

## Communication from Public

**Name:** C.J. Laffer

**Date Submitted:** 06/03/2024 05:28 PM

**Council File No:** 22-0120-S1

**Comments for Public Posting:** Please see the attached letter from Voltera Power regarding Agenda Item No. 5 on the June 4, 2024 Planning and Land Use Management Committee Meeting (Council File 22-0120-S1).



June 3, 2024

Planning and Land Use Management (PLUM) Committee  
Los Angeles City Council  
City of Los Angeles  
200 N. Spring Street, Room 340  
Los Angeles, CA 90012

**RE: Council File 22-0120-S1 Comments on Report Back on Recommendations for an Ordinance that Would Define Allowable Electric Vehicle Charging for All Appropriate Zones in the City**

June 4, 2024 PLUM Committee Meeting – Agenda Item No. 5

Dear Councilmembers,

Thank you for your support in directing staff to develop a report on recommendations for an ordinance that would define electric vehicle (EV) charging as primary land use. We submit these comments on behalf of Voltera, a company that develops, builds and operates electric vehicle charging facilities for fleets spanning from rideshare to Class 8 drayage, and branded charging networks, here in Los Angeles and nationally. Such an ordinance is critical to support investment by companies like Voltera to enable the City to meet its climate and electrification goals. We ask that you now direct staff to expeditiously develop an appropriate ordinance defining the primary land use of EV charging in such a way that the industry can invest and develop the significant volume of infrastructure necessary to achieve the City's vision.

**About Voltera**

Voltera is an active partner in the Los Angeles Cleantech Incubator Transportation Electrification Partnership, along with a broad spectrum of businesses and local government, where we work collaboratively to accelerate deployment of clean transportation technologies and infrastructure toward achievement of an aggressive set of electrification goals ahead of the 2028 Olympics. As an active investor, developer, and operator of zero emission vehicle charging facilities, we know how critical zoning for these facilities is, and how much time we, the industry, and staff are investing in navigating forward in the absence of clear, effective, and permissive land use policy for deploying the critical infrastructure necessary to meet the City's goals. Please view Voltera as a resource to provide perspective on the nuts and bolts of what it takes to develop and bring an EV charging facility online.

As you are likely aware, California has set the ambitious goal to reduce GHG emissions by 40 percent below 1990 levels by 2030. At the local level, reducing greenhouse gas emissions and advancing environmental justice principles has been at the forefront of the City's policy objectives with the adoption of LA's Sustainable City pLAn, which committed the City to zero-emission infrastructure by increasing zero-emission vehicles to 25% by 2025; 80% by 2035; and 100% by 2050. It is urgent that infrastructure for zero-emission transportation and goods movement be built to advance environmental goals for the City, improving air quality, meeting climate goals, and enhancing Angelenos' quality of life. With these goals in mind, the City Council must act quickly in updating the Zoning Code, which will then allow EV developers to move efficiently through the permitting process.

## **Land Use and Development**

Across the nation, antiquated land use codes have been a significant barrier to electrification. As supported by AB 1236 and AB 970, the permitting process for EV charging infrastructure should be consistent, clear, and streamlined. Voltera agrees with staff that EV charging as a primary use does not cleanly conform with the historic adjacent uses of parking and fueling station, and this lack of clarity creates inefficiencies and delays in obtaining development approval and investor confidence. Voltera seeks to create both functional and appealing spaces for our customers. This can include site design features such as a small building with amenities, retail space, vending machines, café and lounge space, and restrooms. Additionally, we can offer robust landscaping and space to create benefits for the neighborhood and customers alike.

## **Closing**

While this effort should be completed with urgency, we recommend that City staff assess and analyze code development and incorporate learnings from other jurisdictions to minimize complexity and maximize efficiency.

From our perspective, this is a great opportunity to reassess how EV charging stations are defined in code and what changes are needed to better promote and achieve the City's ambitious climate change goals. We believe that the code should be developed with clarity and allow for more efficiencies.

Voltera is ready and willing to act as a resource to this effort and share our industry experience on best practices with staff. We encourage City staff to continue to work with businesses and organizations to develop sound and complete policy to advance the City's goals.

Sincerely,

A handwritten signature in black ink, appearing to read 'Amira Streeter', with a long horizontal flourish extending to the right.

Amira Streeter  
Sr. Government Affairs and  
Community Engagement Manager  
astreeter@volterapower.com

## Communication from Public

**Name:**

**Date Submitted:** 06/03/2024 01:53 PM

**Council File No:** 22-0120-S1

**Comments for Public Posting:** EVgo and Tesla, representing the majority of public electric vehicle (EV) fast chargers in Los Angeles, welcome the opportunity to provide feedback on the proposed ordinance to define EV Charging as a use within the City of Los Angeles zoning code. We commend staff for their work preparing a comprehensive overview of the current challenges and opportunities facing EV charging in Los Angeles, and support the key recommendations put forth in the report, including the recommendation to establish EV charging as a primary use in the City's zoning code. As Council and Planning staff prepare a draft ordinance, we offer the attached comments and suggestions to build on staff's recommendations and ensure an effective ordinance that enables rapid, equitable deployment of EV charging throughout the City.

June 3, 2024

Los Angeles City Council  
200 N Spring St.  
Los Angeles, CA 90012

**Re: CF 22-0120-S1 – Staff Recommendations for EV Charging Zoning Regulations**

EVgo and Tesla, representing the majority of public electric vehicle (EV) fast chargers in Los Angeles, welcome the opportunity to provide feedback on the proposed ordinance to define EV Charging as a use within the City of Los Angeles zoning code.

The City of Los Angeles has set a goal of deploying 120,000 EV charging stations by 2030, including 3,000 public DC fast charging stalls and 20 fast charging plazas.<sup>1</sup> Meeting these targets will require a significant increase in fast charging infrastructure, including larger standalone “plazas” where charging is intended as the main use of a property.

These larger sites not only accommodate increased charging demand by residents and light-duty fleets but also provide a critical charging solution for Angelenos without access to at-home charging, who are more likely to rely on public fast-charging for their charging needs.<sup>2</sup> By serving drivers at higher capacity, well-placed charging plazas can provide reliable charging access to local communities while enabling the widespread adoption of EVs throughout Los Angeles.

As outlined in staff’s findings, the absence of EV charging as a defined primary use in the City’s zoning code has resulted in an inconsistent set of zoning and design requirements for charging plazas, which are often incompatible with the unique nature of charging sites.<sup>3</sup> This ad-hoc, site-by-site entitlement process demands significant time and resources for both City staff and charging providers, and is not sustainable given the scale and speed of deployment needed to meet the City’s electrification goals.

We commend staff for their work preparing a comprehensive overview of the current challenges and opportunities facing EV charging in Los Angeles, and support the key recommendations put forth in the report, including the recommendation to establish EV charging as a primary use in the City’s zoning code. As Council and Planning staff prepare a draft ordinance, we offer the following suggestions to build on staff’s recommendations and ensure an effective ordinance that enables rapid, equitable deployment of EV charging throughout the City.

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<sup>1</sup> [https://plan.lamayor.org/sites/default/files/pLAn\\_2019\\_final.pdf](https://plan.lamayor.org/sites/default/files/pLAn_2019_final.pdf)

<sup>2</sup> <https://innovation.luskin.ucla.edu/wp-content/uploads/2021/03/Evaluating-Multi-Unit-Resident-Charging-Behavior-at-Direct-Charging-Behavior-at-Direct-Current-Fast-ChargersCurrent-Fast-Chargers.pdf>

<sup>3</sup> See page 7 [https://clkrep.lacity.org/online/docs/2022/22-0120-S1\\_misc\\_03-22-24.pdf](https://clkrep.lacity.org/online/docs/2022/22-0120-S1_misc_03-22-24.pdf)

## **1. Allow EV charging as a primary use citywide**

We support staff's recommendation to define EV charging as a primary use citywide. As noted in staff's findings from local site visits, standalone charging facilities have unique space requirements due to fixed electrical equipment and the need to serve users at a high capacity.<sup>4</sup> Defining EV charging as a separate use, rather than incorporating charging under existing automotive or fueling uses, will allow for tailored zoning regulations and design standards that are better aligned with EV charging site characteristics.

Charging as a primary use should be permitted across a broad range of zoning districts to ensure widespread, equitable distribution of charging plazas across the City, in line with best practices in peer cities. Charging as a primary use is permitted in all zoning districts in San Diego, while New York City allows charging in a much broader range of zones than other automobile uses and gas stations.<sup>5</sup>

We encourage the City to align allowances for primary use charging with the current zones where EV charging is allowed within a permitted parking lot, which helps ensure that all areas of Los Angeles – including low-income and disadvantaged communities – can be served by convenient, accessible charging plazas.<sup>6</sup>

To ensure consistency and avoid confusion, the updated code should also clarify that accessory use charging stations, as typically seen in a shopping center or other existing commercial use, can continue to be permitted across the City as part of the standard EV charging permitting process.

## **2. Allow conversion of existing automotive uses and gas stations to EV charging**

In addition to identifying zones where charging will be a permitted primary use, we encourage allowing conversion of gas stations and existing automotive uses to charging. This allowance would incentivize redevelopment of existing automotive uses to community charging plazas that are cleaner, quieter, and often experience less vehicular turnover.<sup>7</sup> Additionally, design standards that apply to new projects could result in additional enhancements to the public right-of-way compared to existing conditions.

## **3. Ensure compliance with AB 1236 through ministerial clearances in place of discretionary review.**

As noted in the report, any ordinance adopted by the City related to EV charging development must comply with AB 1236, which requires a streamlined, ministerial approval pathway for charging projects.<sup>8</sup> The Governor's Office of Business and Economic Development (GO-BIZ) recently

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<sup>4</sup> See Page 8 [https://clkrep.lacity.org/online/docs/2022/22-0120-S1\\_misc\\_03-22-24.pdf](https://clkrep.lacity.org/online/docs/2022/22-0120-S1_misc_03-22-24.pdf)

<sup>5</sup> See Section [141.0419](#) (EV charging use) and [Chapter 13](#) (base zoning use permissions) of the San Diego Municipal Code. For New York City, see allowable land uses under [Use Group 7](#)

<sup>6</sup> Per the Zoning Administrator's December 20, 2022 [memo of permitted uses](#), "Electric Car Charging Station, in permitted parking lot" is a permitted use in the following zones: OS, A1, A2, RA, RE, RS, R1, RU, RZ, RW1, R2, RD, RMP, RW2, R3, RAS3, R4, RAS4, R5, P, PB, CR, C1, C1.5, C2, C4, C5, CM, MR1, M1, MR2, M2, M3, PF

<sup>7</sup> See Page 11 [https://clkrep.lacity.org/online/docs/2022/22-0120-S1\\_misc\\_03-22-24.pdf](https://clkrep.lacity.org/online/docs/2022/22-0120-S1_misc_03-22-24.pdf)

<sup>8</sup> See page 15; <https://business.ca.gov/wp-content/uploads/2023/03/EV-Charging-Station-Permit-Streamlining-AB-1236-AB970.pdf>

released updated guidance on aligning zoning requirements with state permitting laws.<sup>9</sup> This updated guidance acknowledges that health and safety considerations for larger charging plazas may naturally differ from smaller sites in existing parking lots, allowing for a different but still streamlined permitting process for these projects.

To ensure that these processes align with state law, GO-Biz encourages allowing charging plazas as a permitted use to the broadest extent feasible, and clarifies that these sites should not be subjected to conditional use permit (CUP) requirements without substantial evidence of a specific impact on health and safety. In lieu of CUPs in cases where charging plazas are not permitted by right, the code could require staff-level approval and clearances, in line with existing practice for projects in Community Plan or Historic Preservation overlay zones.

#### **4. Adopt a flexible, points-based system for new design standards.**

In their findings, staff accurately note that charging plazas face unique space constraints compared to traditional parking lots, including added footprint from fixed electrical equipment that must be accessible for maintenance.

The ad-hoc nature of developing charging plazas under the current code often requires charging providers and staff to spend considerable time vetting designs, identifying alternative means of compliance, or considering requests for exemptions. A consistent set of objective design standards will provide much-needed predictability to charging providers while saving time and resources for staff.

We support staff's recommendation to establish a "limited but essential" set of design standards focused on the public right-of-way and perimeter of a site.<sup>10</sup> To minimize requests for exemptions or modifications, we strongly encourage the adoption of a points-based system tied to a project's stall count that offers multiple design and landscaping elements to choose from - similar to the system established by the City of West Hollywood.<sup>11</sup> Instead of a one-size-fits-all approach, a flexible system can advance the City's urban design priorities in a way that is easily adaptable across site layouts and sizes.

EVgo and Tesla look forward to continued engagement with Council and staff throughout the code amendment process. We are optimistic about the future of vehicle electrification in Los Angeles and remain committed to working closely with policymakers and staff to meet the City's ambitious yet achievable climate goals.

Sincerely,

Romic Aevaz  
Associate, Market Development and Public Policy  
EVgo

Noelani Derrickson  
Public Policy and Business Development  
Tesla

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<sup>9</sup> <https://business.ca.gov/wp-content/uploads/2023/03/Zoning-Requirements-Fact-Sheet.pdf>

<sup>10</sup> See page 17 [https://clkrep.lacity.org/online/docs/2022/22-0120-S1\\_misc\\_03-22-24.pdf](https://clkrep.lacity.org/online/docs/2022/22-0120-S1_misc_03-22-24.pdf)

<sup>11</sup> See Table 3-8 and 3-9 in the City of West Hollywood [parking design standards](#)