



City of Huntington Beach

File #: 18-194

MEETING DATE: 7/16/2018

REQUEST FOR CITY COUNCIL ACTION

SUBMITTED TO: Honorable Mayor and City Council Members

SUBMITTED BY: Fred A. Wilson, City Manager

PREPARED BY: Fred A. Wilson, City Manager

Subject:

Adopt Interim Ordinance No. 4164 establishing a Temporary Moratorium on Shared Mobility Devices to take effect immediately (*Requires 4/5 Vote to Adopt*)

Statement of Issue:

At the July 2, 2018, meeting of the City Council, Council directed the City Manager to work with the City Attorney to return by July 16, 2018, with a proposal for a 120-day moratorium on Shared Mobility Device Services operating in Huntington Beach.

Financial Impact:

This moratorium will save money and resources for the City in that it will allow the City to develop a more thoughtful approach to regulation, thereby producing a more cost-effective result.

Recommended Action:

Adopt Interim Ordinance No.4164, "An Interim Ordinance of the City Council of the City of Huntington Beach Establishing a Temporary Moratorium on Shared Mobility Devices to take Effect Immediately."

Alternative Action(s):

Deny the recommended interim ordinance and utilize existing laws to regulate shared mobility devices until the City establishes additional regulations.

Analysis:

The concept of shared mobility has been applied to devices such as bicycles and electric scooters. Shared mobility devices are especially prevalent in coastal California communities such as Santa Monica, San Mateo, San Francisco, Venice Beach, San Diego, and Long Beach, among other cities.

Currently, Huntington Beach does not have any regulations pertaining specifically to mobility device sharing services. The City of Huntington Beach has the opportunity to work proactively on this issue and create regulations that will promote local business and city revenue while protecting the quality of life and public safety in Huntington Beach.

The business model of shared mobility device companies operates such that a user can locate and unlock a mobility device using a smart phone application and by paying a fee. When the user is done

with the bicycle or scooter, they are able to park the device anywhere and relock it via the application. Certain coastal California cities with shared mobility devices have experienced challenges to public safety where the public is endangered by bicycle and scooter riders ignoring local and state traffic regulations, riding on sidewalks, or without a helmet.

In addition, many users leave bicycles and scooters haphazardly parked in public pathways or sidewalks which could potentially limit or delay access for fire and police emergency vehicles to critical locations, or at a minimum, create a tripping hazard for pedestrians. Moreover, when bicycles and scooters are abandoned in non-designated locations, individuals with disabilities are unable to fully utilize curbs, ramps and other ADA compliant structures that help ensure their safety.

In order to address these problems, many cities are in the process of regulating shared mobility devices. A temporary land use regulation (often called a "moratorium") is a mechanism by which a zoning regulation is adopted for a limited period of time. State law requires a current and immediate threat to the public health, safety and welfare in order to adopt a moratorium.

In this case, the City of Huntington Beach has become aware of a growing threat to public safety in the form of shared mobility devices creating traffic, pedestrian and other direct access problems in the City's right of way, including streets, curbs, alleys and sidewalks. The City will need to adopt as an urgency measure an interim ordinance to stem the proliferation of shared mobility devices long enough for City staff to introduce a comprehensive regulatory scheme to address potential public safety issues created by unregulated shared mobility devices.

Environmental Status:

Not Applicable

Strategic Plan Goal:

Enhance and maintain public safety

Attachment(s):

1. Interim Ordinance No.4164 of the City Council of the City of Huntington Beach Establishing a Temporary Moratorium on Shared Mobility Devices