



Legislation Details (With Text)

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File created: 8/31/2022 **In control:** City Council
On agenda: 9/13/2022 **Final action:**
Title: INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF HERMOSA BEACH ADDING CHAPTER 15.40
TO TITLE 15 OF THE HERMOSA BEACH MUNICIPAL CODE
RELATING TO AN EXPEDITED, STREAMLINED PERMITTING
PROCESS FOR ELECTRIC VEHICLE CHARGING STATIONS
(Community Development Director Jeannie Naughton)

Sponsors:

Indexes:

Code sections:

Attachments: 1. 1. Draft Ordinance, 2. 2. EV Charging Checklist

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------|---------|--------|
| 9/13/2022 | 1 | City Council | adopted | Pass |

Honorable Mayor and Members of the Hermosa Beach City Council Regular Meeting of September 13, 2022

**INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF HERMOSA BEACH ADDING CHAPTER 15.40
TO TITLE 15 OF THE HERMOSA BEACH MUNICIPAL CODE
RELATING TO AN EXPEDITED, STREAMLINED PERMITTING
PROCESS FOR ELECTRIC VEHICLE CHARGING STATIONS**
(Community Development Director Jeannie Naughton)

Recommended Action:

Staff recommends City Council consider waiving full reading and introduce by title only an Ordinance of the City of Hermosa Beach adding Chapter 15.40 to Title 15 of the Hermosa Beach Municipal Code relating to an expedited, streamlined permitting process for electric vehicle charging stations (**Attachment 1**).

Executive Summary:

In 2015, the State of California adopted Assembly Bill 1236 (Chiu), codified as Government Code § 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. The proposed ordinance would bring the City's permitting processes for EV Charging stations in line with State law.

Background:

Assembly Bill 1236, amended Government Code Section 65850.7 by requiring jurisdictions with a population less than 200,000 residents to establish procedures for expedited, streamlined processes for permitting of electric vehicle charging stations. An electric vehicle charging station is any level of electric vehicle supply equipment station which delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle. The amendments to Section 65850.7 include the requirement for a jurisdiction to adopt an ordinance for the expedited, streamlined process on or before September 30, 2017. In light of recent legislation that builds upon the requirements in AB 1236, it was discovered that the City had not yet adopted the respective ordinance. Adoption of the ordinance in combination with revised procedures in the Community Development Department, would ensure this oversight is corrected and that the City's procedures would be in compliance with state law.

This streamlining process includes the establishment of a checklist containing objective requirements for the installation of an electric vehicle charging station and a procedure for electronic submittal of permit applications. The content of the checklist requires the permit applicant to check the features of the existing electrical service 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 or is not required; and clearances of the charging equipment to comply with all applicable building and fire safety laws.

The checklist also assists the applicant in confirming that the location of the electric vehicle supply equipment complies with any vehicle clearance requirements in the City's Zoning Ordinance. Government Code Section 65850.7 requires the City's checklist be based on the "Plug-In Electric Vehicle Infrastructure Permitting Checklist" of the "Zero-Emission Vehicles in California: Community Readiness Guidebook" of the Governor's Office of Planning and Research.

Assembly Bill 1236 (2015) also clarified that a jurisdiction shall not condition approval of a permit for an electric vehicle charging station based on the approval of an association as defined in California Civil Code, Section 4080.

Discussion:

Currently, the Building and Safety division does not accept electronic submittals for building permit applications, but would ensure that procedures to accept electronic submittals are in place prior to adoption of the ordinance. While the City is still in the process of developing an external-facing portal for electronic permit submittals, staff could accept application submittals electronically by other means, such as through email or cloud-based file sharing applications to meet these streamlining requirements.

Concurrent with Council's consideration and adoption of the proposed ordinance, staff is taking steps

to ensure that permitting procedures meet all requirements of Assembly Bill 1236 (Chiu-2015). These steps include finalizing the application checklist in conjunction with the “Plug-In Electric Vehicle Infrastructure Permitting Checklist” of the “Zero-Emission Vehicles in California: Community Readiness Guidebook”, measures for electrical compliance, and standard items for fire prevention safety. Building and Safety and Los Angeles County Fire Department staff have developed procedures for expedient and thorough inspection of the electric vehicle charging stations.

Staff recommends City Council introduce on first reading the attached ordinance, given the requirement as outlined in Government Code § 65850.7, that local agencies adopt such an ordinance to create an expedited, streamlined permitting process for electric vehicle charging stations. The procedures outlined in Government Code § 65850.7, such as electronic submittal of plans are not currently in place, but staff would ensure the necessary procedures are in place prior to adoption of the ordinance to ensure full compliance to provide an expedited, streamlined process for permit applicants, as outlined in Government Code § 65850.7.

General Plan Consistency:

This report and associated recommendation have been evaluated for their consistency with the City’s General Plan. Relevant Policies are listed below:

Mobility Element

Goal 5. A robust low cost and low carbon transportation system that promotes the City’s environmental sustainability and stewardship goals in support of social and economic objectives.

Policy:

- **5.1 Prioritize development of infrastructure.** Prioritize the development of roadway and parking infrastructure that encourages private electric and other low carbon vehicle ownership and use throughout the city.

Goal 4. A parking system that meets the parking needs and demand of residents, visitors, and employees in an efficient and cost-effective manner.

Policy:

- **4.6 Priority parking.** Provide priority parking and charging stations to accommodate the use of Electric Vehicles (EVs), including smaller short-distance neighborhood electric vehicles.

Fiscal Impact:

There is no fiscal impact associated with the recommended action.

Attachments:

1. Draft Ordinance
2. EV Charging Checklist

Respectfully Submitted by: Jeannie Naughton, Community Development Director

Noted for Fiscal Impact: Viki Copeland, Finance Director

Legal Review: Mike Jenkins, City Attorney

Approved: Suja Lowenthal, City Manager