

REUBEN, JUNIUS & ROSE, LLP

Chloe Angelis
cangelis@reubenlaw.com

May 12, 2023

Delivered Via Email

President Aaron Peskin and Supervisors
San Francisco Board of Supervisors
One Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

**Re: 1160 Mission Street
Opposition to Appeal of Conditional Use Authorization
BOS File No. 230439
Hearing Date: May 23, 2023
Our File No.: 12261.01**

Dear President Peskin and Supervisors:

This office represents TeraWatt, a San Francisco based company, which is proposing to convert 61 of 189 public parking spaces at the 1160 Mission Street garage (the “**Property**”) to fleet charging spaces (the “**Project**”). TeraWatt is an electric vehicle (“**EV**”) charging infrastructure company that operates fleet vehicle charging centers. The 61 proposed fleet charging spaces at the Property will allow TeraWatt to utilize a portion of an existing multi-use parking garage to provide downtown fleet charging capacity to a range of commercial fleet types with business in San Francisco.

The Planning Commission (“**Commission**”) unanimously approved a Conditional Use Authorization (“**CU**”) on March 30, 2023, to allow the new Fleet Charging spaces. Appellant has alleged that the approved Fleet Charging use would support a Parcel Delivery Service use that should have been included in the Commission’s March 30th CU approval.

The appeal request and allegations of unauthorized Parcel Delivery Service are without merit, and the appeal should be denied for the following reasons:

- **The Project does not propose a Parcel Delivery Service use.** Planning Staff and the Commission confirmed that the CU does not permit the operation of a Parcel Delivery Service use at the Property and that any future Parcel Delivery Service use would need to obtain a separate CU for such use.
- **TeraWatt has committed to using Union electrical contractors** for the work related to the installation of the proposed EV charging stations at the Property, and the Project has the affirmative support of IBEW Local 6.
- **The Project is consistent with the unanimously approved Electric Vehicle Charging Locations Ordinance** and proposes a partial conversion of existing parking spaces to Fleet Charging use within a large, underutilized parking garage downtown. Overturning the CU

approval will send the message that Fleet Charging is not a supported use anywhere, regardless of the underlying zoning.

- **The Project was unanimously approved by the Planning Commission** with no opposition from the 246-unit SoMa Grand residents or from any other neighborhood stakeholders.
- **The Project furthers the City’s climate action goals**, which aim to reduce emissions to 61% below 1990 levels by 2030 and reach net-zero emissions by 2040, and to increase vehicle electrification to at least 25% of all registered private vehicles, and, by 2040, to 100% of all such vehicles.

A. Project Description & Background

1. Background

The existing parking garage was entitled in 2003 in conjunction with the 23-story SoMa Grand condo building. Consistent with those 2003 entitlements, the garage currently provides 364 parking spaces, with 189 public spaces on levels one, two, and part of level three, and 175 residential spaces located on levels three and four behind an HOA access gate.

ACE manages the public portion of the parking garage, and most recently obtained a Police Department Commercial Parking permit on September 14, 2022, which expires on September 14, 2023. ACE will continue to manage the public parking at the Property after the conversion of 61 spaces to Fleet Charging use.

2. Project Proposal

TeraWatt builds strategically located charging centers and leases stalls or entire centers to commercial fleet operators. The model allows TeraWatt to provide two primary types of charging services: (1) daytime quick-charging that fleet vehicles can use along their daytime routes before going back to an overnight parking/charging center; and (2) longer term charging for fleets that are unable to develop their own charging facilities due to economic, lease-related, or utility-related constraints (i.e., not enough power available where those fleet vehicles otherwise park). Additional use cases are overflow charging when a fleet doesn’t have sufficient charging capacity at its own facility and driver transfer points—i.e., a location where fleet operators can quickly swap drivers or vehicles throughout the day without having to wait for a particular vehicle to re-charge.

The Project will convert 61 of the existing 189 public parking spaces on the lower levels of the 1160 Mission garage to Fleet Charging use. Contrary to Appellant’s Appeal Statement, no changes are proposed to the residential portion of the garage. No changes to the layout or exterior of the garage are proposed, except for restriping the garage to clearly identify stalls and pedestrian pathways. The existing entrances will remain unchanged.

Though Appellant’s Appeal Statement alleges that TeraWatt proposes “charging for electric vehicles including for electric freight and/or autonomous delivery vehicles,” no agreement with a potential tenant (or tenants) has been executed. The fleet charging spaces at the Property will be available to serve a range of fleet types, including taxis, rideshare vehicles, or rental car companies. The proposed chargers will not serve freight vehicles. The first-floor garage height at the Property will limit the fleet types to smaller vehicles, such as Ford e-Transit vans, SUVs, and sedans. Photos in the CU materials showing freight trucks

were branding images of the types of larger scale highway-side charging centers that TeraWatt also constructs, but are not illustrative of the urban charging center proposed for 1160 Mission.

B. TeraWatt Does Not Propose Parcel Delivery Service at 1160 Mission

Appellant alleges that “[t]he creation of [a] Fleet Charging station at 1160 Mission Street in support of delivery vehicles ultimately is the expansion of a Parcel Delivery Service use through the creation of garage facilities for an electric delivery fleet.” (1160 Mission Street CUA Appeal Statement (April 17, 2023).)

TeraWatt has not proposed a Parcel Delivery Service Use at the Property. Parcel Delivery Service and Fleet Charging are separate Planning Code use categories.

- Parcel Delivery Service is defined as “the unloading, sorting, and reloading of local retail merchandise for deliveries, including but not limited to cannabis and cannabis products, where the operation is conducted entirely within a completely enclosed building, including garage facilities for local delivery trucks, but excluding repair shop facilities.” (Plan. Code § 102.)
- Fleet Charging is defined as a facility that “provides electricity to electric motor vehicles through one or more Electric Vehicle Charging Stations that are dedicated or reserved for private parties pursuant to contract or other agreement and are not available to the general public.” (Plan. Code § 102.)

A Fleet Charging facility could serve any number of vehicle types—rideshare, taxis, rental cars, ambulances, city vehicles, and company vehicles for employee use, such as for construction, electricians, or plumbing companies. Delivery vehicles are one type of EV that a Fleet Charging use could service. In any case, a tenant has not yet been identified for the fleet spaces at the Property.

The Project plans included in the Planning Commission packet (and attached here at **Exhibit A**) show renderings of freight trucks on a highway and at a highway-adjacent charging center. Those photos are TeraWatt marketing images showing one of the types of charging stations that TeraWatt provides. 1160 Mission is a smaller urban charging center that is not meant to serve heavy duty trucks. Nor can it. Clearance at the garage’s Mission Street entrance is 12 feet (with the roll up gate extending 18 inches further) and clearance at the Stevenson Alley entrance is 8 feet, 6 inches, limiting service to smaller vehicles, such as Ford e-Transit vans, SUVs, and sedans.

C. A Parcel Delivery Service Tenant Would Need to Obtain a Parcel Delivery Service CU

TeraWatt has not obtained, and has not sought, a CU to authorize Parcel Delivery Service at the Property. Should a future user of the fleet charging spaces propose to operate a Parcel Delivery Service use, that operator would be required to obtain a separate CU, pursuant to both the Parcel Delivery Service Interim Zoning Controls (Resolution 109-22) and the underlying C-3-G zoning controls. (Planning Code Table 210.2.) This is no different from a developer whose entitlement for new construction includes ground floor retail space that is ultimately leased to a formula retail tenant who must obtain a separate entitlement to authorize a particular formula retail storefront.

Planning Staff confirmed this at the March 30, 2023, Planning Commission hearing in response to Appellant’s objections at that hearing. **Planning Staff and the Commission were clear that the CU approved for TeraWatt’s Fleet Charging use does not permit the operation of a Parcel Delivery**

Service use at the Property and that any future Parcel Delivery Service use would need to obtain a separate CU for such use.

D. The Project is Consistent with the Required CU Findings, City Policy, and the Electric Vehicle Charging Locations Ordinance

1. The Project is Consistent with the Required CU Findings

The Planning Commission correctly concluded that the Project is necessary, desirable for, and compatible with the surrounding neighborhood.

By providing fleet charging spaces in downtown San Francisco, the Project will provide charging capacity close to where fleets do business, thereby cutting down on unnecessary vehicle miles between business destinations and charging facilities during the day.

The Project proposes to convert spaces within an existing parking garage to Fleet Charging, with no new construction and no exterior changes. As of today, none of the residents in the 246-unit SoMa Grand building attached to the garage have voiced opposition to the Project, nor have any other neighborhood stakeholders. TeraWatt has committed to using Union electrical contractors for the work related to the installation of the proposed EV charging stations at the Property, and the Project has the affirmative support of IBEW Local 6.

2. The Project is In Line with Zero Emissions Policy Goals and the Electric Vehicle Charging Ordinance

This Board unanimously adopted the Electric Vehicle Charging Locations Ordinance (the “**EV Charging Ordinance**”) on September 6, 2022. (Ord. No. 190-22, attached at **Exhibit B.**) The findings the EV Charging Ordinance are based on include the following:

- San Francisco now has climate action goals to reduce emissions 61% below 1990 levels by 2030 and reach net-zero emissions by 2040.
- The City's climate action targets, per Ordinance No. 117-21, include the following transportation and land use goals . . . By 2030, increase vehicle electrification to at least 25% of all registered private vehicles, and, by 2040, to 100% of all such vehicles.

In order to reach net-zero emissions by 2040 and electrification of all registered private vehicles by that date, EV charging for public and private use needs to be approved and installed at a rapid pace. In line with that goal, the EV Charging Ordinance allows Fleet Charging in most zoning districts with approval of a CU. The Project makes use of an existing Automotive Use to convert spaces in a large, underutilized garage to create new Fleet Charging spaces downtown. The Project is exactly the kind of project that the EV Charging Ordinance encourages.

If the Board of Supervisors overturns this CU, it will be sending the message that—despite the recently-passed EV Charging Ordinance—Fleet Charging is not a use that the City supports. If the Board takes that stance, it is difficult to imagine that the City can get anywhere near to the net-zero emissions goals stated in the EV Charging Ordinance.

E. Conclusion

Based on the above, the Appeal should be denied and the CU Authorization upheld. The Planning Commission correctly concluded that the Project is necessary, desirable for, and compatible with the surrounding neighborhood. The Project is also consistent with the unanimously adopted EV Charging Ordinance and the ambitious net-zero emissions goals that the ordinance is based on.

Contrary to Appellant's unsubstantiated objections, the Project does not propose a Parcel Delivery Service use. TeraWatt is a charging infrastructure provider and the chargers proposed for the Property have not yet been leased to an end-user. As the Planning Commission confirmed at the March 30, 2023, hearing, any Parcel Delivery Service provider at the Property would be required to obtain a separate CU to authorize that particular use.

Accordingly, we ask that you deny the appeal and uphold the CU.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP

A handwritten signature in blue ink, appearing to read 'Chloe Angelis', is written over a light blue circular stamp.

Chloe Angelis

cc: Nick Foster, Planner
Dan Sider, Planning Department Chief of Staff
Michael Englhard, TeraWatt
David Noyola, Noyola Piccini Group

Exhibit A

- 1. LOT AND BLOCK NUMBER: 3702 / 061
- 2. ZONING DISTRICT: C-3-G DOWNTOWN GENERAL
- 3. HEIGHT AND BULK RESTRICTIONS: 150-S, 240-S
- 4. HEIGHT OF THE PROJECT: N/A

OWNER

PEARL STREET REAL ESTATE HOLDINGS, LLC
 49 STEVENSON STREET, SUITE 600
 INFO@PEARLSTLAND.COM
 415.837.1946

ZONING TABLE

DIRECTORY

SOMA GRAND, LOCATED AT 1160 MISSION STREET, BETWEEN MISSION STREET & ODD FELLOWS WAY, IS A RESIDENTIAL HIGH RISE STRUCTURE WITH A FOUR STORY PARKING GARAGE AND GROUND LEVEL RETAIL. THE AREA IDENTIFIED IN THIS APPLICATION IS FOR THE FOUR LEVEL PARKING GARAGE LOCATED AT THE GROUND LEVEL OF THE BUILDING AND SPANS FROM ODD FELLOWS WAY TO MISSION STREET. THE CURRENT USE IS PARKING GARAGE - PUBLIC. THE CURRENT OWNER, PEARL STREET REAL ESTATE HOLDINGS, LLC, IS PROPOSING TO CONVERT 61 PARKING STALLS (APPROXIMATELY 9,851.5 SQ FT TOTAL - 8.5' x 19' EACH) TO BE USED FOR COMMERCIAL ELECTRIC VEHICLE (FLEET) CHARGING ON FLOORS 1 & 2. ALTHOUGH NOT INCLUDED IN THE PUBLIC PARKING STALL COUNT, THE RESIDENTIAL PARKING LOCATED ON FLOORS 3 AND 4 WAS APPROVED THROUGH CONDITIONAL USE AUTHORIZATION (APPLICATION 2002.0628CEKVX!).

- 01 | COVER PAGE
- 02 | SITE PLAN - OVERALL PROJECT LOCATION
- 03 | SITE PLAN - PROJECT LOCATION - PARKING LEVEL 1
- 04 | SITE PLAN - PROJECT LOCATION - PARKING LEVEL 2
- 05 | SITE PLAN - PROJECT LOCATION - PARKING LEVEL 3
- 06 | SITE PLAN - PROJECT LOCATION - PARKING LEVEL 4
- 07 | PHOTOS FROM MISSION STREET
- 08 | PHOTOS FROM ODD FELLOWS WAY

PROJECT NARRATIVE

DRAWING INDEX

COVER PAGE

DRAWING NO.

SOMA GRAND PARKING GARAGE - 1160 MISSION STREET, SAN FRANCISCO, CA

01

MARCH 20, 2023

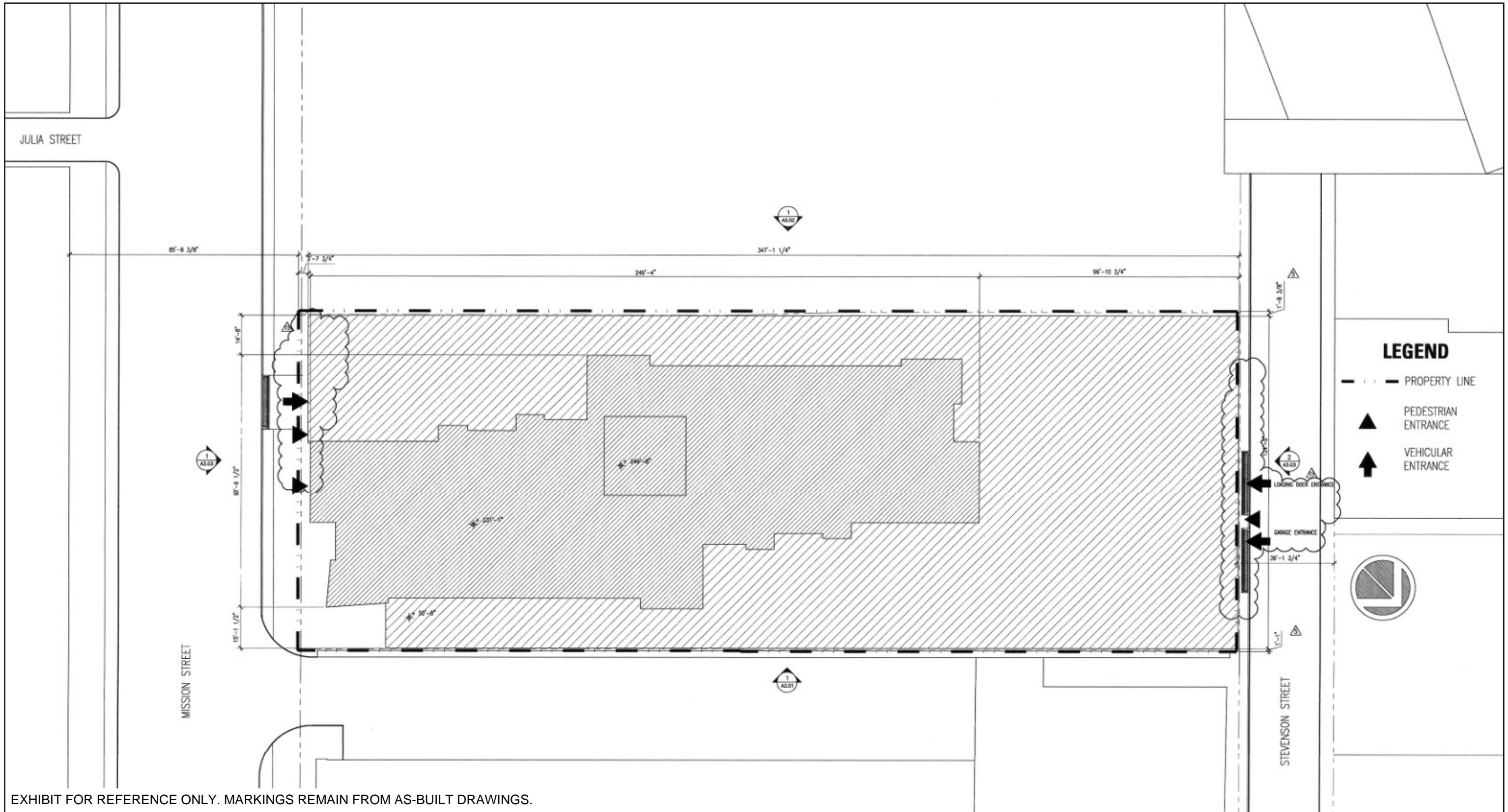


EXHIBIT FOR REFERENCE ONLY. MARKINGS REMAIN FROM AS-BUILT DRAWINGS.

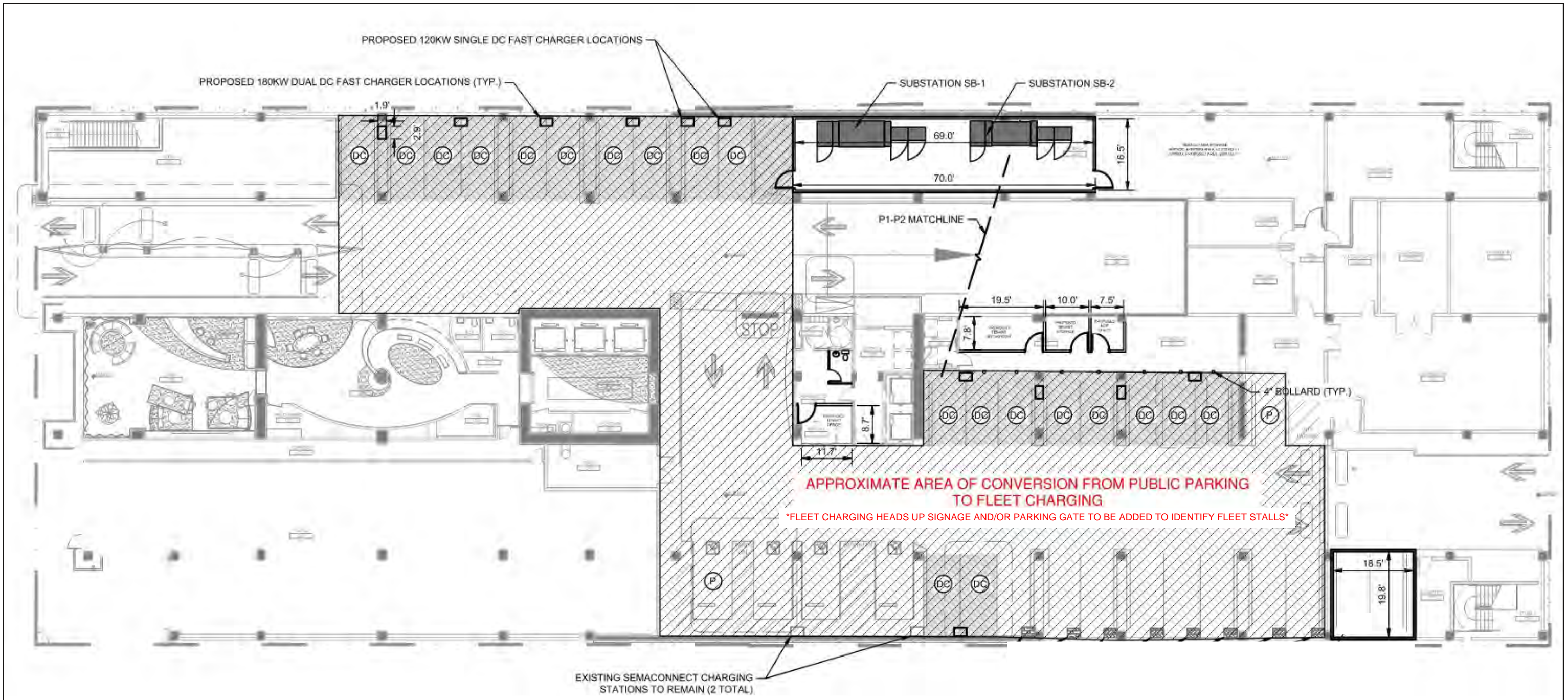
DRAWING NO.

SITE PLAN - OVERALL PROJECT LOCATION

SOMA GRAND PARKING GARAGE - 1160 MISSION STREET, SAN FRANCISCO, CA

02

MARCH 20, 2023



PARKING LEVEL P1 - FLOOR PLAN

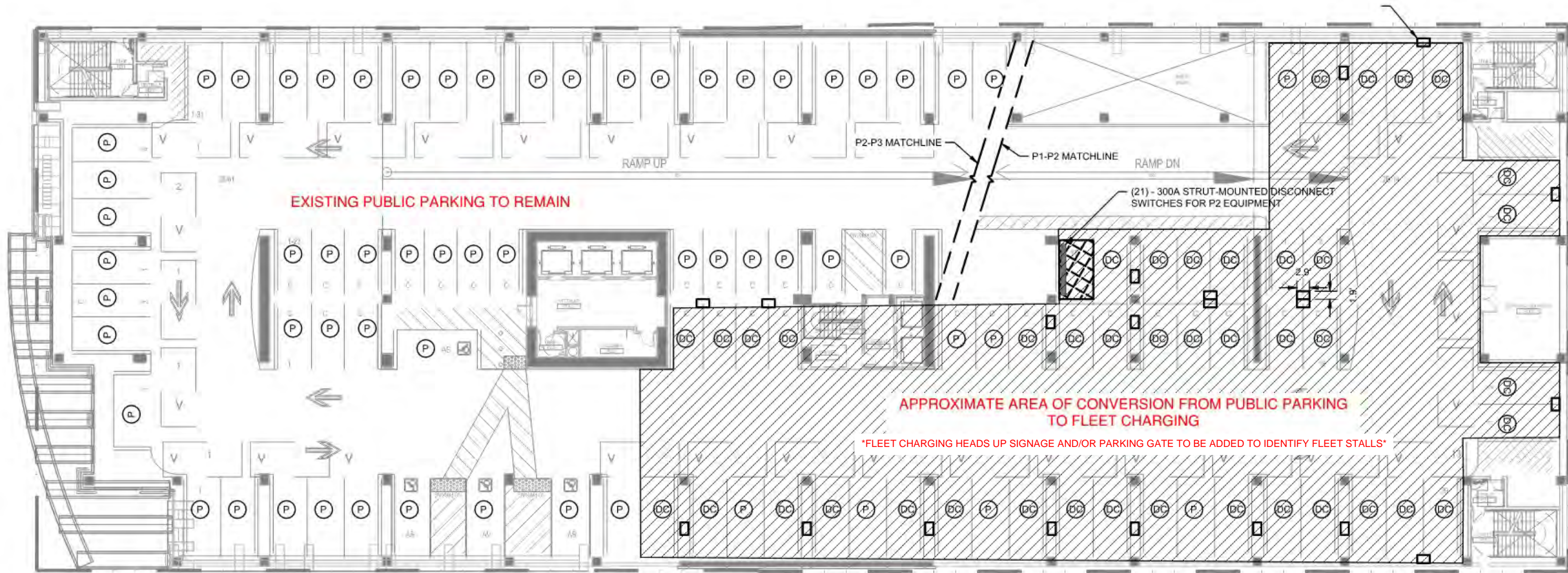
SITE PLAN - PROJECT LOCATION - PARKING LEVEL 1

SOMA GRAND PARKING GARAGE - 1160 MISSION STREET, SAN FRANCISCO, CA

DRAWING NO.

03

MARCH 20, 2023



PARKING LEVEL P2 - FLOOR PLAN

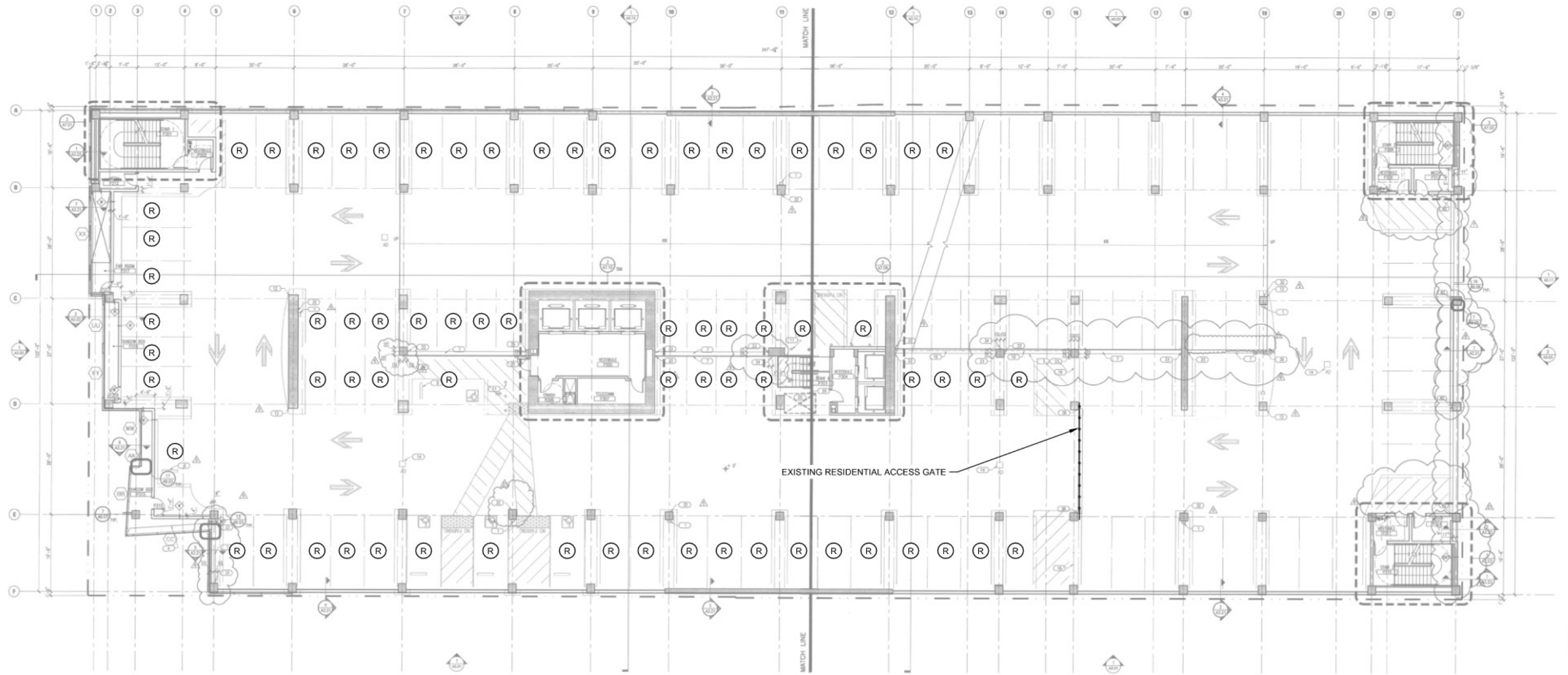
SITE PLAN - PROJECT LOCATION - PARKING LEVEL 2

SOMA GRAND PARKING GARAGE - 1160 MISSION STREET, SAN FRANCISCO, CA

DRAWING NO.

04

MARCH 20, 2023



PARKING LEVEL P3 - FLOOR PLAN

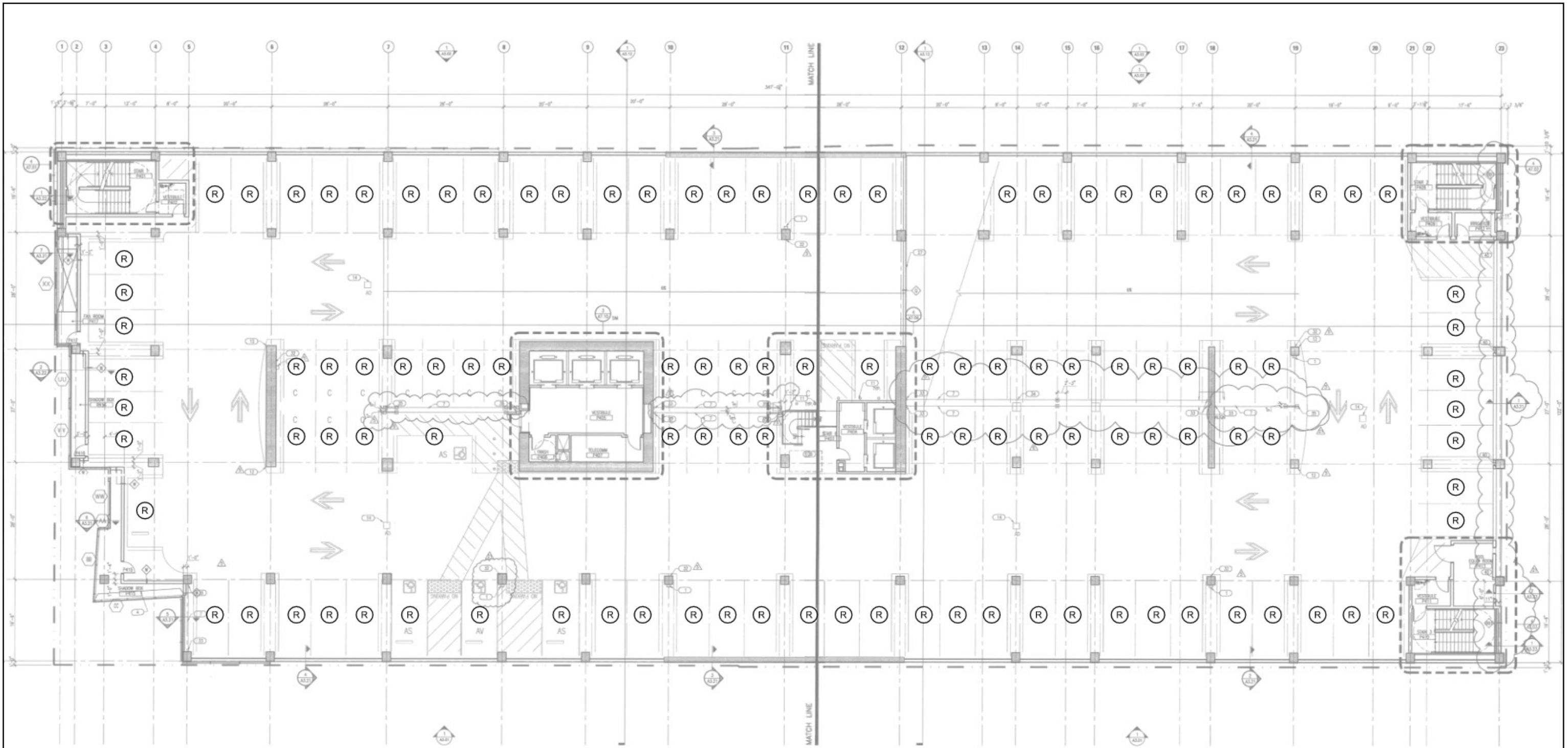
SITE PLAN - PROJECT LOCATION - PARKING LEVEL 3

SOMA GRAND PARKING GARAGE - 1160 MISSION STREET, SAN FRANCISCO, CA

DRAWING NO.

05

MARCH 20, 2023



PARKING LEVEL P4 - FLOOR PLAN

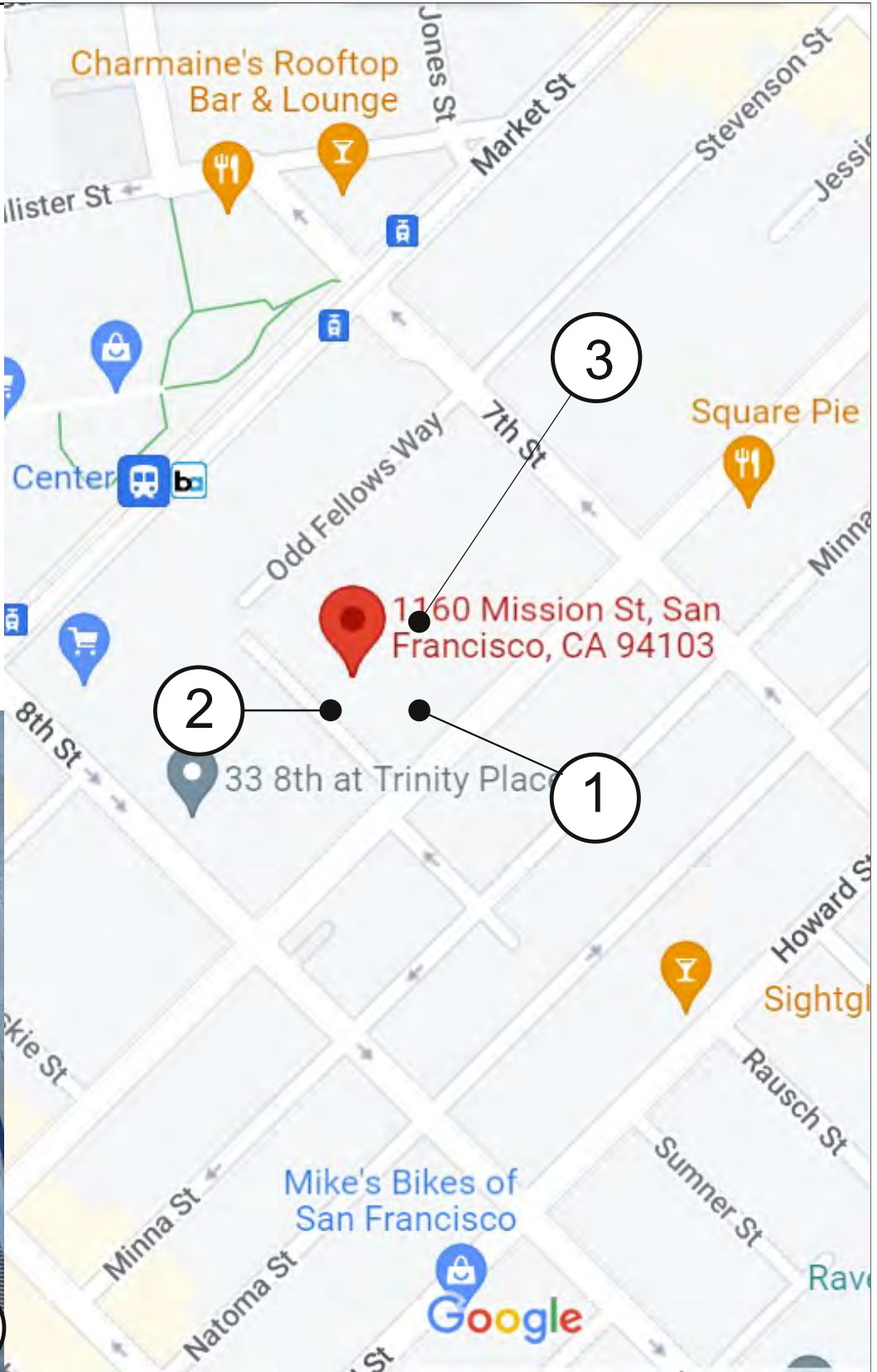
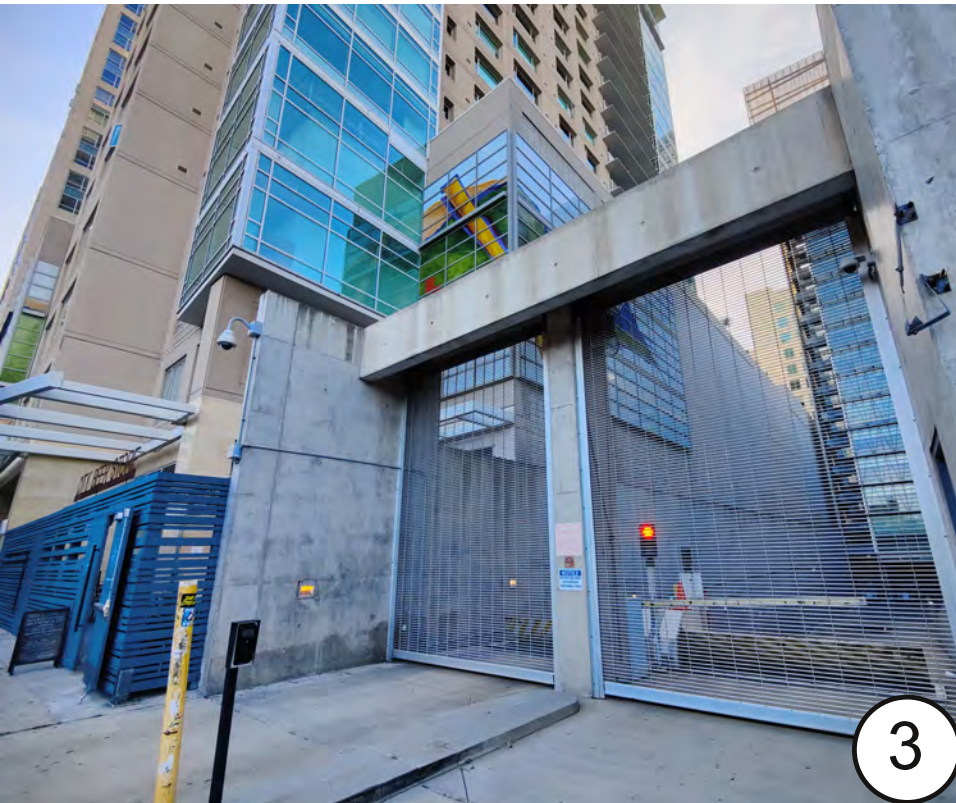
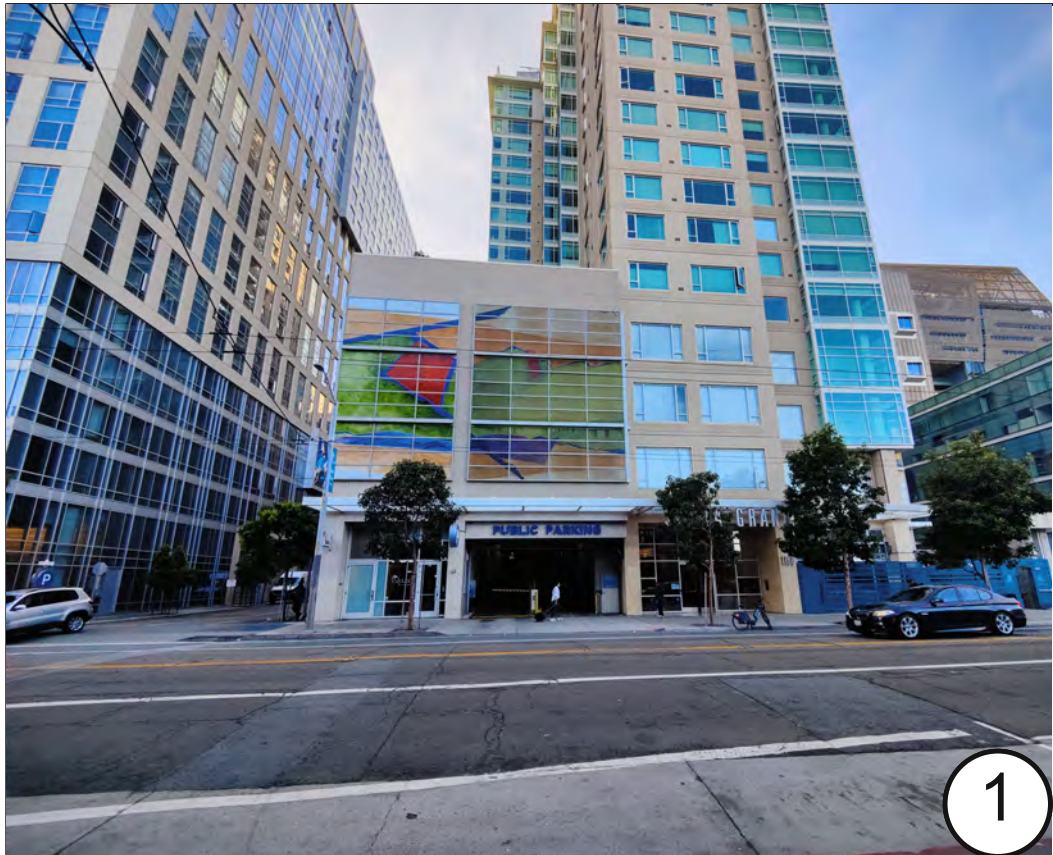
DRAWING NO.

SITE PLAN - PROJECT LOCATION - PARKING LEVEL 4

SOMA GRAND PARKING GARAGE - 1160 MISSION STREET, SAN FRANCISCO, CA

06

MARCH 20, 2023



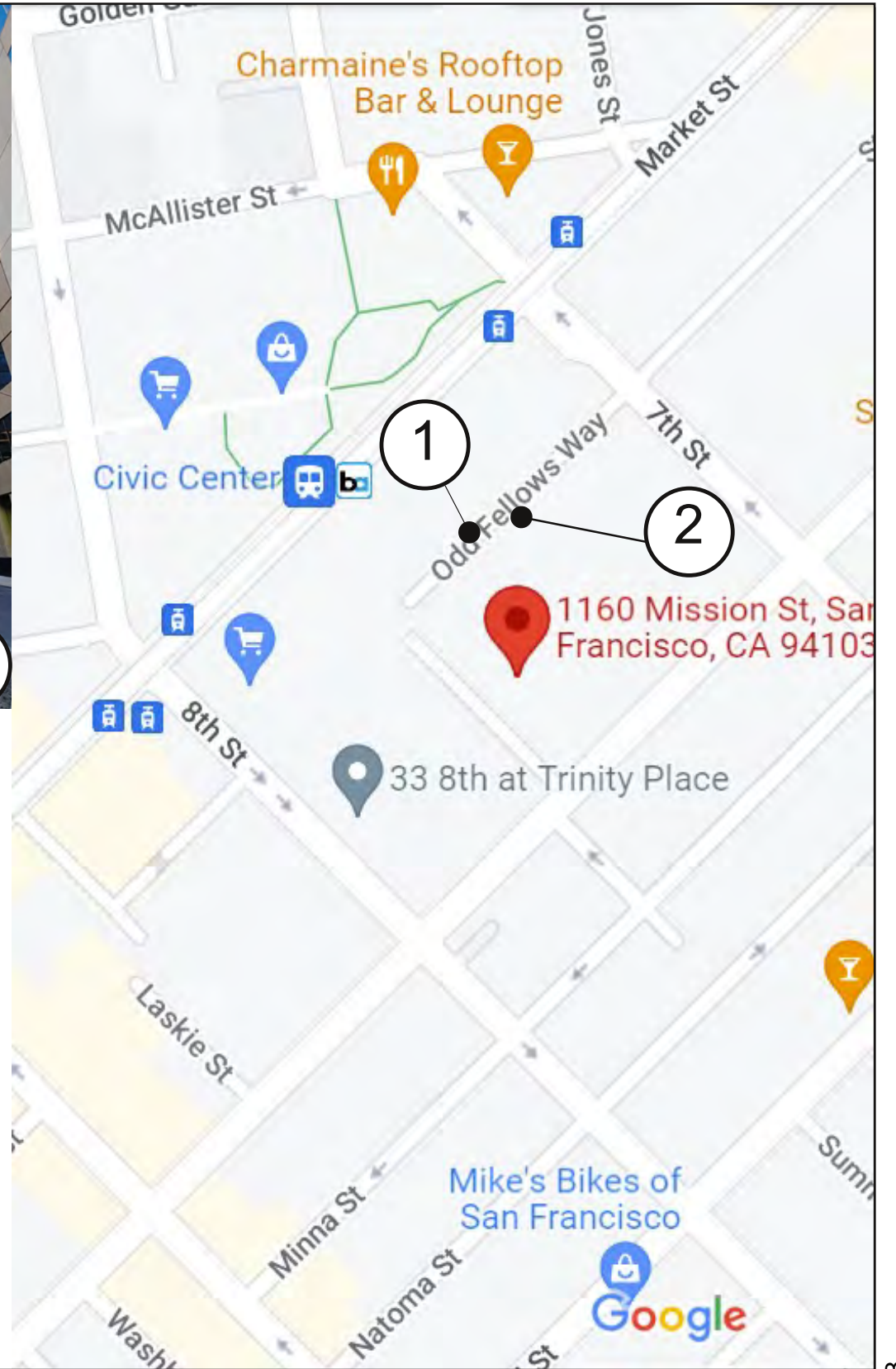
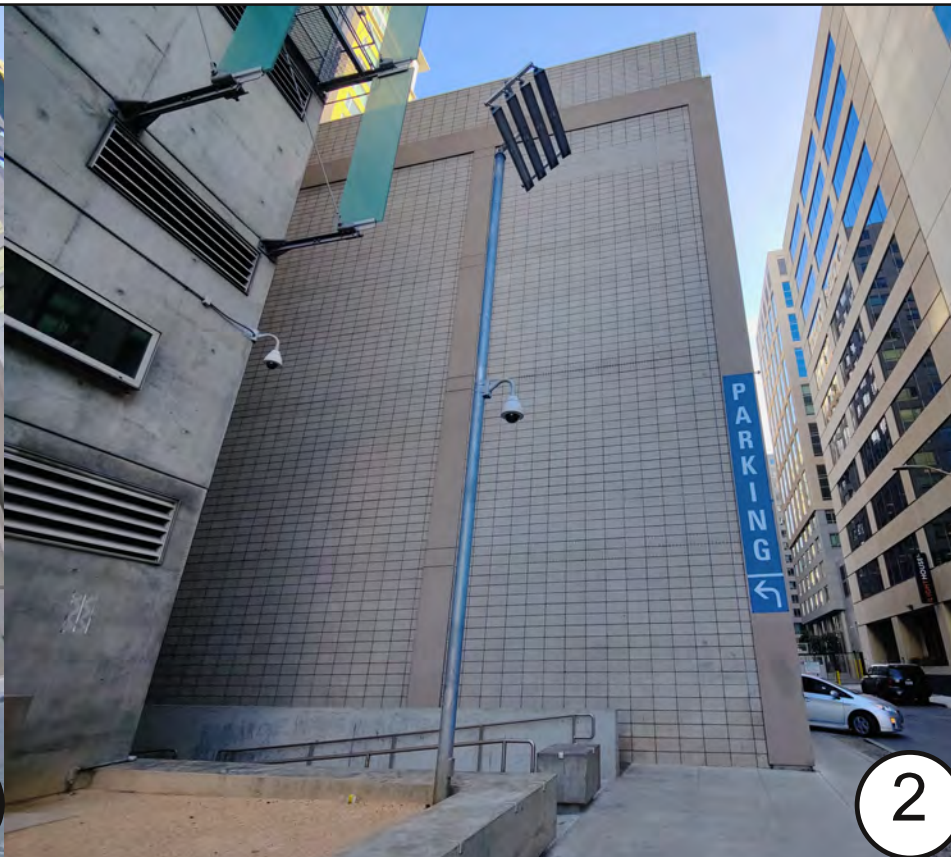
PHOTOS ALONG MISSION STREET

SOMA GRAND PARKING GARAGE - 1160 MISSION STREET, SAN FRANCISCO, CA

DRAWING NO.

07

MARCH 20, 2023



PHOTOGRAPHS ALONG ODD FELLOWS WAY

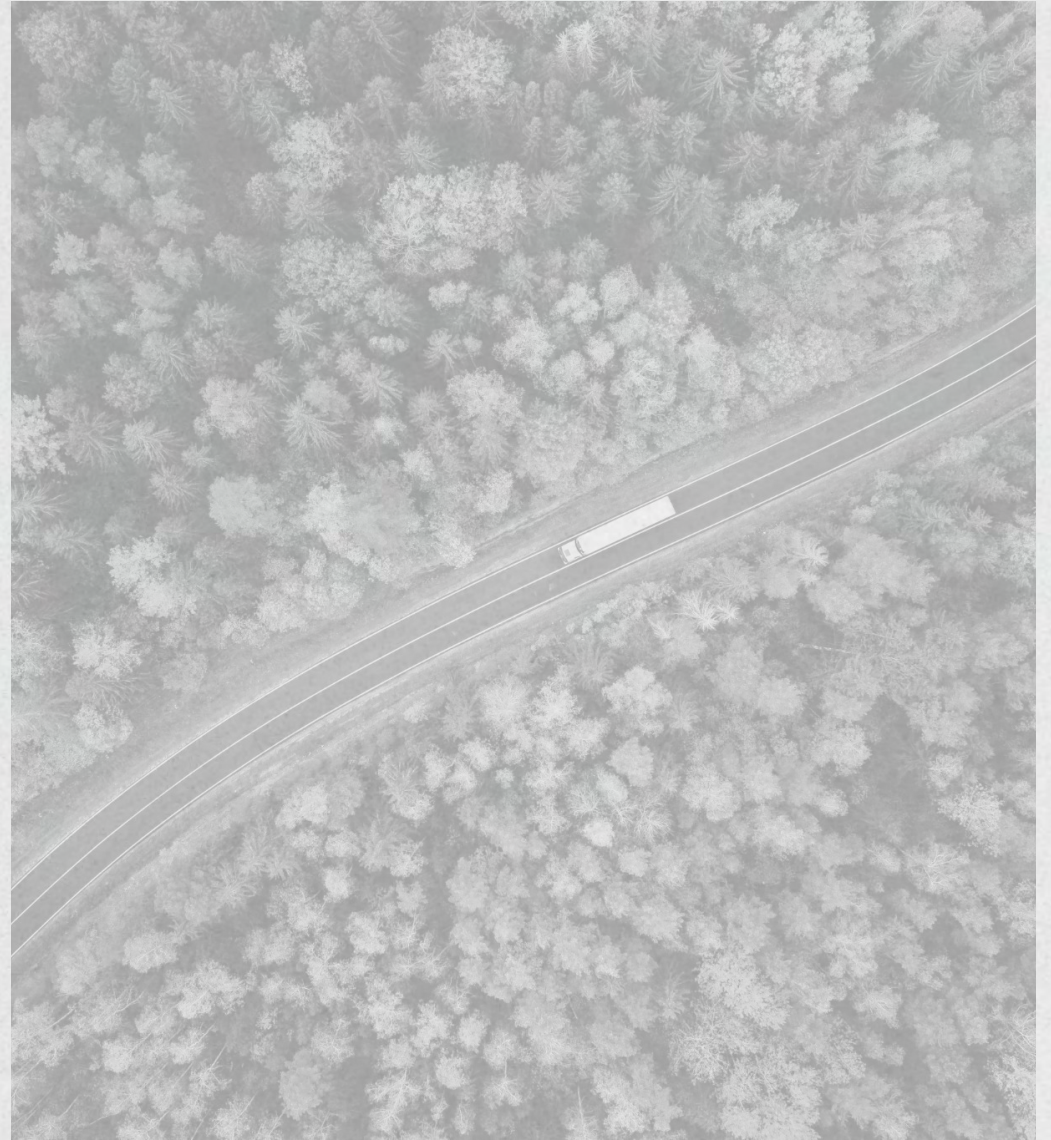
DRAWING NO.

SOMA GRAND PARKING GARAGE - 1160 MISSION STREET, SAN FRANCISCO, CA

08

MARCH 20, 2023

Business Overview: 1160 Mission Street



BUSINESS MISSION

**Power electrified fleets with
the most reliable network of
charging centers**



Charging Center Overview

Charging Centers are the core of what we do. This is our answer to the demands fleet owners will face.

Our Charging Centers provide strategic locations, vast power access, and proprietary energy management services that will keep fleets moving forward.



REAL ESTATE

Land

Power / Interconnect

Fiber / Connectivity

Facilities

Parking

INFRASTRUCTURE

Charging Equipment

SOFTWARE & SERVICES

Charging Management

Energy Management

Grid Controls

Energy Asset Controls

Fleets Need Reliable Offsite EV Charging

Mission Garage can serve many fleet types and use cases

Vehicle Classes



Light Duty



Medium Duty

Offsite Charging Use Cases

- Daytime quick-charge:
 - This will allow fleet vehicles a designated location to charge vehicles along their routes before domiciling at night. This frees up public charging locations to be used specifically for charging personal passenger vehicles.
- Longer dwell charging:
 - Existing fleet facility location upgrades can be expensive or unfeasible due to economic, lease or utility-related constraints. By using our facilities to park and charge, fleets are able to electrify more quickly and still have a reliable location to charge and dwell vehicles before returning to service.

Fleets Need Reliable Offsite EV Charging

Mission Garage can serve many fleet types and use cases

Vehicle Classes



Light Duty



Medium Duty

Additional Offsite Charging Use Cases

- Overflow charging lot:
 - Fleets may not have enough sufficient charging capacity at existing locations of domicile. As an extension of their facilities, without requiring further space or upgrades to their sites, we enable fleets to grow zero-emission operations and stay charged while on the road.
- Driver transfer point:
 - As a central SF location, fleet would be able to quickly swap vehicles and drivers throughout the day in order to get back on the road as quickly as possible to maximize zero-emission miles travelled per vehicle.

Exhibit B

1 [Planning Code - Electric Vehicle Charging Locations]

2
3 **Ordinance amending the Planning Code to create Electric Vehicle Charging Location**
4 **and Fleet Charging as Automotive Uses, allow conversion of Automotive Service**
5 **Stations to Electric Vehicle Charging Locations without Conditional Use authorization**
6 **and principally permit conversion of other Automotive Uses to Electric Vehicle**
7 **Charging Locations, revise zoning control tables to reflect these changes, and require**
8 **annual reporting by the Planning Department regarding Electric Vehicle Charging**
9 **Location and Fleet Charging project approvals; affirming the Planning Department's**
10 **determination under the California Environmental Quality Act; and making findings of**
11 **consistency with the General Plan, and the eight priority policies of Planning Code,**
12 **Section 101.1, and findings of public necessity, convenience, and welfare under**
13 **Planning Code, Section 302.**

14 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
15 **Additions to Codes** are in *single-underline italics Times New Roman font*.
16 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
17 **Board amendment additions** are in double-underlined Arial font.
18 **Board amendment deletions** are in ~~strikethrough Arial font~~.
19 **Asterisks (* * * *)** indicate the omission of unchanged Code
20 subsections or parts of tables.

21 Be it ordained by the People of the City and County of San Francisco:

22 Section 1. Findings.

23 (a) The Planning Department has determined that the actions contemplated in this
24 ordinance comply with the California Environmental Quality Act (California Public Resources
25 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of

1 Supervisors in File No. 220036 and is incorporated herein by reference. The Board affirms
2 this determination.

3 (b) On April 14, 2022, the Planning Commission, in Resolution No. 21099, adopted
4 findings that the actions contemplated in this ordinance are consistent, on balance, with the
5 City's General Plan and eight priority policies of Planning Code Section 101.1. The Board
6 adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the
7 Board of Supervisors in File No. 220036, and is incorporated herein by reference.

8 (c) Pursuant to Planning Code Section 302, the Board of Supervisors finds that this
9 ordinance will serve the public necessity, convenience, and welfare for the reasons set forth in
10 Planning Commission Resolution No. 21099, and incorporates such reasons by this reference
11 thereto. A copy of said Resolution is on file with the Clerk of the Board of Supervisors in File
12 No. 220036, and is incorporated herein by reference.

13 (d) This ordinance is based on the following findings:

14 (1) In 2021, the Intergovernmental Panel on Climate Change issued a report
15 further underscoring the need for urgent action to cut global greenhouse gas emissions
16 (GHGs) in half by 2030 and reach net-zero emissions no later than 2050 to prevent the most
17 catastrophic effects of climate change and reduce detrimental impacts to human health and
18 ecosystems.

19 (2) San Francisco, the Bay Area, and the State of California are already
20 suffering the effects of climate change in the form of droughts, air pollution, extreme heat,
21 frequent wildfires, flooding, and other drastic impacts on weather and the environment.

22 (3) To address these urgent challenges, in 2021 Mayor London Breed
23 sponsored legislation to update the City's climate action goals. As a result of Ordinance No.
24 117-21, San Francisco now has climate action goals to reduce emissions 61% below 1990
25 levels by 2030 and reach net-zero emissions by 2040.

1 (4) To achieve net-zero emissions by 2040, the updated climate action goals
2 prioritize the City's Transit First policy and encourage a shift to low-carbon modes of
3 transportation such as taking transit, walking, and biking. All remaining modes of
4 transportation, including private and commercial vehicles, must be electrified to further reduce
5 and eventually eliminate remaining transportation emissions.

6 (5) The City's climate action targets, per Ordinance No. 117-21, include the
7 following transportation and land use goals:

8 (A) By 2030, 80% of trips taken by low-carbon modes such as walking,
9 biking, transit, and shared Electric Vehicles (EVs).

10 (B) By 2030, increase vehicle electrification to at least 25% of all
11 registered private vehicles, and, by 2040, to 100% of all such vehicles.

12 (6) As reported in the latest San Francisco GHG Emissions Inventory, San
13 Francisco's 2019 emissions were 41% below 1990 levels—six years ahead of the previously
14 established goal to reduce emissions 40% by 2025. However, additional efforts must be
15 undertaken to ensure the net-zero commitment is met by 2050.

16 (7) As of 2019, nearly half (47%) of San Francisco's GHG emissions came from
17 the transportation sector, with the vast majority (72%) of those emissions from privately
18 owned cars and trucks. Despite the City's success in reducing overall emissions to date, GHG
19 emissions from the transportation sector have remained relatively stable.

20 (8) In 2019, Mayor Breed released the Electric Vehicle Roadmap ("the
21 Roadmap") to accelerate and advance EV adoption to reduce emissions and associated air
22 pollution health impacts from the transportation sector. To date, EVs represent about 11% of
23 new light-duty vehicle registrations in San Francisco. The Roadmap sets a 2030 goal of 100%
24 of new passenger vehicle registrations with no increase in total vehicle registrations per
25 household and an ambitious goal of 100% emission-free ground transportation by 2040.

1 These goals are aligned with California's targets to increase EV adoption and access to EV
2 charging. In September 2020, Governor Gavin Newsom issued an executive order requiring
3 only zero emission passenger cars to be sold in California by 2035. Additionally, the City's
4 goals are aligned with the Biden Administration's goal that 50% of all new vehicles sold in the
5 United States in 2030 be zero-emission vehicles.

6 (9) The rate of EV adoption is determined in large part by access to charging.
7 The three greatest barriers at this time for drivers to buy EVs are cost of the EVs, lack of
8 charging infrastructure, and the range of EVs, the latter two barriers are interrelated and result
9 in "range anxiety," or the fear that EV owners won't be able to locate a charger or that if they
10 do, someone else will be using it.

11 (10) Range anxiety is also an equity issue. Nearly 70% of San Francisco
12 residents live in multi-unit buildings and most such residents do not have access to off-street
13 parking or home charging. EV charging at home should not be a privilege available only to
14 single-family home residents or those with EV charging available at the workplace. To provide
15 expanded access to EV charging, in June 2021, the California Public Utilities Commission
16 ruled that electrical corporations should prioritize their near-term investments to create
17 charging options to customers without access to home charging.

18 (11) Publicly accessible EV charging stations—including public Level 2 (240
19 volt), DC fast ("superchargers"), and workplace chargers—are the most efficient and effective
20 solution to meet anticipated demand for EV charging. San Francisco's combination of
21 population density, small size, and resulting high land costs make it the perfect place to install
22 fast-charging plazas that mimic the gas station experience that drivers have come to expect
23 when fueling their vehicles. Fast-charging plazas are integral to San Francisco's developing a
24 comprehensive public charging network. With a robust network of public charging stations, EV
25 owners will be able to access fast charging as needed and close to their homes.

1 (12) Without this ordinance's amendments of the Planning Code, further air
2 quality and GHG degradation would occur because the ongoing inconvenience of finding EV
3 charging stations would result in a low rate of adoption of EVs. Multiple studies have
4 suggested a correlation between increasing the number of charging stations and higher EV
5 adoption rates, as summarized in an October 2017 white paper by the International Council
6 on Clean Transportation (ICCT). In addition, the EV Roadmap identified the expansion of
7 publicly accessible Level 2 and fast charging infrastructure in San Francisco as a key strategy
8 to increase EV adoption rates.

9 (13) In 2020, the ICCT completed a study on San Francisco's EV charging
10 needs in 2030 and 2040. The ICCT projects that by 2030, more than 170,000 light-duty EVs
11 will be registered in the City. To meet that charging demand, the City must have six times
12 more charging capacity than in 2019. The number of publicly accessible charging stations in
13 San Francisco needs to increase from about 800 in 2019 to 2,000 by 2025, and over 5,000 by
14 2030, to meet this demand.

15 (14) Currently, EV charging is not defined in the Planning Code. As a result,
16 applications to install EV charging projects require an EV service provider (EVSP) and the
17 Planning Department or Commission to work out a permitting pathway, on a case-by-case
18 basis, using Planning Code provisions designed for gas stations and auto service centers.
19 The existing use categories are an imperfect fit for this new use. They impose limitations
20 more appropriate for the facilities they were intended to address—conventional fueling
21 facilities—rather than less-impactful EV charging stations, creating lengthy approval
22 processes and bureaucratic delays that should be avoided for EV charging projects.

23 (15) By defining "Electric Vehicle Charging Location" as an "Automotive Use" in
24 the Planning Code and establishing zones in the City in which stand-alone EV charging is
25 permitted, this ordinance will make it easier to convert existing sites with "Automotive Uses" to

1 EV charging plazas or hubs. This will result in a clear approval path for EV charging projects,
2 reducing delays and additional workflow in Planning, and expanding opportunities to deploy
3 publicly accessible EV charging stations within San Francisco. This ordinance will expedite
4 expansion of critical EV charging services, creating new public charging options for San
5 Francisco residents and visitors, thus encouraging the adoption of EVs by a greater share of
6 the population. This in turn will help the City meet its climate action goals to reduce emissions
7 from the transportation sector.

8
9 Section 2. The Planning Code is hereby amended by revising Sections 102 (including
10 placing new defined terms in alphabetical sequence with existing defined terms), 142, 187.1,
11 202.2, 202.5, 204, 210.1, 210.2, 210.3, 311, 710, 711, and 713, and adding Sections 202.13
12 and 204.6, to read as follows:

13 **SEC. 102. DEFINITIONS.**

14 * * * *

15 **A**

16 * * * *

17 **Automotive Use.** A Commercial Use category that includes Automotive Repair,
18 Ambulance Services, Automobile Sale or Rental, Automotive Service Station, Automotive
19 Wash, Electric Vehicle Charging Location, Fleet Charging, Gas Station, Parcel Delivery Service,
20 Private Parking Garage, Private Parking Lot, Public Parking Garage, Public Parking Lot,
21 Vehicle Storage Garage, Vehicle Storage Lot, and Motor Vehicle Tow Service. All Automotive
22 Uses that have Vehicular Use Areas defined in this Section of the Code shall meet the
23 screening requirements for vehicular use areas in Section 142.

1 **Automotive Use, Non-Retail.** A subcategory of Automotive Use that includes
2 Ambulance Services, Fleet Charging, Parcel Delivery Service, Private Parking Garage, Private
3 Parking Lot, and Motor Vehicle Tow Service.

4 **Automotive Use, Retail.** A subcategory of Automotive Use that includes Automotive
5 Repair, Automotive Sale or Rental, Automobile Service Station, Automotive Wash, Electric
6 Vehicle Charging Location, Gas Station, Public Parking Garage, Public Parking Lot, Vehicle
7 Storage Garage, and Vehicle Storage Lot.

8 * * * *

9 **E**

10 * * * *

11 **Electric Vehicle Charging Location.** Automotive Use, Retail that provides electricity to
12 electric motor vehicles through more than one or more Electric Vehicle Charging Stations on a retail
13 basis to the general public as a primary use. Electric Vehicle Charging Locations may include up to
14 one-third of the total Electric Vehicle Charging Stations dedicated to Fleet Charging as an
15 accessory use per Section 204.6(a), and may include ancillary services, including but not limited
16 to restrooms, self-service vending, and limited retail amenities primarily for the benefit of customers
17 charging their vehicles.

18 **Electric Vehicle Charging Station.** An electric vehicle charging space served by an electric
19 vehicle charger or other charging equipment.

20 * * * *

21 **F**

22 * * * *

23 **Fleet Charging.** Automotive Use, Non-Retail that provides electricity to electric motor vehicles
24 through one or more Electric Vehicle Charging Stations that are dedicated or reserved for private
25

1 parties pursuant to contract or other agreement and are not available to the general public. Fleet
2 Charging is not allowed as an accessory use to any other principal use.

3 * * * *

4 **SEC. 142. SCREENING AND GREENING OF PARKING AND VEHICULAR USE**
5 **AREAS.**

6 Off-street parking and Vehicular Use Areas adjacent to the public right-of-way shall be
7 screened as provided in this Section 142. Where an existing Automotive Use converts to an Electric
8 Vehicle Charging Location, the requirements of this Section shall not apply.

9 * * * *

10 **SEC. 187.1. AUTOMOTIVE SERVICE STATIONS, ELECTRIC VEHICLE CHARGING**
11 **LOCATIONS, AND GAS STATIONS AS LEGAL NONCONFORMING USES.**

12 (a) **Continuation as a Nonconforming Use.** Notwithstanding any other provision of
13 this Code, an Automotive Service Station or a Gas Station as defined in Section 102 of this
14 Code, located in a Residential district, and having legal nonconforming use status under the
15 provisions of this Code on January 1, 1980, shall be regarded as a legal nonconforming use
16 so long as the station either: (1) continues to sell and dispense gasoline and other motor fuels
17 and lubricating fluids directly into motor vehicles, or (2) transitions to an Electric Vehicle Charging
18 Location.

19 * * * *

20 **SEC. 202.2. LOCATION AND OPERATING CONDITIONS.**

21 * * * *

22 (b) **Automotive Uses.** The Automotive Uses listed below shall be subject to the
23 corresponding conditions:

24 * * * *

1 (2) **Conditional Use Authorization Required for Establishments that Sell**
2 **Beer or Wine with Motor Vehicle Fuel.** Any establishment that proposes to retail motor
3 vehicle fuel and provide retail sale of beer or wine shall require Conditional Use authorization.
4 The Planning Commission may deny authorization or grant Conditional Use authorization to
5 an applicant based upon the criteria set forth in Section 303(c) of this Code.

6 * * * *

7 (D) **Definitions.** For purposes of Subsection 202.2(b)(1) and (2), the
8 following definitions shall apply:

9 (i) "Alcoholic beverages" shall be as defined in California
10 Business and Professions Code Section 23004;

11 (ii) "Beer" and "wine" shall be as defined in California Business
12 and Professions Code Section 23006 and Section 23007, respectively;

13 (iii) "Motor vehicle fuel" shall mean gasoline, other motor fuels
14 including electricity at an Electric Vehicle Charging Location, and lubricating oil dispensed directly
15 into motor vehicles; and

16 (iv) "Establishment" shall include an arrangement where a lot
17 containing a business selling motor vehicle fuel provides direct access to another business
18 selling alcoholic beverages on the same or adjacent lot.

19 * * * *

20 (3) **Automotive Wash.** Cleaning and polishing are required to be conducted
21 within an enclosed building having no openings, other than fixed windows or exits required by
22 law located within 50 feet of any R District, and that has an off-street waiting and storage area
23 outside the building which accommodates at least one-quarter the hourly capacity in vehicles
24 of the enclosed operations, provided: (1) that incidental noise is reasonably confined to the
25 premises by adequate soundproofing or other device; and (2) that complete enclosure within a

1 building may be required as a condition of approval, notwithstanding any other provision of
2 this Code; but the foregoing provisions shall not preclude the imposition of any additional
3 conditions pursuant to Section 303 of this Code.

4 (4) **Electric Vehicle Charging Location.** At Electric Vehicle Charging Locations, the
5 Electric Vehicle Charging Stations, including the charging space for the electric vehicle and all
6 necessary charging equipment and infrastructure, may be located within any setbacks required by the
7 underlying zoning district. Any structures associated with ancillary services, including restrooms or
8 vending machines, must adhere to any underlying zoning setback requirements.

9 (5) **Fleet Charging and Electric Vehicle Charging Location Reporting Requirements.**
10 Beginning on June 1, 2023, the Planning Department shall submit a report to the Board of Supervisors
11 and the Mayor that includes the number and location of all Electric Vehicle Charging Locations and
12 Fleet Charging locations that have been approved since the ordinance in Board File No. 220036
13 establishing this reporting requirement became effective. The Planning Department's report shall
14 include: the address of each such charging location, number of charging stations at each location,
15 prior use of the property, whether the charging location was principally permitted or conditionally
16 permitted, and what percent of each station is dedicated to Fleet Charging. The Planning Department
17 shall submit this report annually for five years, with the last report to be submitted on June 1, 2027.

18 * * * *

19 **SEC. 202.5. CONVERSION OF AUTOMOTIVE SERVICE STATIONS.**

20 * * * *

21 (b) **Definitions.** Whenever used in this Section, unless a different meaning clearly
22 appears from the context:

23 (1) "Automotive Service Station" or "service station" shall mean a retail automotive
24 service use as defined in Section 102 of this Code.

1 (2) "Conversion" shall mean to change the use of a property from a service station
2 use to a different type of use. A change from Automotive Service Station to Electric Vehicle
3 Charging Location is not a change to a different type of use and shall not be a "Conversion" subject to
4 this Section.

5 * * * *

6 **SEC. 202.13. CONVERSION OF AUTOMOTIVE USE TO ELECTRIC VEHICLE**
7 **CHARGING LOCATION.**

8 Notwithstanding any other provisions of this Code, any Automotive Use, including Retail or
9 Non-Retail uses, as defined in Section 102, shall be principally permitted to convert to an Electric
10 Vehicle Charging Location, also as defined in Section 102, regardless of the underlying zoning district.
11 Further, such conversion shall not be subject to the notification requirements outlined in Section 311.

12
13 **SEC. 204. ACCESSORY USES, GENERAL.**

14 This Section 204 and Sections 204.1 through 204.56, shall regulate Accessory Uses,
15 as defined in Section 102. Any use which does not qualify as an Accessory Use shall be
16 classified as a Principal or Conditional Use, unless it qualifies as a temporary use under
17 Sections 205 through 205.4 of this Code.

18 * * * *

19 **SEC. 204.6. FLEET CHARGING NOT PERMITTED AS ACCESSORY USE TO**
20 **ELECTRIC VEHICLE CHARGING LOCATIONS.**

21 In all use districts of the City, Fleet Charging is not permitted In order for to be a
22 classified as an Accessory Use to an Electric Vehicle Charging Location, no more than one-third
23 of the Electric Vehicle Charging Stations may be dedicated to Fleet Charging and two-thirds,
24 or more, of the Electric Vehicle Charging Stations shall be available for general public use.

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SEC. 210.1. C-2 DISTRICTS: COMMUNITY BUSINESS.

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Table 210.1

ZONING CONTROL TABLE FOR C-2 DISTRICTS

Zoning Category	§ References	C-2
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* * * *

NON-RESIDENTIAL STANDARDS AND USES		
* * * *		
Automotive Use Category		
Automotive Repair	§ 102	NP
Automotive Sale/Rental	§ 102	P (3)
Automotive Service Station	§§ 102, 202.2(b), 202.5	P (2)
Automotive Wash	§§ 102, 202.2(b)	C (2)
<i>Electric Vehicle Charging Location</i>	<i>§§ 102, 202.2(b), 202.13</i>	<i>P</i>
<i>Fleet Charging</i>	<i>§ 102</i>	<i>C</i>

* * * *

SEC. 210.2. C-3 DISTRICTS: DOWNTOWN COMMERCIAL.

* * * *

Table 210.2

ZONING CONTROL TABLE FOR C-3 DISTRICTS

Zoning Category	§ References	C-3-O	C-3-O(SD)	C-3-R	C-3-G	C-3-S
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* * * *

NON-RESIDENTIAL STANDARDS AND USES

* * * *

Automotive Use Category

Automotive Repair	§ 102	NP	NP	NP	NP	P
Automotive Sale/Rental	§ 102	P (4)	P (4)	P (4)	P (3)	P (3)
Automotive Service Station	§§ 102, 202.2(b), 202.5	NP	NP	NP	P	P
Automotive Wash	§§ 102, 202.2(b)	NP	NP	NP	C	C
<i>Electric Vehicle Charging Location</i>	<i>§§ 102, 202.2(b), 202.13</i>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
<i>Fleet Charging</i>	<i>§ 102</i>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
Gas Station	§§ 102, 187.1, 202.2(b)	NP	NP	NP	<u>CP</u>	<u>CP</u>

* * * *

SEC. 210.3. PDR DISTRICTS.

* * * *

**Table 210.3
ZONING CONTROL TABLE FOR PDR DISTRICTS**

Zoning Category	§ References	PDR-1-B	PDR-1-D	PDR-1-G	PDR-2
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* * * * *

NON-RESIDENTIAL STANDARDS AND USES

* * * * *

Automotive Use Category

Automotive Uses*	§ 102	NP	P	P	P
Automotive Repair	§ 102	P (3)	P	P	P
Automotive Sale/Rental	§ 102	P	P (4)	P	P
Automotive Service Station	§§ 102, 202.2(b), 202.5	P	P	P	P
Automotive Wash	§§ 102, 202.2(b)	P	P	P	P
<i>Electric Vehicle Charging Location</i>	<i>§§ 102, 202.2(b), 202.13</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>
<i>Fleet Charging</i>	<i>§ 102</i>	<i>C</i>	<i>C(24)P</i>	<i>C(24)P</i>	<i>C(24)P</i>

* * * * *

(24) P where existing use is a Private Parking Lot or Vehicle Storage Lot.

SEC. 311. PERMIT REVIEW PROCEDURES.

(a) **Purpose.** The purpose of this Section 311 is to establish procedures for reviewing building permit applications to determine compatibility of the proposal with the neighborhood

1 and for providing notice to property owners and residents on the site and neighboring the site
2 of the proposed project and to interested neighborhood organizations, so that concerns about
3 a project may be identified and resolved during the review of the permit.

4 (b) **Applicability.** Except as indicated in this subsection (b), all building permit
5 applications in Residential, NC, NCT, and Eastern Neighborhoods Mixed Use Districts for a
6 change of use; establishment of a Micro Wireless Telecommunications Services Facility;
7 establishment of a Formula Retail Use; demolition, new construction, or alteration of buildings;
8 and the removal of an authorized or unauthorized residential unit, shall be subject to the
9 notification and review procedures required by this Section 311. In addition, with the exception
10 of Grandfathered MCDs converting to Cannabis Retail use pursuant to Section 190(a), all
11 building permit applications that would establish Cannabis Retail or Medical Cannabis
12 Dispensary uses, regardless of zoning district, shall be subject to the notification and review
13 procedures required by this Section 311. Notwithstanding the foregoing or any other
14 requirement of this Section 311, a change of use to a Child Care Facility, as defined in
15 Section 102, shall not be subject to the review requirements of this Section 311.

16 Notwithstanding the foregoing or any other requirement of this Section 311, building permit
17 applications to construct an Accessory Dwelling Unit pursuant to Section 207(c)(6) shall not
18 be subject to the notification or review requirements of this Section 311. Notwithstanding the
19 foregoing or any other requirement of this Section 311, a change of use to a principally
20 permitted use in an NC or NCT District, or in a limited commercial use or a limited corner
21 commercial use, as defined in Sections 186 and 231, respectively, shall not be subject to the
22 review or notice requirements of this Section 311. Notwithstanding the foregoing or any other
23 requirement of this Section 311, building permit applications to change any existing Automotive Use to
24 an Electric Vehicle Charging Location shall not be subject to the review or notification requirements of
25 this Section 311.

* * * *

SEC. 710. NC-1 – NEIGHBORHOOD COMMERCIAL CLUSTER DISTRICT.

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**Table 710. NEIGHBORHOOD COMMERCIAL CLUSTER DISTRICT NC-1
ZONING CONTROL TABLE**

* * * *

Zoning Category	§ References	Controls		
* * * *				
NON-RESIDENTIAL STANDARDS				
* * * *				
Non-Residential Uses		Controls by Story		
		1st	2nd	3rd+
* * * *				
Automotive Use Category				
Automotive Uses*	§ 102	NP	NP	NP
<u>Electric Vehicle Charging Location</u>	<u>§§ 102, 202.2(b), 202.13</u>	<u>C(12)</u>	<u>C(12)</u>	<u>C(12)</u>
Parking Garage, Private	§ 102	C	C	C

* * * *

(12) P where existing use is any Automotive Use.

* * * *

SEC. 711. NC-2 – SMALL-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT.

* * * *

**Table 711. SMALL-SCALE NEIGHBORHOOD COMMERCIAL DISTRICT NC-2
ZONING CONTROL TABLE**

* * * *

Zoning Category	§ References	Controls		
* * * *				
NON-RESIDENTIAL STANDARDS				
* * * *				
Non-Residential Uses		Controls by Story		
		1st	2nd	3rd+
* * * *				
Automotive Use Category				
Automotive Uses*	§ 102	NP	NP	NP
Automotive Repair	§ 102	C	NP	NP
Automotive Service Station	§§ 102, 202.2(b)	C	NP	NP
<i>Electric Vehicle Charging Location</i>	<i>§§ 102, 202.2(b), 202.13</i>	<i>C(13)</i>	<i>C(13)</i>	<i>C(13)</i>
<i>Fleet Charging</i>	<i>§ 102</i>	<i>C</i>	<i>C</i>	<i>C</i>
Gas Station	§§ 102, 187.1, 202.2(b)	C	NP	NP

* * * *

(13) P where existing use is any Automotive Use.

1 * * * *

2 SEC. 713. NC-S – NEIGHBORHOOD COMMERCIAL SHOPPING CENTER
3 DISTRICT.

4 * * * *

5 Table 713. NEIGHBORHOOD COMMERCIAL SHOPPING CENTER DISTRICT NC-S
6 ZONING CONTROL TABLE

7 * * * *

Zoning Category	§ References	Controls		
* * * *				
NON-RESIDENTIAL STANDARDS				
* * * *				
Non-Residential Uses	Controls by Story			
	1st	2nd	3rd+	
* * * *				
Automotive Use Category				
Automotive Uses*	§ 102	NP	NP	NP
Automotive Sale/Rental	§ 102	C	NP	NP
Automotive Service Station	§§ 102, 202.2(b)	P	NP	NP
Automotive Wash	§§ 102, 202.2(b)	C	NP	NP
<u>Electric Vehicle Charging Location</u>	<u>§§ 102, 202.2(b), 202.13</u>	<u>C(9)</u>	<u>C(9)</u>	<u>C(9)</u>
Gas Station	§§ 102, 187.1, 202.2(b)	C	NP	NP

1 * * * *

2 (9) P where existing use is any Automotive Use.

3
4 Section 3. Amendment of Specific Zoning Control Tables.

5 Zoning Control Tables 712, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724,
6 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742,
7 743, 744, 745, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, and 764
8 are hereby amended identically to the amendment of Zoning Control Table 711 in Section 2 of
9 this ordinance, to create "Electric Vehicle Charging Location" and "Fleet Charging" as new
10 Non-Residential Uses within the Automotive Use Category, citing Planning Code Sections
11 102, 202.2(b) and 202.13 as references, identifying "C" as the zoning control, and including
12 the note for "Electric Vehicle Charging Location" use ("P where existing use is any Automotive
13 Use."), provided that the note shall be numbered as appropriate for each table, as follows.

14

Zoning Control Table	Note #
712	12
714	9
715	8
716	8
717	7
718	8
719	10
720	6
721	6
722	14

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724	7
725	7
726	8
727	3
728	8
729	6
730	6
731	7
732	7
733	7
734	7
735	3
736	3
737	5
738	3
739	8
740	5
741	3
742	3
743	3

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744	4
745	4
750	10
751	8
752	8
753	6
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758	10
759	9
760	5
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762	8
763	8
764	10

Section 4. The Planning Code is hereby amended by revising Sections 810, 811, 812, 827, 829, 840, 841, 842, 843, 844, 845, 846, 847, and 848, to read as follows:

SEC. 810. CHINATOWN COMMUNITY BUSINESS DISTRICT.

* * * *

1 **Table 810.**

2 **CHINATOWN COMMUNITY BUSINESS DISTRICT ZONING CONTROL TABLE**

3 * * * *

Zoning Category	§ References	Controls		
NON-RESIDENTIAL USES		Controls by Story		
		1st	2nd	3rd+
* * * *				
Automotive Use Category				
Automotive Uses*	§§ 102, 202.54	NP	NP	NP
<u>Electric Vehicle Charging Location</u>	<u>§§ 102, 202.2(b), 202.13</u>	<u>C(4)</u>	<u>C(4)</u>	<u>C(4)</u>
Parking Garage, Private	§ 102	C	C	C

14 * * * *

15 (4) P where existing use is any Automotive Use.

16 * * * *

17 **SEC. 811. CHINATOWN VISITOR RETAIL DISTRICT.**

18 * * * *

19 **Table 811.**

20 **CHINATOWN VISITOR RETAIL DISTRICT ZONING CONTROL TABLE**

21 * * * *

Zoning Category	§ References	Controls		
NON-RESIDENTIAL USES		Controls by Story		
		1st	2nd	3rd+

* * * *				
Automotive Use Category				
Automotive Uses*	§§ 102, 202.54	NP	NP	NP
<u>Electric Vehicle Charging Location</u>	<u>§§ 102, 202.2(b), 202.13</u>	<u>C(3)</u>	<u>C(3)</u>	<u>C(3)</u>
Parking Garage, Private	§ 102	C	C	C

* * * *

(3) P where existing use is any Automotive Use.

* * * *

SEC. 812. CHINATOWN RESIDENTIAL NEIGHBORHOOD COMMERCIAL DISTRICT.

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Table 812.

**CHINATOWN RESIDENTIAL NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE**

* * * *

Zoning Category	§ References	Controls		
NON-RESIDENTIAL USES		Controls by Story		
		1st	2nd	3rd+
* * * *				
Automotive Use Category				
Automotive Uses*	§§ 102, 202.54	NP	NP	NP

<u>Electric Vehicle Charging Location</u>	<u>§§ 102, 202.2(b), 202.13</u>	<u>C(3)</u>	<u>C(3)</u>	<u>C(3)</u>
Parking Garage, Private	§ 102	C	C	C

* * * *

(3) P where existing use is any Automotive Use.

* * * *

SEC. 827. RINCON HILL DOWNTOWN RESIDENTIAL MIXED USE DISTRICT (RH-DTR).

* * * *

Table 827

**RINCON HILL DOWNTOWN RESIDENTIAL MIXED USE DISTRICT
ZONING CONTROL TABLE**

No.	Zoning Category	§ References	Rincon Hill Downtown Residential Mixed Use District Zoning Controls
* * * *			
Non-Residential Standards and Uses			
* * * *			
.40	Automotive Repair	§ 890.15	NP

.40a	<u>Electric Vehicle Charging Location</u>	<u>§§ 102, 202.2(b),</u> <u>202.13</u>	<u>C</u>
.40b	<u>Fleet Charging</u>	<u>§ 102</u>	<u>NP</u>

* * * *

SEC. 829. SOUTH BEACH DOWNTOWN RESIDENTIAL MIXED USE DISTRICT (SB-DTR).

* * * *

Table 829

SOUTH BEACH DOWNTOWN RESIDENTIAL MIXED USE DISTRICT ZONING CONTROL TABLE

No.	Zoning Category	§ References	South Beach Downtown Residential Mixed Use District Zoning Controls
* * * *			
Non-Residential Standards and Uses			
* * * *			
.40	Automotive Repair	§ 890.15	NP
.40a	<u>Electric Vehicle Charging Location</u>	<u>§§ 102, 202.2(b),</u> <u>202.13</u>	<u>C</u>
.40b	<u>Fleet Charging</u>	<u>§ 102</u>	<u>NP</u>

1 * * * *

2 **SEC. 840. MUG – MIXED USE-GENERAL DISTRICT.**

3 * * * *

4 **Table 840**

5 **MUG – MIXED USE-GENERAL DISTRICT ZONING CONTROL TABLE**

No.	Zoning Category	§ References	Mixed Use-General District Controls
* * * *			
Motor Vehicle Services			
* * * *			
840.75	Non-Auto Vehicle Sales or Rental	§ 890.69	P
<u>840.76</u>	<u>Electric Vehicle Charging Location</u>	<u>§§ 102, 202.2(b), 202.13</u>	<u>P</u>
<u>840.77</u>	<u>Fleet Charging</u>	<u>§ 102</u>	<u>C and must be within an enclosed building</u>

19 * * * *

20
21 **SEC. 841. MUR – MIXED USE-RESIDENTIAL DISTRICT.**

22 * * * *

23 **Table 841**

24 **MUR – MIXED USE-RESIDENTIAL DISTRICT ZONING CONTROL TABLE**

25 * * * *

No.	Zoning Category	§ References	Mixed Use- Residential District Controls
* * * *			
Motor Vehicle Services			
* * * *			
841.75	Non-Auto Vehicle Sales or Rental	§ 890.69	P
<u>841.76</u>	<u>Electric Vehicle Charging Location</u>	<u>§§ 102, 202.2(b), 202.13</u>	<u>P</u>
<u>841.77</u>	<u>Fleet Charging</u>	<u>§ 102</u>	<u>C and must be within an enclosed building</u>

* * * *

SEC. 842. MUO – MIXED USE-OFFICE DISTRICT.

* * * *

Table 842

MUO – MIXED USE-OFFICE DISTRICT ZONING CONTROL TABLE

No.	Zoning Category	§ References	Mixed Use-Office District Controls
* * * *			
Motor Vehicle Services			

* * * *			
842.75	Non-Auto Vehicle Sales or Rental	§ 890.69	P
<u>842.76</u>	<u>Electric Vehicle Charging Location</u>	<u>§§ 102, 202.2(b), 202.13</u>	<u>P</u>
<u>842.77</u>	<u>Fleet Charging</u>	<u>§ 102</u>	<u>C and must be within an enclosed building</u>

* * * *

SEC. 843. UMU – URBAN MIXED USE DISTRICT.

* * * *

Table 843

UMU – URBAN MIXED USE DISTRICT ZONING CONTROL TABLE

No.	Zoning Category	§ References	Urban Mixed Use District Controls
* * * *			
Motor Vehicle Services			
<u>843.68</u>	<u>Electric Vehicle Charging Location</u>	<u>§§ 102, 202.2(b), 202.13</u>	<u>P</u>
<u>843.69</u>	<u>Fleet Charging</u>	<u>§ 102</u>	<u>C and must be within an enclosed building</u>
843.70	Vehicle Storage - Open Lot	§ 890.131	NP

* * * *

SEC. 844. WMUG – WSOMA MIXED USE-GENERAL DISTRICT.

* * * *

Table 844

WMUG – WSOMA MIXED USE-GENERAL DISTRICT ZONING CONTROL TABLE

No.	Zoning Category	§ References	WSoMa Mixed Use- General District Controls
* * * *			
Motor Vehicle Services			
* * * *			
844.75	Non-Auto Vehicle Sales or Rental	§ 890.69	C
<u>844.76</u>	<u>Electric Vehicle Charging Location</u>	<u>§§ 102, 202.2(b), 202.13</u>	<u>P with no ingress/egress onto alleys, as defined in the Western SoMa Community Plan, within or along any RED or RED-MX Districts</u>
<u>844.77</u>	<u>Fleet Charging</u>	<u>§ 102</u>	<u>C and must be within an enclosed building</u>

with no ingress/egress onto alleys, as defined in the Western SoMa Community Plan, within or along any RED or RED-MX Districts

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SEC. 845. WMUO – WSOMA MIXED USE-OFFICE DISTRICT.

* * * *

Table 845

WMUO – WSOMA MIXED USE-OFFICE DISTRICT ZONING CONTROL TABLE

No.	Zoning Category	§ References	WSoMa Mixed Use-Office District Controls
* * * *			
Motor Vehicle Services			
* * * *			
845.75	Non-Auto Vehicle Sales or Rental	§ 890.69	P
<u>845.76</u>	<u>Electric Vehicle Charging Location</u>	<u>§§ 102, 202.2(b), 202.13</u>	<u>P</u>

1 2 3	<u>845.77</u>	<u>Fleet Charging</u>	<u>§ 102</u>	<u>C and must be within an enclosed building</u>
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SEC. 846. SALI – SERVICE/ARTS/LIGHT INDUSTRIAL DISTRICT.

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Table 846

SALI – SERVICE/ARTS/LIGHT INDUSTRIAL DISTRICT ZONING CONTROL TABLE

No.	Zoning Category	§ References	SALI District Controls
* * * *			
Motor Vehicle Services			
* * * *			
846.75	Non-Auto Vehicle Sales or Rental	§ 890.69	P
<u>846.76</u>	<u>Electric Vehicle Charging Location</u>	<u>§§ 102, 202.2(b), 202.13</u>	<u>P</u>
<u>846.77</u>	<u>Fleet Charging</u>	<u>§ 102</u>	<u>C and must be within an enclosed building</u>

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SEC. 847. RED-MX – RESIDENTIAL ENCLAVE-MIXED DISTRICT.

* * * *

Table 847

RED-MX – RESIDENTIAL ENCLAVE-MIXED DISTRICT ZONING CONTROL TABLE

No.	Zoning Category	§ References	Residential Enclave-Mixed Controls
* * * *			
Automotive Services			
* * * *			
847.63	Public Transportation Facility	§ 890.80	NP
<u>847.64</u>	<u>Electric Vehicle Charging Location</u>	<u>§§ 102, 202.2(b), 202.13</u>	<u>NP</u>
<u>847.65</u>	<u>Fleet Charging</u>	<u>§ 102</u>	<u>NP</u>

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SEC. 848. CMUO-CENTRAL SOMA MIXED-USE OFFICE DISTRICT.

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<p style="text-align: center;">Table 848</p> <p style="text-align: center;">CMUO-CENTRAL SOMA MIXED-USE OFFICE DISTRICT ZONING CONTROL TABLE</p>		
<p style="text-align: center;">Central SoMa Mixed Use-Office District Controls</p>		
Zoning Category	§ References	Controls

* * * *		
Automotive Use Category		
Automotive Uses*	§ 102	P
<u>Electric Vehicle Charging Location</u>	<u>§§ 102, 202.2(b),</u> <u>202.13</u>	<u>P</u>
<u>Fleet Charging</u>	<u>§ 102</u>	<u>C and must be within</u> <u>an enclosed building</u>

* * * *

Section 5. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

Section 6. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the "Note" that appears under the official title of the ordinance. The preceding sentence does not apply to Section 3 of the ordinance, which uses a different methodology for amending the sections of the Municipal Code to which it applies.

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APPROVED AS TO FORM:
DAVID CHIU, City Attorney

By: /s/ Robb Kapla
ROBB KAPLA
Deputy City Attorney

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City and County of San Francisco

Tails Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 220036

Date Passed: September 06, 2022

Ordinance amending the Planning Code to create Electric Vehicle Charging Location and Fleet Charging as Automotive Uses, allow conversion of Automotive Service Stations to Electric Vehicle Charging Locations without Conditional Use authorization and principally permit conversion of other Automotive Uses to Electric Vehicle Charging Locations, revise zoning control tables to reflect these changes, and require annual reporting by the Planning Department regarding Electric Vehicle Charging Location and Fleet Charging project approvals; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

June 13, 2022 Land Use and Transportation Committee - CONTINUED

July 11, 2022 Land Use and Transportation Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

July 11, 2022 Land Use and Transportation Committee - CONTINUED AS AMENDED

July 18, 2022 Land Use and Transportation Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

July 18, 2022 Land Use and Transportation Committee - DUPLICATED

July 18, 2022 Land Use and Transportation Committee - RECOMMENDED AS AMENDED

July 26, 2022 Board of Supervisors - PASSED ON FIRST READING

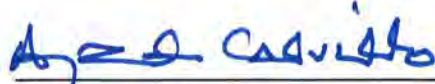
Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

September 06, 2022 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 220036

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 9/6/2022 by the Board of Supervisors of the City and County of San Francisco.



Angela Calvillo
Clerk of the Board



London N. Breed
Mayor

9/16/22

Date Approved