



City of Palo Alto

City Council Staff Report

(ID # 8271)

Report Type: Consent Calendar

Meeting Date: 6/27/2017

Summary Title: Second Reading: Ordinance Expedited Permitting Procedures for E V

Title: SECOND READING: Adoption of an Ordinance Requiring Expedited Permitting Procedures for Electric Vehicle Charging Stations (AB 1236) (FIRST READING: June 12, 2017 PASSED 9-0)

From: City Manager

Lead Department: City Clerk

This Ordinance was first heard by the City Council on June 12, 2017, where it passed 9-0 without any changes.

Attachments:

- Attachment A: Ordinance

Not Yet Approved

Ordinance No. _____

Ordinance of the Council of the City of Palo Alto Setting Forth Procedures For
Expediting Permitting Processing For Electric Vehicle Charging Systems

The City Council of the City of Palo Alto ORDAINS as follows:

SECTION 1. Findings and Declarations.

A. The State of California and the City of Palo Alto have consistently promoted and encouraged the use of fuel-efficient electric vehicles.

B. The State of California recent adopted Assembly Bill 1236, which requires local agencies to adopt an ordinance that creates an expedited and streamlined permitting process for electric vehicle charging systems.

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. Section 16.14.440 of Chapter 16.14 (California Green Building Standards Code) of the Palo Alto Municipal Code is hereby added to read:

16.14.440. Expedited Permitting Process for Electric Vehicle Charging Stations

(a) Definitions

(1) "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.

(2) "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.

(3) "Electronic submittal" means the utilization of one or more of the following:

- i. Electronic mail or email.
- ii. The internet.
- iii. Facsimile.

(b) Expedited Permitting Process. Consistent with Government Code Section 65850.7,

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the Chief Building Official 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.

(c) Permit Application Processing

- (1) 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.
- (2) 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 Chief 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 Chief 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 Chief 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.
- (3) The Chief 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.
- (4) Permit applications under this section may be submitted electronically, including electronic signatures on all forms, applications, and other documentation.

- (d) Technical Review. It is the intent of this section 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 Chief Building Official’s authority to address higher priority life-safety situations. If the Chief 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

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defined in this section, the City may require the applicant to apply for a use permit.

SECTION 3. Severability. If any provision, clause, sentence or paragraph of this ordinance, or the application to any person or circumstances, shall be held invalid, such invalidity shall not affect the other provisions of this Ordinance which can be given effect without the invalid provision or application and, to this end, the provisions of this Ordinance are hereby declared to be severable.

SECTION 4. CEQA. The City Council finds that this Ordinance falls under the California Environmental Quality Act (CEQA) exemption found in Title 14 California Code of Regulations Section 15061(b)(3) because it can be seen with certainty that there is no possibility it will have a significant negative effect on the environment.

SECTION 5. Effective Date. This ordinance shall be effective on the thirty-first date after the date of its adoption.

INTRODUCED:

PASSED:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

ATTEST:

APPROVED:

City Clerk

Mayor

APPROVED AS TO FORM:

City Manager

Senior Deputy City Attorney

Director of Development Services