

ORDINANCE NO. 1271

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA PAULA
ESTABLISHING PROCEDURES FOR EXPEDITED PERMITTING OF ELECTRIC
VEHICLE CHARGING SYSTEMS**

The Council of the City of Santa Paula does ordain as follows:

SECTION 1: The City Council finds and declares as follows:

- A. The State of California and the City of Santa Paula have consistently promoted and encouraged the use of fuel efficient electric vehicles;
- B. The State of California recently adopted Assembly Bill 1236, which requires local agencies to adopt regulations providing an expedited and streamlined process for electric vehicle charging systems; and
- C. Creation of an expedited, streamlined permitting process for electric vehicle charging stations would facilitate convenient charging of electric vehicles and help reduce the City's reliance on environmentally damaging fossil fuels.

SECTION 2: A new Chapter 16.77, consisting of §§ 16.77.010 to 16.77.050 and entitled "*Electric Vehicle Charging Systems*," is added to the Santa Paula Municipal Code ("SPMC") to read as follows:

"Chapter 16.77

Electric Vehicle Charging Systems

16.77.010 PURPOSE

This Chapter is adopted to provide an expedited, streamlined permitting process for electric vehicle charging stations that will encourage the timely and cost effective installations of electric vehicle charging stations, in compliance with Government Code § 65850.7. This Chapter is intended to achieve these goals while protecting public health and safety.

16.77.20 DEFINITIONS

- A. "Electric Vehicle Charging Station" or "charging station" means any level of electric vehicle supply equipment station that is designed and built in compliance with Article 625 of the California Electrical Code, as it reads on the effective date of this Chapter, and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle.

B. "Specific adverse impact" means significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

C. "Electronic submittal" means the utilization of one or more of the following:

1. Electronic mail or email
2. The internet
3. Facsimile

16.77.030 ADMINISTRATIVE PERMIT REQUIREMENTS.

A. Electric vehicle charging stations shall be subject to the following requirements:

1. Expedited Permitting Processes

Consistent with Government Code Section 65850.7, the Director shall implement an expedited, streamlined permitting process for electric vehicle charging stations, and adopt a checklist of all requirements with which electric vehicle charging stations shall comply with in order to be eligible for expedited review. This expedited, streamlined permitting process and checklist may refer to the recommendations contained in the most current version of the "Plug-in Electric Vehicle Infrastructure Permitting Checklist" of the "Zero-Emissions Vehicles in California: Community Readiness Guidebook" as published by the Governor's Office of Planning and Research. The City's adopted checklist shall be published on the City's website.

2. Permit Application Processing

Prior to submitting an application for processing, the applicant shall verify that the installation of an electric vehicle charging station will not have specific, adverse impact to public health and safety and building occupants. Verification by the applicant includes but is not limited to: electrical system capacity and loads; electrical systems wiring, bonding and overcurrent protection; building infrastructure affected by charging station equipment and associated conduits; areas of charging station equipment and vehicle parking.

- a. A permit application that satisfies the information requirements in the City's adopted checklist shall be deemed complete and be promptly processed. Upon confirmation by the Building Official that the permit application and supporting documents meets the requirements of the City adopted checklist, and is consistent with all applicable laws and health and safety standards, the Director shall, consistent with the government

Code Section 65850.7, approve the application and issue necessary permits. Such approval does not authorize an applicant to energize or utilize the electric vehicle charging station until approval is granted by the City. If the Director determines that the permit application is incomplete, he or she shall issue a written correction notice to the applicant, detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance.

- b. Consistent with Government Code Section 65850.7, the Director shall allow for electronic submittal of permit applications covered by this ordinance and associated supporting documentations. In accepting such permit applications, the Director shall also accept electronic signatures on all forms, applications, and other documentation in lieu of a wet signature by any applicant.

16.77.040 TECHNICAL REVIEW

If the Director makes a finding based substantial evidence that the electric vehicle charging station could have a specific adverse impact upon the public health or safety, as defined in this Chapter, the City may require a Conditional Use Permit. If the Director determines that a Conditional Use Permit is required, such permit shall not be denied unless the Director makes written findings based on substantial evidence in the record that the proposed systems would have a specific, adverse impact upon the public health and safety and there is no feasible method to satisfactorily mitigate or avoid that impact.

- A. In the technical review of a charging station, consistent with Government Code section 65850.7, the director shall not condition the approval for an electric vehicle charging station permit on the approval of such a system by an association, as the term is defined in Civil Code Section 4080.

16.77.050 ELECTRIC VEHICLE CHARGING STATION INSTALLATION

- A. Electric vehicle charging station equipment shall meet the requirements of the California Electrical Code, the Society of Automotive Engineers, the National Electrical Manufacturers Association, and accredited testing laboratories such as Underwriters Laboratories, and rules of the Public Utilities Commission or a Municipal Electrical Utility Company regarding safety and reliability.
- B. Installation of electric vehicle charging stations and associated wiring, bonding, disconnecting means and overcurrent protective devices shall meet the requirements of Article 625 and all applicable provisions of the California Electrical Code.
- C. Installation of electric vehicle charging stations shall be incorporated into the load calculations of all new or existing electrical services and shall meet the

requirements of the California Electrical Code. Electric vehicle charging equipment shall be considered a continuous load.

- D. Anchorage of either floor-mounted or wall-mounted electric vehicle charging stations shall meet the requirements of the California Building Code or residential Code as applicable per occupancy, and the provisions of the manufacturer's installations instructions. Mounting of charging stations shall not adversely affect building elements."

SECTION 3: If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the city council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

SECTION 4: The City Clerk is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of Santa Paula's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

SECTION 5: This Ordinance will become effective on the thirty-first (31st) day following its passage and adoption.

PASSED AND ADOPTED this ____ day of _____, 2017.

Jenny Crosswhite, Mayor

APPROVED AS TO FORM:

John C. Cotti, City Attorney

APPROVED AS TO CONTENT:

Michael Rock, City Manager