

ORDINANCE NO. 2017-_____

**AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
CULVER CITY, CALIFORNIA, SETTING FORTH AN EXPEDITED,
STREAMLINED PERMITTING PROCESS FOR ELECTRIC VEHICLE
CHARGING STATIONS.**

WHEREAS, the State of California and the City of Culver City have consistently promoted and encouraged the use of fuel-efficient electric vehicles; and

WHEREAS, the State of California recently 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; and

WHEREAS, 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; and

WHEREAS, in order for the City to comply with state law (Government Code Section 65850.7), it is necessary for this expedited, streamlined permitting process to go into effect on or before September 30, 2017.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CULVER CITY,
CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:**

SECTION 1. FINDINGS.

The City Council of the City of Culver City hereby finds, determines and declares that:

A. Culver City Charter Section 614 and Government Code Section 36937(b) provide authority for the City Council to adopt an ordinance as an urgency measure for preserving the public peace, health or safety by a four-fifths vote; and

1 B. The State of California recently adopted Assembly Bill 1236, which
2 requires local agencies to adopt an ordinance on or before September 30, 2017 that
3 establishes an expedited and streamlined permitting process for electric vehicle charging
4 systems; and

5 C. Creation of an expedited, streamlined permitting process for electric
6 vehicle charging stations would facilitate convenient charging of electric vehicles and help
7 reduce the City's reliance on environmentally damaging fossil fuels; and
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9 D. The findings set forth in the above recitals and this Section 1 are true
10 and correct and are adopted as the City Council's findings.
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12 **SECTION 2. PURPOSE AND INTENT.** The purpose of this Ordinance is to
13 promote and encourage the use of electric vehicles by creating an expedited, streamlined
14 permitting process for electric vehicle charging stations while promoting public health, safety
15 and welfare and preventing specific adverse impacts in the installation and use of such
16 charging stations. This Ordinance is also adopted to comply with California Government
17 Code Section 65850.7.
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19 **SECTION 3. DEFINITIONS.**

20 (a) "Electric vehicle charging station" or "charging station" means any level
21 of electric vehicle supply equipment station that is designed and built in compliance with
22 Article 625 of the California Electrical Code, as it reads on the effective date of this Chapter,
23 and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle.
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25 (b) "Specific, adverse impact" means a significant, quantifiable, direct, and
26 unavoidable impact, based on objective, identified, and written public health or safety
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1 standards, policies, or conditions as they existed on the date the application was deemed
2 complete.

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

- 5 1. Electronic mail or email.
- 6 2. The internet.
- 7 3. Facsimile.

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9 **SECTION 4. EXPEDITED PERMITTING PROCESS.** Consistent with
10 Government Code Section 65850.7, the Building Official shall implement an expedited,
11 streamlined permitting process for electric vehicle charging stations, and adopt a checklist
12 of all requirements with which electric vehicle charging stations shall comply with to be
13 eligible for expedited review. The expedited, streamlined permitting process and checklist
14 may refer to the recommendations contained in the most current version of the "Plug-In
15 Electric Vehicle Infrastructure Permitting Checklist" of the "Zero-Emission Vehicles in
16 California: Community Readiness Guidebook" as published by the Governor's Office of
17 Planning and Research. The City's adopted checklist shall be published on the City's
18 website.
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22 **SECTION 5. PERMIT APPLICATION PROCESSING.**

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

3 (b) A permit application that satisfies the information requirements in the
4 City's adopted checklist shall be deemed complete and be promptly processed. Upon
5 confirmation by the Building Official that the permit application and supporting documents
6 meets the requirements of the City adopted checklist, and is consistent with all applicable
7 laws and health and safety standards, the Building Official shall, consistent with Government
8 Code Section 65850.7, approve the application and issue all necessary permits. Such
9 approval does not authorize an applicant to energize or utilize the electric vehicle charging
10 station until approval is granted by the City. If the Building Official determines that the permit
11 application is incomplete, he or she shall issue a written correction notice to the applicant,
12 detailing all deficiencies in the application and any additional information required to be
13 eligible for expedited permit issuance.

14 (c) Consistent with Government Code Section 65850.7, the Building Official
15 shall allow for electronic submittal of permit applications covered by this Ordinance and
16 associated supporting documentation. In accepting such permit applications, the Building
17 Official shall also accept electronic signatures on all forms, applications, and other
18 documentation in lieu of a wet signature by any applicant.

19 (d) No fee shall be imposed on the applicant for the filing and processing of
20 a permit application for installation of an electric vehicle charging station.

21 **SECTION 6. TECHNICAL REVIEW.**

22 (a) It is the intent of this Ordinance to encourage the installation of electric
23 vehicle charging stations by removing obstacles to permitting for charging stations so long as
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1 the action does not supersede the Building Official's authority to address higher priority life-
2 safety situations. If the Building Official makes a finding based on substantial evidence that
3 the electric vehicle charging station could have a specific adverse impact upon the public
4 health or safety, as defined in this Chapter, the City may require the applicant to apply for a
5 use permit.

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7 (b) In the technical review of a charging station, consistent with Government
8 Code Section 65850.7, the Building Official shall not condition the approval for any electric
9 vehicle charging station permit on the approval of such a system by an association, as that
10 term is defined by Civil Code Section 4080.

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12 **SECTION 7. ELECTRIC VEHICLE CHARGING STATION INSTALLATION**
13 **REQUIREMENTS.**

14 (a) Electric vehicle charging station equipment shall meet the requirements
15 of the California Electrical Code, the Society of Automotive Engineers, the National Electrical
16 Manufacturers Association, and accredited testing laboratories such as Underwriters
17 Laboratories, and rules of the Public Utilities Commission or a Municipal Electric Utility
18 Company regarding safety and reliability.

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20 (b) Installation of electric vehicle charging stations and associated wiring,
21 bonding, disconnecting means and overcurrent protective devices shall meet the
22 requirements of Article 625 and all applicable provisions of the California Electrical Code.

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24 (c) Installation of electric vehicle charging stations shall be incorporated into
25 the load calculations of all new or existing electrical services and shall meet the requirements
26 of the California Electrical Code. Electric vehicle charging equipment shall be considered a
27 continuous load.
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1 (d) Anchorage of either floor-mounted or wall-mounted electric vehicle
2 charging stations shall meet the requirements of the California Building or Residential Code
3 as applicable per occupancy, and the provisions of the manufacturer's installation
4 instructions. Mounting of charging stations shall not adversely affect building elements.

5 **SECTION 8. CEQA.** This urgency Ordinance is not subject to the California
6 Environmental Quality Act ("CEQA") pursuant to CEQA guidelines, California Code of
7 Regulations, Title 14, Chapter 3, Section 15060(c)(2) (the activity will not result in a direct or
8 reasonably foreseeable indirect physical change in the environment); and Section 15060
9 (c)(3) (the activity is not a project as defined in Section 15378, because it has no potential for
10 resulting in physical change to the environment, directly or indirectly; rather, it prevents
11 changes to the environment).

12 **SECTION 9. URGENCY ORDINANCE.** Based on the recitals and findings set
13 forth above and in Section 1, the City Council finds and declares this Ordinance to be
14 necessary for the immediate preservation of the public peace, health or safety and upon that
15 basis has determined that an urgency measure, pursuant to Culver City Charter Section 614
16 and Government Code Section 36937(b), is hereby warranted.

17 **SECTION 10.** Pursuant to Section 614 of the City Charter, this Ordinance shall
18 be introduced and adopted at one and the same meeting and shall take effect immediately
19 upon its adoption by a four-fifths vote of the City Council. Pursuant to Sections 616 and 621
20 of the City Charter, prior to the expiration of 15 days after the adoption, the City Clerk shall
21 cause this Ordinance, or a summary thereof, to be published in the Culver City News and
22 shall post this Ordinance or a summary thereof in at least three places within the City.

1 **SECTION 11.** The City Council hereby declares that, if any provision, section,
2 subsection, paragraph, sentence, phrase or word of this Ordinance is rendered or declared
3 invalid or unconstitutional by any final action in a court of competent jurisdiction or by reason
4 of any preemptive legislation, then the City Council would have independently adopted the
5 remaining provisions, sections, subsections, paragraphs, sentences, phrases or words of this
6 Ordinance and as such they shall remain in full force and effect.
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8 **SECTION 12.** This Ordinance shall become effective on September 25, 2017.
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10 **APPROVED and ADOPTED** this _____ day of _____, 2017.
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14 _____
15 JEFFREY COOPER, MAYOR
16 City of Culver City, California

17 ATTESTED BY:

18 APPROVED AS TO FORM:

19 _____
20 JEREMY GREEN, City Clerk

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22 _____
23 CAROL A. SCHWAB, City Attorney

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29 A17-00611