



City of Emeryville

CALIFORNIA

MEMORANDUM

DATE: September 19, 2017

TO: Carolyn Lehr, City Manager

FROM: Charles S. Bryant, Community Development Director

SUBJECT: **Second Reading Of An Ordinance Of The City Council Of The City Of Emeryville Adding Chapter 25 To Title 8 Of The Emeryville Municipal Code Relating To An Expedited, Streamlined Permitting Process For Electric Vehicle Charging Stations (CEQA Status: Exempt Pursuant To State CEQA Guidelines Section 15061(b)(3))**

RECOMMENDATION

Staff recommends that the City Council adopt the second reading of the attached ordinance adding Chapter 25 to Title 8 of the Emeryville Municipal Code, which sets forth an expedited, streamlined permitting process for electric vehicle charging stations.

BACKGROUND

In 2015, the State of California adopted Assembly Bill 1236 (Codified as Government Code Section 65850.7), which requires local jurisdictions with a population of 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 City Council adopted the first reading of the attached ordinance on September 5, 2017 with no changes.

DISCUSSION

An electric vehicle charging station is any level of supply equipment that delivers electricity into a plug-in electric vehicle. AB 1236 requires the establishment of a checklist containing objective requirements for the installation of an electric vehicle charging station and a process for electronic submittal of permit applications.

Regarding the checklist, AB 1236 refers 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. 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, planning, and fire safety laws.

AB 1236 also stipulates that a jurisdiction shall not condition approval of a permit for an electric vehicle charging station on the approval of an “association”, which is defined in California Civil Code Section 4080 as “a nonprofit corporation or unincorporated association created for the purpose of managing a common interest development” (i.e. a homeowners association).

FISCAL IMPACT

There is no fiscal impact of the proposed ordinance.

STAFF COMMUNICATION WITH THE PUBLIC

There has been no staff communication with the public regarding the proposed ordinance.

CONCLUSION

Staff recommends that the City Council adopt the second reading of the attached ordinance, given the requirement of AB 1236 that local agencies adopt such an ordinance on or before September 30, 2017. Concurrent with the City Council’s adoption of the ordinance, staff is taking measures to meet all requirements of AB 1236 by September 30, 2017. This includes finalizing the application checklist and developing procedures for the electronic submittal of plans. Building and Fire inspection staff are also developing procedures for expedient and thorough inspection of the electric vehicle charging stations.

SUBMITTED BY: Victor R. Gonzales, Chief Building Official

**APPROVED AND FORWARDED TO THE
CITY COUNCIL OF THE CITY OF EMERYVILLE:**



Carolyn Lehr, City Manager

ATTACHMENTS

1. Draft Ordinance
2. Checklist