

From: [Carroll, John \(BOS\)](#)
To: [Romic Aevaz](#); [Melgar, Myrna \(BOS\)](#); [Low, Jen \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#)
Cc: [Khoo, Arthur \(BOS\)](#); noah.garcia@evgo.com; Priscilla.Hamilton@evgo.com
Subject: FW: EV Charging Coalition Comments on File #231080
Date: Monday, January 22, 2024 9:23:00 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[File 231080 - EV Coalition Letter.pdf](#)
[image006.png](#)

Thank you for your comment letter.

I am forwarding your comments to the members of the LUT committee, and I will include your comments in the file for this ordinance matter.

I invite you to review the entire matter on our [Legislative Research Center](#) by following the link below:

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[Board of Supervisors File No. 231080](#)

John Carroll
Assistant Clerk

Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415)554-4445



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From: Romic Aevaz <Romic.Aevaz@evgo.com>
Sent: Friday, January 19, 2024 3:24 PM
To: Carroll, John (BOS) <john.carroll@sfgov.org>; Khoo, Arthur (BOS) <arthur.khoo@sfgov.org>
Cc: Noah Garcia <noah.garcia@evgo.com>; Priscilla Hamilton <Priscilla.Hamilton@evgo.com>
Subject: EV Charging Coalition Comments on File #231080

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Dear Mr. Carroll,

On behalf of EVgo and the undersigned coalition of charging providers, clean transportation advocates, and local stakeholders, I am submitting the attached comment letter regarding proposed amendments to zoning requirements currently governing fleet charging (File #231080).

Thank you,

Romic

Romic Aevaz

Associate, Market Development and Public Policy



January 19, 2024

San Francisco Board of Supervisors
San Francisco City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94012

RE: File #231080 Fleet Charging Code Amendment and CUA Exemptions

Dear Members of the Board of Supervisors,

We, the undersigned coalition of electric vehicle (EV) charging providers, clean transportation advocates, and local stakeholders are writing to respectfully express our opposition to File #231080, a proposal to remove existing Conditional Use Authorization (CUA) exemptions for fleet charging in PDR zoning districts. If enacted, these proposed restrictions would set a harmful precedent that would undermine San Francisco's transportation electrification goals, disproportionately impact the ability of small fleets to electrify, and place the city at a disadvantage relative to peer jurisdictions. We respectfully urge the Board of Supervisors to retain the existing CUA exemptions for fleet charging, and instead pursue consensus-driven amendments that remove obstacles to fleet electrification while ensuring staff oversight and analysis of fleet charging operations over time.

An October 2020 charging needs study commissioned by the City of San Francisco found that significant levels of dedicated fast charging for fleets, in addition to public fast chargers, are necessary to meet the City's goal of 100% vehicle electrification by 2040.¹ Moreover, in April 2023, the California Air Resources Board passed the Advanced Clean Fleets rule, a landmark regulation that requires private and public fleets across the state to transition to zero-emission vehicles – including electric vehicles (EVs).² Removing existing CUA exemptions for all fleet charging sites in the PDR would be a significant step backwards for fleet electrification in San Francisco, and represents a stark departure from the intent of existing CUA exemptions for converting private parking uses to fleet charging.³

It is important to acknowledge that the current exemption, often mischaracterized as a loophole, was introduced by Supervisor Peskin during the Land Use Committee meeting on July 18, 2022. This exemption was a welcome addition to the fleet charging ordinance by providing predictability for charging providers, who made commitments and acquired real estate well before the introduction of the fleet charging ordinance, while rightly reserving CUA requirements for cases where PDR uses are being displaced.

For much of 2023, there had been a collaborative effort between EV charging providers, private fleets, and Planning staff to develop a consensus approach to regulating fleet charging. These discussions aimed to balance city oversight with predictable entitlement pathways for EV charging providers. Re-imposing CUA requirements on fleet charging uses would undermine the progress on consensus

¹ <https://theicct.org/wp-content/uploads/2021/06/SF-EV-charging-infra-oct2020.pdf>

² <https://ww2.arb.ca.gov/news/california-approves-groundbreaking-regulation-accelerates-deployment-heavy-duty-zevs-protect>

³ See Footnote 24 in Section 210.3 of the Planning Code principally permitting fleet charging “where existing use is a Private Parking Lot or Vehicle Storage”

solutions made by staff and unduly jeopardize the city’s ability to meet established, fast-approaching City and state electrification goals.

Further restrictions on fleet charging would adversely affect all fleet electrification efforts in San Francisco. While some fleets can utilize public charging stations for occasional charging needs, most will not electrify without access to dedicated charging infrastructure – access that would be significantly curtailed by this proposed amendment.

We appreciate your attention to this matter and remain hopeful for a positive resolution that ensures that San Francisco can remain on track to meet its electrification and broader climate goals.

Sincerely,



From: [Carroll, John \(BOS\)](#)
To: [Kristian Corby](#)
Cc: [Khoo, Arthur \(BOS\)](#); [Laura Renger](#); [Melgar, Myrna \(BOS\)](#); [Low, Jen \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Angulo, Sunny \(BOS\)](#)
Subject: RE: CalETC's Comment on File #231080
Date: Friday, January 19, 2024 11:07:00 AM
Attachments: [CalETC Comments on File #231080 Fleet Charging Code Amendment and CUA Exemptions Final.pdf](#)
[image005.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)

Thank you for your comment letter.

I am forwarding your comments to the members of the LUT committee, and I will include your comments in the file for this ordinance matter.

I invite you to review the entire matter on our [Legislative Research Center](#) by following the link below:

- [Board of Supervisors File No. 231080](#)

John Carroll

Assistant Clerk

Board of Supervisors

San Francisco City Hall, Room 244

San Francisco, CA 94102

(415)554-4445



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From: Kristian Corby <Kristian@caletc.com>

Sent: Thursday, January 18, 2024 2:34 PM

To: Carroll, John (BOS) <john.carroll@sfgov.org>

Cc: Khoo, Arthur (BOS) <arthur.khoo@sfgov.org>; Laura Renger <laura@caletc.com>

Subject: CalETC's Comment on File #231080

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Dear Mr. Carroll,

On behalf of the California Electric Transportation Coalition, we submit the attached comment letter to File #231080. Thank you very much for your consideration. If you have any questions do not hesitate to contact me.

Best regards,

Kristian C. Corby
Deputy Executive Director
California Electric Transportation Coalition
1015 K Street, Suite 200, Sacramento, CA 95814
Mobile – (414) 322-3230
kristian@caletc.com / www.caletc.com





January 18, 2024

San Francisco Board of Supervisors
San Francisco City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94012

Re: File #231080 Fleet Charging Code Amendment and CUA Exemptions

Dear Members of the Board of Supervisors,

The California Electric Transportation Coalition (CalETC) is writing to express concern regarding File #231080 and the proposal to remove existing Conditional Use Authorization (CUA) exemptions for fleet charging in production, distribution, and repair (PDR) zones.

CalETC supports and advocates for the transition to a zero-emission transportation future to spur economic growth, fuel diversity and energy independence, contribute to clean air, and combat climate change. CalETC is a non-profit association committed to the successful introduction and large-scale deployment of all forms of electric transportation. Our Board of Directors includes representatives from: Los Angeles Department of Water and Power, Pacific Gas and Electric, Sacramento Municipal Utility District, San Diego Gas and Electric, Southern California Edison, Southern California Public Power Authority, and the Northern California Power Agency. In addition to electric utilities, our membership includes major automakers, manufacturers of zero-emission trucks and buses, electric vehicle charging providers, autonomous electric vehicle fleet operators, and other industry leaders supporting transportation electrification.

The City of San Francisco and the State of California have set ambitious goals to transition away from fossil fuels and toward electric vehicles. The City has a goal of 100% vehicle electrification by 2040.¹ California has goals to deploy 1.5 million zero-emission vehicles (ZEVs) and 250,000 EV charging stations, including 10,000 DC fast chargers by 2025.² California also has a goal of deploying 5 million zero-emission vehicles by 2030,³ which will require even further scale-up of the charging infrastructure for electric vehicles. Governor Newsom's Executive Order N-79-20 sets a goal of having 100 percent of new passenger cars and trucks be zero-emission by 2035, and where

¹ See *City Charging Infrastructure Needs to Reach 100% Electric Vehicles: The Case of San Francisco*, October 2020, available at <https://theicct.org/wp-content/uploads/2021/06/SF-EV-charging-infra-oct2020.pdf>.

² Former Governor Edmund G. Brown Jr. Executive Order B-16-2012 set the goal of placing 1.5 million zero-emission vehicles on California's roads by 2025. Former Governor Edmund G. Brown's Executive Order B-48-18 set the goal of 250,000 electric vehicle charging stations, including 10,000 DCFC charging stations, by 2025.

³ Former Governor Edmund G. Brown Jr. Executive Order B-48-18 set the goal of 5 million zero-emission vehicles on California's roads by 2030.

San Francisco Board of Supervisors

January 18, 2024

Re: CalETC Comment re File #231080 Fleet Charging Code Amendment and CUA Exemptions

Page 2

feasible, all medium- and heavy-duty vehicles by 2045 and drayage trucks by 2035.⁴ The California Air Resources Board adopted the Advanced Clean Trucks and Advanced Clean Fleets Regulations, which will require truck manufacturers to sell and drayage fleets, publicly owned fleets, and privately owned fleets to purchase zero emission trucks at an accelerated pace. These goals and regulations require the state to rapidly increase the amount of both publicly available charging and private fleet charging infrastructure.

CalETC is concerned that removing existing Conditional Use Authorization (CUA) exemptions for fleet charging in PDR zones will create a significant barrier to deploying fleet charging at a time when we need to accelerate the transition to zero-emission vehicles. Requiring CUA in every instance creates uncertainty, complexity, increased costs, and delays for EV charging projects and can, in some cases, be so burdensome that a CUA will kill the project. A number of CalETC's members have expressed concerns regarding CUAs in both light-duty and medium- and heavy-duty charging deployments. CalETC recommends the City consider balancing the burden of the CUA process with the need to rapidly expand charging for fleets, consider which areas within the City would be best suited for EV fleet charging, and allow CUA exemptions in those limited areas. This type of permit streamlining is critical to ensure we can meet our ambitious zero-emission vehicle goals, breathe clean air, and prevent the worst impacts of climate change.

Thank you for your consideration of our comments. Please do not hesitate to contact me at kristian@caletc.com if you have any questions.

Kind regards,

A handwritten signature in blue ink, appearing to read 'K. Corby', with a stylized flourish extending to the right.

Kristian Corby, Deputy Executive Director
California Electric Transportation Coalition

⁴ Governor Gavin Newsom Executive Order N-79-20, available at <https://www.gov.ca.gov/wp-content/uploads/2020/09/9.23.20-EO-N-79-20-Climate.pdf>.

From: [Board of Supervisors \(BOS\)](#)
To: [BOS-Supervisors](#); [BOS-Legislative Aides](#)
Cc: [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [De Asis, Edward \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [BOS Legislation, \(BOS\)](#); [Carroll, John \(BOS\)](#); [BOS-Operations](#)
Subject: FW: Teamster Letter Re: Fleet Charging Legislation
Date: Monday, October 30, 2023 4:53:59 PM
Attachments: [Fleet Charging Letter.pdf](#)

Hello,

Please see attached for communication from Teamsters Local Union No. 665 regarding File No. 231080.

File No. 231080 - Planning Code - Fleet Charging (Peskin, Chan).

Sincerely,

Joe Adkins
Office of the Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
Phone: (415) 554-5184 | Fax: (415) 554-5163
board.of.supervisors@sfgov.org | www.sfbos.org

From: Mark Gleason <mark@norcallabor.com>
Sent: Monday, October 30, 2023 3:23 PM
To: Hillis, Rich (CPC) <rich.hillis@sfgov.org>
Cc: Preston, Dean (BOS) <dean.preston@sfgov.org>; Dorsey, Matt (BOS) <matt.dorsey@sfgov.org>; Melgar, Myrna (BOS) <myrna.melgar@sfgov.org>; Mandelman, Rafael (BOS) <rafael.mandelman@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; Breed, Mayor London (MYR) <mayorlondonbreed@sfgov.org>; Dennis-Phillips, Sarah (ECN) <sarah.dennis-phillips@sfgov.org>; Taupier, Anne (ECN) <anne.taupier@sfgov.org>; Tanner, Rachael (CPC) <rachael.tanner@sfgov.org>; Moore, Kathrin (CPC) <kathrin.moore@sfgov.org>; Braun, Derek (CPC) <derek.braun@sfgov.org>; Diamond, Sue (CPC) <sue.diamond@sfgov.org>; Koppel, Joel (CPC) <joel.koppel@sfgov.org>; Imperial, Theresa (CPC) <theresa.imperial@sfgov.org>; Ruiz, Gabriella (CPC) <gabriella.ruiz@sfgov.org>; Teague, Corey (CPC) <corey.teague@sfgov.org>; Sider, Dan (CPC) <dan.sider@sfgov.org>; boardofappeal@sfgov.org; ZAMORA, LUIS (CAT) <Luis.A.Zamora@sfcityatty.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Engardio, Joel (BOS) <joel.engardio@sfgov.org>; Chan, Connie (BOS) <connie.chan@sfgov.org>; Ionin, Jonas (CPC) <jonas.ionin@sfgov.org>; Board of Supervisors (BOS) <board.of.supervisors@sfgov.org>
Subject: Teamster Letter Re: Fleet Charging Legislation

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Please find the attached letter.



TEAMSTERS LOCAL UNION No. 665

AFFILIATED WITH THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS
& TEAMSTERS JOINT COUNCIL No. 7

Tony Delorio
Principal Officer
Secretary-Treasurer

Michael Yates
President
Business Agent

Florencio Sinogui
Vice President
Business Agent

Juan Gallo
Recording Secretary
Business Agent

Robin Terrell
Trustee

Will Thomsen
Trustee

Arthur Hilmo
Trustee

Joe Matekel
Business Agent

Mark Malouf
Business Agent

Tom Woods
Business Agent

Peggy Condori
Member Services

Jennifer Godsey
Office Manager
Bookkeeper

Carla Wong
Titan Operator

David Svoboda
Titan Operator

October 30, 2023

Rich Hillis

Director of Planning

San Francisco Planning Dept.

SENT VIA EMAIL: rich.hillis@sfgov.org

Dear Mr. Hillis:

As you are aware Board of Supervisor's President Aaron Peskin has introduced legislation intended to amend the Planning Code to require Conditional Use authorization prior to converting Private Parking and Vehicle Storage Lots in PDR districts for Fleet Charging.

This loophole was created unintentionally. Allowing companies to exploit the loophole to create Fleet Charging uses without a CUA goes against the intent of the original legislation.

Our Trade Union strongly supports this legislation. The introduction of this Ordinance follows the Planning Department allowing the use of this loophole several times since the creation passing of the initial legislation. The loophole has been used at multiple sites including:

- 485 Irwin Street
- 140 14th Street
- 241 Loomis Street

Considering the recent history of Conditional Use fleet charging violations in PDR districts, and in anticipation of pending legislative remediation, the Teamsters call on the Planning Department to pause all processing of applications on sites attempting to use this loophole while Supervisor Peskin's legislation to close it makes it's way through the legislative process.

Thank you for your consideration of our position.

Tony Delorio

Principal Officer

Teamsters Local Union No. 665





TEAMSTERS LOCAL UNION No. 665

AFFILIATED WITH THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS
& TEAMSTERS JOINT COUNCIL No. 7

Tony Delorio
Principal Officer
Secretary-Treasurer

CC

Michael Yates
President
Business Agent

Mayor London Breed
City Attorney David Chiu
Board of Supervisors
Planning Commission

Florencio Sinogui
Vice President
Business Agent

Board of Appeals
Department of Building Inspection Director Patrick O'Riordan
Office of Economic and Workforce Development Executive Director Sarah Dennis
Phillips
Office of Economic and Workforce Development Director of Joint Development Anne
Taupier

Juan Gallo
Recording Secretary
Business Agent

Robin Terrell
Trustee

Planning Chief of Staff Daniel Sider
Zoning Administrator Corey Teague

Will Thomsen
Trustee

Arthur Hilmoe
Trustee

Joe Matekel
Business Agent

Mark Malouf
Business Agent

Tom Woods
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Peggy Condori
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Jennifer Godsey
Office Manager
Bookkeeper

Carla Wong
Titan Operator

David Svoboda
Titan Operator

Main Office

