



City of Sonora

Community Development Department
94 N. Washington Street
Sonora, CA 95370
(209) 532-3508
(209) 532-3511 fax
www.sonoraca.com

DATE: July 17, 2017
TO: Honorable Mayor and City Council Members
FROM: Rachele Kellogg, Community Development Director
SUBJECT: Ordinance 840 Electric Vehicle Charging Stations– Expedited Permitting

RECOMMENDATIONS:

City Staff recommends that the City Council approve the following:

- 1) Introduce by title Ordinance No. 840 Electric Vehicle Charging Stations – Expedited Permitting and waive the first reading.
- 2) Authorize the Community Development Director to develop, adopt and maintain the checklist of requirements which must be complied with for expedited review eligibility.

BACKGROUND:

Assembly Bill 1236 was approved by the Governor on October 8, 2015. The intent of this Bill was to encourage the installation of electric vehicle charging stations by removing obstacles to, and minimizing costs of, permitting for charging stations. The bill requires the City to adopt an ordinance that creates an expedited and streamlined permitting process for Electrical Vehicle Charging Stations on or before September 30, 2017.

DISCUSSION:

Under AB 1236 the City is required to approve an application for the installation of a vehicle charging station, meeting specific standards, ministerially through the issuance of a building permit. However, if the Building Official finds, based upon substantial evidence, that a specific adverse impact upon the public health and safety will occur the applicant would be required to obtain a Use Permit to be considered by the Planning Commission. If the Planning Commission finds that there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact it can deny the Use Permit. The City is also required to adopt and maintain a checklist of the City's requirements to be eligible for expedited review which must be published on the City's website. Proposed Ordinance No. 840 will bring the City into conformance with this new legislation.

ORDINANCE NO. 840

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SONORA Electric Vehicle Charging Stations – Expedited Permitting

Adding Chapter 15.11 to the Sonora Municipal Code relating to expedited permitting procedures for electric vehicle charging stations.

The City Council of the City of Sonora does hereby ordain as follows:

SECTION ONE: Add Chapter 15.11, as follows:

Chapter 15.11

ELECTRIC VEHICLE CHARGING STATIONS

Sections:

15.11.010	Purpose
15.11.020	Definitions
15.11.030	Expedited Permitting Process
15.11.040	Permit Application Processing
15.11.050	Technical Review
15.11.060	Electric Vehicle Charging Station Installation Requirements
15.11.070	Appendices
15.11.080	Partial Invalidity
15.11.090	Right of Appeal

15.11.010 Purpose.

The purpose of this chapter is to promote and encourage the use of electric vehicles by creating an expedited, streamlined permitting process for electric vehicle charging stations while promoting public health and safety and preventing specific adverse impacts in the installation and use of such charging stations. This chapter is also purposed to comply with California Government Code Section 65850.7, as may be amended from time to time.

15.11.020 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) "A feasible method to satisfactorily mitigate or avoid the specific, adverse impact" includes, but is not limited to, any cost-effective method, conditions, or mitigation

imposed by the City on another similarly situated application in a prior successful application for a permit.

- c) "Specific, adverse impact" means a 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.
- d) "Electronic submittal" means the utilization of one (1) or more of the following:
 - Electronic mail or email.
 - The internet.
 - Facsimile.
- e) "Building Official" may mean Building Inspector for the City of Sonora

15.11.030 Expedited Permitting Process.

Consistent with Government Code Section 65850.7, as may be amended from time to time, the Community Development 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. The 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-Emission 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.

15.11.040 Permit Application Processing.

- a) 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 system wiring, bonding and overcurrent protection; building infrastructure affected by charging station equipment and associated conduits; areas of charging station equipment and vehicle parking.
- b) 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 building official shall, consistent with Government Code Section 65850.7, approve the application and issue all 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 Building Official 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.
- c) Consistent with Government Code Section 65850.7, the Building Official shall allow for electronic submittal of permit applications covered by this article and associated supporting documentations. In accepting such permit applications, the Building Official shall also

accept electronic signatures on all forms, applications, and other documentation in lieu of a wet signature by any applicant.

15.11.050 Technical Review.

- a) It is the intent of this article to encourage the installation of electric vehicle charging stations by removing obstacles to permitting for charging stations so long as the action does not supersede the Building Official's authority to address higher priority life-safety situations. If the Building Official makes a finding based on 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 the applicant to apply for a Use Permit following the procedures included within Chapter 17.62 of the Sonora Municipal Code.
- b) In the technical review of a charging station, consistent with Government Code Section 65850.7, the Building Official shall not condition the approval for any electric vehicle charging station permit on the approval of such a system by an association, as that term is defined by Civil Code Section 4080.

15.11.060 Electric Vehicle Charging Station Installation Requirements.

- 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 Electric 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 or Residential Code as applicable per occupancy, and the provisions of the manufacturer's installation instructions. Mounting of charging stations shall not adversely affect building elements.

15.11.070 Appendices.

Any provision of the City of Sonora or appendices thereto, inconsistent with the provisions of this chapter, to the extent of such inconsistencies and no further, are hereby repealed or modified to that extent necessary to effect the provisions of this chapter.

15.11.080 Partial Invalidity

If any section, subsection, sentence, clause, or phrase of this chapter is for any reason held to be invalid or unconstitutional by a decision of any court of any competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter. The City Council hereby declares that it would have passed this chapter, and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the chapter would be subsequently declared invalid or unconstitutional.

15.11.090 Right to Appeal.

Any person having any record title or legal interest in the building may appeal any action or decision of the Building Official under this title to the Sonora Planning Commission by filing a written appeal at the office of the Community Development Department within thirty (30) calendar days from the date of that action or decision of the Building Official.

This Ordinance shall take effect thirty (30) days after its passage and shall be published within (15) days after its final passage as required by law.

Said Ordinance was introduced at a regular meeting of the City Council of the City of Sonora held on July 17, 2017, and passed and adopted as an Ordinance of said City at a regular meeting of said Council held on August 7, 2017, by the following vote:

AYES: _____

NOES: _____

ABSENT OR ABSTAIN: _____

Connie L. Williams, Mayor

ATTEST: _____
Marijane Cassinetto, City Clerk

Approved as to Form:

Douglas L. White, City Attorney

Publish: The Union Democrat, Sonora
_____, 2017