

1 [Planning Code - Fleet Charging Locations and Parcel Delivery Service]

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3 **Ordinance amending the Planning Code to prohibit Parcel Delivery Service activities at**
4 **Fleet Charging locations; affirming the Planning Department's determination under the**
5 **California Environmental Quality Act; and making public necessity, convenience, and**
6 **welfare findings under Planning Code, Section 302, and findings of consistency with**
7 **the General Plan, and the eight priority policies of Planning Code, Section 101.1.**

8 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
9 **Additions to Codes** are in *single-underline italics Times New Roman font*.
10 **Deletions to Codes** are in ~~*italics Times New Roman font*~~.
11 **Board amendment additions** are in double-underlined Arial font.
12 **Board amendment deletions** are in ~~Arial font~~.
13 **Asterisks (* * * *)** indicate the omission of unchanged Code
14 subsections or parts of tables.

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

16 Section 1. Environmental and Land Use Findings.

17 (a) The Planning Department has determined that the actions contemplated in this
18 ordinance comply with the California Environmental Quality Act (California Public Resources
19 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
20 Supervisors in File No. 230704 and is incorporated herein by reference. The Board affirms
21 this determination.

22 (b) On November 16, 2023, the Planning Commission, in Resolution No. 21447,
23 adopted findings that the actions contemplated in this ordinance are consistent, on balance,
24 with the City's General Plan and eight priority policies of Planning Code Section 101.1. The
25 Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of
the Board of Supervisors in File No. 230704, and is incorporated herein by reference.

1 (c) Pursuant to Planning Code Section 302, this Board finds that these Planning Code
2 amendments will serve the public necessity, convenience, and welfare for the reasons set
3 forth in Planning Commission Resolution No. 21447, and the Board adopts such reasons as
4 its own. A copy of said resolution is on file with the Clerk of the Board of Supervisors in File
5 No. 230704 and is incorporated herein by reference.
6

7 Section 2. Article 1 of the Planning Code is hereby amended by revising Section 102,
8 to read as follows:

9 **SEC. 102. DEFINITIONS.**

10 * * * *

11 **Fleet Charging.** Automotive Use, Non-Retail that provides electricity to electric motor
12 vehicles through one or more Electric Vehicle Charging Stations that are dedicated or
13 reserved for private parties pursuant to contract or other agreement and are not available to
14 the general public. Fleet Charging is not allowed as an accessory use to any other principal
15 use. Parcel Delivery Service activity, including unloading, sorting, and/or reloading merchandise for
16 deliveries, is prohibited as part of a ~~at~~ Fleet Charging use locations.

17 * * * *

18
19 Section 3. Effective Date. This ordinance shall become effective 30 days after
20 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
21 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
22 of Supervisors overrides the Mayor's veto of the ordinance.
23

24 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
25 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,

1 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
2 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
3 additions, and Board amendment deletions in accordance with the "Note" that appears under
4 the official title of the ordinance.

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6
7 APPROVED AS TO FORM:
8 DAVID CHIU, City Attorney

9 By: /s/ Robb Kapla
10 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: 230704

Date Passed: January 09, 2024

Ordinance amending the Planning Code to prohibit Parcel Delivery Service activities at Fleet Charging locations; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

December 11, 2023 Land Use and Transportation Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

December 11, 2023 Land Use and Transportation Committee - RECOMMENDED AS AMENDED AS A COMMITTEE REPORT

December 12, 2023 Board of Supervisors - PASSED ON FIRST READING

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

January 09, 2024 Board of Supervisors - FINALLY PASSED

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

File No. 230704

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 1/9/2024 by the Board of Supervisors of the City and County of San Francisco.

f Angela Calvillo
Clerk of the Board

London N. Breed
Mayor

1/19/24

Date Approved