighboring property.
The City Council has authorized BCycle through section 10.44.140 (B) and the sites selected are the result of input from BCycle and multiple City departments. This is not a grant of special privilege.
4. If the benefit to the applicant and community is determined to exceed the detriment to the community, the permit shall be approved.

The BCycle program is intended to be an overall benefit to the community by offering an additional mode of transportation and reduction in vehicle traffic. The physical improvements associated with the program are minor and located on public properties that can accommodate their installations.

Locations within City right-of-way

The following is a list of the proposed locations within the City right-of-way:

- 1) Melton Street at 41st Avenue – In front of 3869 Melton Street. (MEP & CDP)
- 2) Clares Street – In front of 4211 Clares Street. (MEP)
- 3) 45th Avenue – In front of 4450 Capitola Avenue. (MEP & CDP)
- 4) Community Center – At west end of angled parking lot. (CDP)
- 5) Park at Rispin – Along bike and pedestrian path parallel to Wharf Road. (MEP)
- 6) Capitola Road and Wharf Road – At bus stop waiting area in front of 1750 Wharf Road. (MEP & CDP)
- 7) 49th Avenue and Prospect Avenue – At the intersection of 39th Avenue and Prospect Avenue. (MEP & CDP)
- 8) Cliff Drive – At seaward parking area remainder next to parking space 424. (MEP & CDP)
- 9) Bay Avenue and Hill Street – Corner of Bay Avenue and Hill Street. (MEP)
- 10) Village Produce – In front of 600 Bay Avenue. (MEP & CDP)
- 11) City Hall – 420 Capitola Avenue. (MEP & CDP)
- 12) San Jose Avenue – Near intersection with Esplanade. (MEP & CDP)
- 13) Esplanade Park – Near bathrooms. (MEP & CDP)
- 14) Nobel Gulch Park – Intersection of Bay Avenue and Monterey Avenue (MEP & CDP)
- 15) Monterey Park (MEP & CDP)
- 16) Kennedy Drive and Monterey Avenue – At curb in front of 875 Monterey Avenue. (MEP & CDP)
- 17) Sir Francis Avenue and Kennedy Drive – At curb near intersection with Kennedy Drive. (MEP & CDP)
- 18) Coronado Street and Park Avenue – At curb in front of 870 Park Avenue. (MEP & CDP)

Private Sites

BCycle is leading outreach to private property owners and managers on the west side of Capitola to complete the initial rollout and spread coverage evenly across the City. Specifically, BCycle is in discussion with the Mall management and is close to securing an agreement. They are also in contact with Brown's Ranch and King Plaza ownership.

ADA

The docking stations do not require Building Permits, however the Building Department will advise and may inspect installations to verify compliance with ADA clearances.

California Environmental Quality Act (CEQA):

The project is exempt from CEQA pursuant to State CEQA Guidelines Article 19, Section 15301 (c) and Section 15303 (e). The project involves installation of new accessory equipment within existing public property and right-of-way facilities involving negligible or no expansion of use.

Attachments:

1. BCycles Program and Dock Locations – Slide Deck
2. BCycle Contract -
3. Section 10.44 – Capitola Municipal Code

Conditions of Approval:

1. The project approval consists of Coastal Development Permits for 15 bikeshare docking locations and Major Revocable Encroachment Permits for 18 bikeshare docking locations. The application #23-0463 was approved by the Planning Commission on November 2, 2023.
2. BCycle shall notify the Building Department prior to installation of docking sites to determine any ADA clearances and requirements.
3. BCycle shall notify the Public Works Department prior to installation of docking sites to determine installation details and inspection requirements.

Coastal Findings:

1. **The project is consistent with the LCP land use plan, and the LCP implementation program.**
The proposed project conforms to the City's certified Local Coastal Plan (LCP) land use plan and the LCP implementation program.
2. **The project maintains or enhances public views.**
The proposed project has no permanent impact on view or coastal access.
3. **The project maintains or enhances vegetation, natural habitats and natural resources.**
The proposed project will have no impact on natural habitats or vegetation.
4. **The project maintains or enhances low-cost public recreational access, including to the beach and ocean.**
The project improves public access to recreation and the beach and ocean.
5. **The project maintains or enhances opportunities for visitors.**
The project enhances opportunities for visitors.
6. **The project maintains or enhances coastal resources.**
The proposed project has no impact on coastal resources.
7. **The project, including its design, location, size, and operating characteristics, is consistent with all applicable design plans and/or area plans incorporated into the LCP.**
The proposed docking stations within existing public facilities is consistent with applicable designs and area plans. There are no significant design or operational impacts associated with the project.
8. **The project is consistent with the LCP goal of encouraging appropriate coastal development and land uses, including coastal priority development and land uses (i.e., visitor serving development and public access and recreation).**
The project will not obstruct public access and improves recreation and visitor opportunities. Short term mobilization impacts will be minimal.

Prepared By: Brian Froelich
Senior Planner