



City of Culver City

Mike Balkman
Council Chambers
9770 Culver Blvd.
Culver City, CA 90232
(310) 253-5851

Staff Report

File #: 18-0266, **Version:** 1

Item #: A-2.

CC - FOUR-FIFTHS VOTE REQUIREMENT: Adoption of an Urgency Ordinance Setting Forth an Expedited, Streamlined Permitting Process for Electric Vehicle Charging Stations as Required by Government Code Section 65850.7 and Declaring the Urgency Thereof and that it Shall Take Effect Immediately, Pursuant to Culver City Charter Section 614 and Government Code Section 36937(b).

Meeting Date: September 25, 2017

Contact Person/Dept: Michael Allen / Contract Planning Manager
Sol Blumenfeld / Community Development Director

Phone Number: 310-253-5727

Fiscal Impact: Yes ☐ No ☒

General Fund: Yes ☐ No ☒

Public Hearing: ☐ **Action Item:** ☒ **Attachments:** ☒

Commission Action Required: Yes ☐ No ☒ **Date:**

Public Notification: (E-Mail) Meetings and Agendas - City Council (09/20/17);

Department Approval: Sol Blumenfeld, Community Development Director (09/14/17)

RECOMMENDATION

Staff recommends that the City Council adopt an urgency Ordinance establishing an expedited, streamlined permitting process for electric vehicle charging stations in compliance with State law, and declaring the urgency thereof and that it shall take effect immediately, pursuant to Culver City Charter 614 and Government Code Section 36937(b). **(This item requires a four-fifths vote.)**

BACKGROUND / DISCUSSION

In 2015, the State of California adopted Assembly Bill 1236 (2015, Chiu, Codified as Government Code Section 65850.7), which requires local jurisdictions with a population less than 200,000 residents to adopt an ordinance to create an expedited, streamlined permitting process for electric vehicle charging stations on or before September 30, 2017.

An electric vehicle charging station is any level of electric vehicle supply equipment station which

deliver electricity from a source outside an electric vehicle into a plug-in electric vehicle. AB 1236 may refer to the recommendations in the most current version of the "Plug-In Electric Vehicle Infrastructure Permitting Checklist" of the "Zero-Emission Vehicles in California: Community Readiness Guidebook" published by the Governor's Office of Planning and Research.

AB 1236 has specific requirements intended to provide "consistent statewide standards," and to "promote and encourage" the use of electric vehicle charging stations, and the proposed Ordinance includes all such requirements. AB 1236 requires that a jurisdiction adopt a checklist of requirements with which a permit application for an electric vehicle charging station will be eligible for expedited review. AB 1236 explicitly provides that a jurisdiction may, in developing the ordinance and standards, refer to the recommendations in the most current version of the "Plug-In Electric Vehicle Infrastructure Permitting Checklist" of the "Zero-Emission Vehicles in California: Community Readiness Guidebook" (Attachment B) published by the Governor's Office of Planning and Research. As such, the City's expedited-review, technical standards and checklist would be consistent with the recommendations noted in the "Plug-In Electric Vehicle Infrastructure Permitting Checklist."

The City's checklist (Attachment C) would be published on the City's website and contain objective requirements for the installation of an electric vehicle charging station, as well as a process for electronic submittal of permit applications. The applicant would note the features of the existing electrical service on the checklist, such as:

- Rating in amperes
- System voltage
- Connected or calculated load
- Spare capacity in amperes
- Voltage and ampere rating of the electric vehicle supply equipment
- Circuit rating of the electric vehicle supply equipment
- Location of the electric vehicle supply equipment
- If ventilation is/is not required

The checklist would also assist the applicant in confirming that the location of the electric vehicle supply equipment will comply with any vehicle clearance requirements in the City's Zoning Code.

AB1236 also clarifies that a jurisdiction shall not condition the approval of a permit for an electric vehicle charging station based on the approval of an association, as that term is defined in Civil Code Section 4080. If a permit application satisfies the information requirements of the checklist, the application will be deemed complete, and must be processed promptly. Furthermore, if the application and supporting documents meet the requirements of the checklist, and are consistent with all applicable laws, the City must approve the application and issue the permit.

URGENCY ORDINANCE

Staff recommends the City Council consider the findings set forth in the proposed Ordinance and, if deemed appropriate, find and declare this Ordinance to be necessary for the immediate preservation of the public peace, health or safety and, upon that basis, determine that an urgency measure, pursuant to Culver City Charter Section 614 and Government Code Section 36937(b), is warranted.

ENVIRONMENTAL DETERMINATION

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

SUMMARY

Staff recommends that City Council adopt the attached ordinance, which is consistent with Government Code Section 65850.7 that local agencies adopt such an ordinance to create an expedited, streamlined permitting process for electric vehicle charging stations. Most of the procedures, are currently in place, however, the ordinance is required for the City to timely comply with AB 1236.

FISCAL ANALYSIS

There are no fiscal impacts related to this Code Amendment.

ATTACHMENTS

1. Proposed Ordinance

MOTION

That the City Council:

Adopt an Ordinance which sets forth an expedited, streamlined permitting process for electric vehicle charging stations in compliance with State law, and declaring the urgency thereof and that it shall take effect immediately. (This item requires a four-fifths vote.)