



TO: Mayor and Councilmembers

FROM: Peter Imhof, Planning and Environmental Review Director

CONTACT: Cindy Moore, Sustainability Coordinator

SUBJECT: Expedited Permitting Procedures for Electrical Vehicle Charging Stations

RECOMMENDATION:

Introduce and conduct the first reading by title only, waiving further reading of Ordinance No. 20-___ entitled “An Ordinance of the City of Goleta, California, Amending Title 15 (Buildings and Construction) of the Goleta Municipal Code Establishing a Streamlined Permitting Process for Electric Vehicle Charging Stations.”

BACKGROUND:

In October 2015, Assembly Bill 1236 was signed into law (2015, Chiu, codified as Government Code Section 65850.7). AB 1236 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 (EVCS) on or before September 30, 2017. Currently fewer than 15% of jurisdictions throughout the state have streamlined EVCS permitting, and the City has not yet adopted such an ordinance. The new Ordinance included as Attachment 1 is intended to satisfy State requirements for compliance with AB 1236.

An electric vehicle charging station as defined in AB 1236 means any level of electric vehicle supply equipment station that delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle.

DISCUSSION:

Expedited Permitting Procedures for Electrical Vehicle Charging Stations

California Government Code Section 65850.7 states that it is the policy of the State to promote and encourage the installation and use of electric vehicle charging stations by removing obstacles to, and minimizing costs of, permitting for such stations. Encouraging electric vehicle charging stations is also identified in the City’s budget and Strategic Plan. Streamlining permitting processes for electric vehicle charging infrastructure can help to reduce the time and soft costs associated with installation and accelerate the adoption of electric vehicles.

Below is a brief summary of the provisions required by AB 1236:

- **Permitting Checklist** – A checklist of all requirements needed for expedited review is required to be available and posted on the City website. The checklist may be based on recommendations in the most current version of the “Plug-in Electric Vehicle Infrastructure Permitting Checklist” in the Zero-Emission Vehicles in California: Community Readiness Guidebook published by the Governor’s Office of Planning and Research.
- **Administrative Approval of EVCS** – Projects that meet the expedited checklist shall be deemed complete and administratively approved through building permit or other non-discretionary permit.
- **Approval Limited to Health and Safety Review** – Project review is limited to health and safety requirements found under local, state, and federal law. The decision of the building official is appealable to the Planning Commission. Such approval does not authorize an applicant to energize or utilize the EVCS until approval is granted by the City.
- **Electronic Submittal and Signatures Accepted** – The Building Official shall allow for electronic submittal of permit applications as well as accept electronic signatures on permit applications.
- **EVCS Not Subject to Association Approval** – Permit approval is not subject to approval of an association, as defined in California Civil Code Section 4080.
- **One Complete Deficiency Notice** – Issuance of one complete written correction notice detailing all deficiencies in an incomplete application and any additional information needed to be eligible for expedited permit issuance.

California Electric Vehicle Infrastructure Project

In addition to achieving compliance with AB 1236, adopting the ordinance will help our region compete for funding through the California Electric Vehicle Infrastructure Project (CALeVIP). CALeVIP is a statewide incentive program from the California Energy Commission focused on rapid expansion of electric vehicle charging infrastructure in targeted regions of California. In order to be eligible for funding under CALeVIP, local governments need to achieve “EV Permit Ready” status by May 2020, which includes being compliant with AB 1236.

The program is administered by the Center for Sustainable Energy, a nonprofit organization, that is actively soliciting partners for 2021 regional CALeVIP projects. The South Central Coast region has been identified as a potential partner. The California Energy Commission (CEC) allocates funding per county using a gap analysis of the electric vehicle charging infrastructure in a region and funding commitments from local partners. The counties of Santa Barbara, Ventura, and San Luis Obispo are eligible as

one region for an estimated \$9M in funding, with over \$4M estimated for Santa Barbara County alone. This funding would cover most or all of the costs related to installation of EV charging stations for local governments, businesses, and multifamily property managers, as well as other entities.

Monterey Bay Community Power (MBCP) and other local organizations and jurisdictions, including the County of Santa Barbara and the Community Environmental Council, have submitted letters of intent to contribute match funding or in-kind support for a South-Central Coast CALeVIP EV infrastructure project. The California Energy Commission will decide in June which region will be selected to proceed with program design.

CEQA

This Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to Section 15060(c)(3) of the CEQA Guidelines (Title 14, Chapter 3 of the California Code of Regulations) because the activity is not a project as defined in Section 15378 and Section 15061(b)(3) of the CEQA Guidelines, because the activity is covered by the general rule which exempts activities that can be seen with certainty to have no possibility for causing a significant effect on the environment. A Notice of Exemption is included as Attachment 2.

GOLETA STRATEGIC PLAN:

The recommended items in this report relate to the following 2019-2021 Strategic Plan strategies, goals, and objectives:

City-Wide Strategy: Support Environmental Vitality

Strategic Goal: Promote renewable energy, energy conservation and local energy resiliency

Objective: Encourage renewable energy generation and use through installation of solar panels, electric vehicle charging stations and similar measures, including at City owned facilities

FISCAL IMPACTS:

There is no fiscal impact associated with this item. Adopting the ordinance for expedited permitting procedures for electric vehicle charging stations would help the City and Tri-County region meet eligibility requirements for the CALeVIP funding project if approved by the CEC.

ALTERNATIVES:

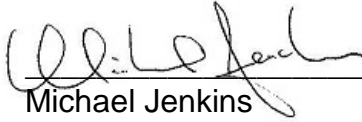
The City Council may elect to adopt the ordinance as proposed, modify the draft ordinance and introduce the ordinance as modified, or decide not to adopt the ordinance.

Reviewed By:



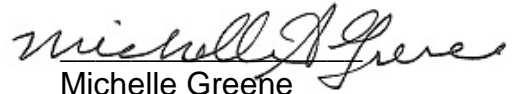
Kristine Schmidt
Assistant City Manager

Legal Review By:



Michael Jenkins
City Attorney

Approved By:



Michelle Greene
City Manager

ATTACHMENTS:

1. Ordinance No. 20-___ entitled "An Ordinance of the City of Goleta, California, Amending Title 15 (Buildings and Construction) of the Goleta Municipal Code Establishing a Streamlined Permitting Process for Electric Vehicle Charging Stations."
2. CEQA Notice of Exemption
3. Presentation

ATTACHMENT 1

Ordinance No. 20-____ entitled “An Ordinance of the City of Goleta, California, Amending Title 15 (Buildings and Construction) of the Goleta Municipal Code Establishing a Streamlined Permitting Process for Electric Vehicle Charging Stations.”

ORDINANCE NO. 20-____

**AN ORDINANCE OF THE CITY OF GOLETA, CALIFORNIA,
AMENDING TITLE 15 (BUILDINGS AND CONSTRUCTION) OF THE
GOLETA MUNICIPAL CODE ESTABLISHING A STREAMLINED
PERMITTING PROCESS FOR ELECTRIC VEHICLE CHARGING
STATIONS**

**THE CITY COUNCIL OF THE CITY OF GOLETA DOES HEREBY ORDAIN AS
FOLLOWS:**

SECTION 1. Findings.

The City Council finds and declares that:

- A. The State of California adopted Assembly Bill 1236, codified at Government Code section 65850.7), which requires local agencies to adopt an ordinance that creates an expedited and streamlined permitting process for electric vehicle charging systems; and
- B. The City of Goleta seeks to implement AB 1236 through the creation of an expedited, streamlined permitting process for electric vehicle charging systems; and
- C. The City of Goleta desires to advance the use of electric vehicles by all of its citizens, businesses and industries; and
- D. The City of Goleta seeks to meet the climate action goals set in the Climate Action Plan and by the State; and
- E. 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
- F. It is in the interest of the health, welfare and safety of the people of the City of Goleta to provide an expedited permitting process to assure the effective deployment of solar technology.

SECTION 2. A new Chapter 15.19 is added to Title 15 of the Goleta Municipal Code to read as follows:

Chapter 15.19– ELECTRIC VEHICLE CHARGING STATION PERMITTING

- 15.19.010 Title
- 15.19.020 Purpose
- 15.19.030 Definitions

- 15.19.040 Applicability
- 15.19.050 Expedited Review Process
- 15.19.060 Permit Application Process
- 15.19.070 Technical Review
- 15.19.080 Electric Vehicle Charging Station Installation Requirements

15.19.010 - Title.

This chapter shall be known as the “Electric Vehicle Charging Station Permitting Ordinance” of the City of Goleta and may be so cited.

15.19.020 - Purpose.

The purpose of this Chapter is to promote and encourage the use of electric vehicles by creating an expedited, streamlined permitting process for electric vehicle charging stations while promoting public health and safety and preventing specific adverse impacts in the installation and use of such charging stations. This Chapter is also purposed to comply with California Government Code Section 65850.7.

15.19.030 - Definitions.

- a) “Electric vehicle charging station” or “charging station” means the term as defined in Government Code section 65850.7, as may be amended, which is currently defined as 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.
- b) “Specific, adverse impact” means the term as defined in Government Code section 65850.7, as may be amended, which is currently defined as 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.
- c) “Electronic submittal” means the term as defined in Government Code section 65850.7, as may be amended, which is currently defined as the utilization of one or more of the following:
 - A. Electronic mail or email.
 - B. The internet.
 - C. Facsimile.
- d) “Checklist” means the term as defined in Government Code section 65850.7, as may be amended, which is currently defined as the current version of the City’s Checklist for Permitting Electric Vehicle Service Equipment.

15.19.040 - Applicability.

Electric Vehicle Charging Stations which qualify for expedited permit processing, pursuant to Government Code Section 65850.7, shall be subject to the administrative permitting procedures set forth in this Chapter.

15.19.050 - Expedited Review Process.

Consistent with Government Code Section 65850.7, the Building Official shall implement an expedited administrative permit review 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 administrative permit review process and checklist may refer to the recommendations in the checklist prescribed by 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 City of Goleta's checklist shall be published on its website.

15.19.060 - Permit Application Process.

- A. 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, including the health and safety of 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.
- B. A permit application that satisfies the information requirements in the City's checklist shall be deemed complete and be promptly processed. Upon confirmation by the Building Official that the permit application and supporting documents meet the requirements of the City checklist and is consistent with all applicable laws and health and safety standards, the 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 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.
- C. Consistent with Government Code Section 65850.7, the Building Official shall allow for electronic submittal of permit applications covered by this Ordinance and associated supporting documentations. In accepting such permit applications, the Building Official shall also accept electronic signatures on all forms, applications, and other documentation in lieu of a wet signature by any applicant.

15.19.070 - Technical Review.

- A. It is the intent of this Chapter 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 Building Official's authority to address higher priority life-safety situations. If the 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 defined in this Chapter, the City may require the applicant to apply for a use permit.

- B. The City may deny an application for a use permit to install an electric vehicle charging station, if it makes written findings based upon substantial evidence in the record that the proposed installation would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact. The findings shall include the basis for the rejection of potential feasible alternatives of preventing the adverse impact.
- C. In the technical review of a charging station, consistent with Government Code Section 65850.7, the 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.

15.19.080 - Electric Vehicle Charging Station Installation Requirements

- A. Electric vehicle charging station equipment shall meet the requirements of the California Electrical Code, the Society of Automotive Engineers, the National Electrical Manufacturers Association, and accredited testing laboratories such as Underwriters Laboratories, and rules of the Public Utilities Commission or a Municipal Electric Utility Company regarding safety and reliability.
- B. Installation of electric vehicle charging stations and associated wiring, bonding, disconnecting means and overcurrent protective devices shall meet the requirements of Article 625 and all applicable provisions of the California Electrical Code.
- C. Installation of electric vehicle charging stations shall be incorporated into the load calculations of all new or existing electrical services and shall meet the requirements of the California Electrical Code. Electric vehicle charging equipment shall be considered a continuous load.
- D. Anchorage of either floor-mounted or wall-mounted electric vehicle charging stations shall meet the requirements of the California Building or Residential Code as applicable per occupancy, and the provisions of the manufacturer's installation instructions. Mounting of charging stations shall not adversely affect building elements.

SECTION 3. CEQA.

This Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to Section 15060(c)(3) of the CEQA guidelines (Title 14, Chapter 3 of the California Code of Regulations) because the activity is not a project as defined in section 15378 of the CEQA Guidelines, and Section 15061(b)(3) because the activity is covered by the general rule which exempts activities that can be seen with certainty to have no possibility for causing a significant effect on the environment.

SECTION 4. Severability.

This ordinance is adopted under the authority of City Council of the City of Goleta and State law. If any section, subsection, clause or phrase is declared invalid or otherwise void by a court of competent jurisdiction, it shall not affect any remaining provision hereof. In this regard City Council finds and declares that it would have adopted this measure notwithstanding any partial invalidity hereof.

SECTION 5. Certification of City Clerk.

The City Clerk shall certify to the adoption of this ordinance and, within 15 days after its adoption, shall cause it to be published in accord with California Law.

SECTION 6. Effective Date.

This ordinance shall take effect on the 31st day following adoption by the City Council.

INTRODUCED ON the 7th day of April 2020.

PASSED, APPROVED, AND ADOPTED this ____ day of _____ 2020.

PAULA PEROTTE
MAYOR

ATTEST:

APPROVED AS TO FORM:

DEBORAH S. LOPEZ
CITY CLERK

MICHAEL JENKINS
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SANTA BARBARA) ss.
CITY OF GOLETA)

I, DEBORAH S. LOPEZ, City Clerk of the City of Goleta, California, do hereby certify that the foregoing Ordinance No. 20-__ was introduced on _____, and adopted at a regular meeting of the City Council of the City of Goleta, California, held on the _____, by the following roll-call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

(SEAL)

DEBORAH S. LOPEZ
CITY CLERK

ATTACHMENT 2

CEQA Notice of Exemption

NOTICE OF EXEMPTION (NOE)

To: ☐ Office of Planning and Research
P.O. Box 3044, 1400 Tenth St. Rm. 212
Sacramento, CA 95812-3044

From: City of Goleta
130 Cremona Drive, Suite B
Goleta, CA 93117

☐ Clerk of the Board of Supervisors
County of Santa Barbara
105 E. Anapamu Street, Room 407
Santa Barbara, CA 93101



Subject: Filing of Notice of Exemption

Project Title: Amendments to GMC, Chapter 15 - Ordinance Establishing Expedited Permitting Procedures for Electrical Vehicle Charging Stations

Project Applicant: City of Goleta

Project Location (Address and APN): Citywide

Description of Nature, Purpose and Beneficiaries of Project:

In October 2015, Assembly Bill 1236 was signed into law (2015, Chiu, Codified as Government Code Section 65850.7). AB 1236 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 (EVCS) on or before September 30, 2017. The Ordinance amends Chapter 15 of the Goleta Municipal Code to satisfy State requirements for compliance with AB 1236.

Name of Public Agency Approving the Project: City of Goleta

Name of Person or Agency Carrying Out the Project: City of Goleta

Exempt Status: *(check one)*

- ☐ Ministerial (Sec. 15268)
- ☐ Declared Emergency (Sec. 15269 (a))
- ☐ Emergency Project (Sec. 15269 (b) (c))
- ☐ Categorical Exemption: *(Insert Type(s) and Section Number(s))*
- ☒ Other: (Sec 15060(c)(3); 15378(a); 15061(b)(3))

Reason(s) why the project is exempt:

This Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to Section 15060(c)(3) of the CEQA Guidelines (Title 14, Chapter 3 of the California Code of Regulations) because the activity is not a project as defined in section 15378 and Section 15061(b)(3) of the CEQA Guidelines, because the activity is covered by the general rule which exempts activities that can be seen with certainty to have no possibility for causing a significant effect on the environment.

City of Goleta Contact Person and Telephone Number:

Peter Imhof

Director, Planning & Environmental Review

Date

NOTICE OF EXEMPTION (NOE)

If filed by the applicant:

1. Attach certified document of exemption finding
2. Has a Notice of Exemption been filed by the public agency approving the project?
☐Yes ☐No

Date received for filing at OPR: _____

Note: Authority cited: Section 21083 and 211110, Public Resources Code
Reference: Sections 21108, 21152.1, Public Resources Code

ATTACHMENT 3

Electric Vehicle Charging Station – Permit Streamlining Ordinance Presentation

ELECTRIC VEHICLE CHARGING STATION - PERMIT STREAMLINING ORDINANCE

Presentation to the City Council
April 7, 2020

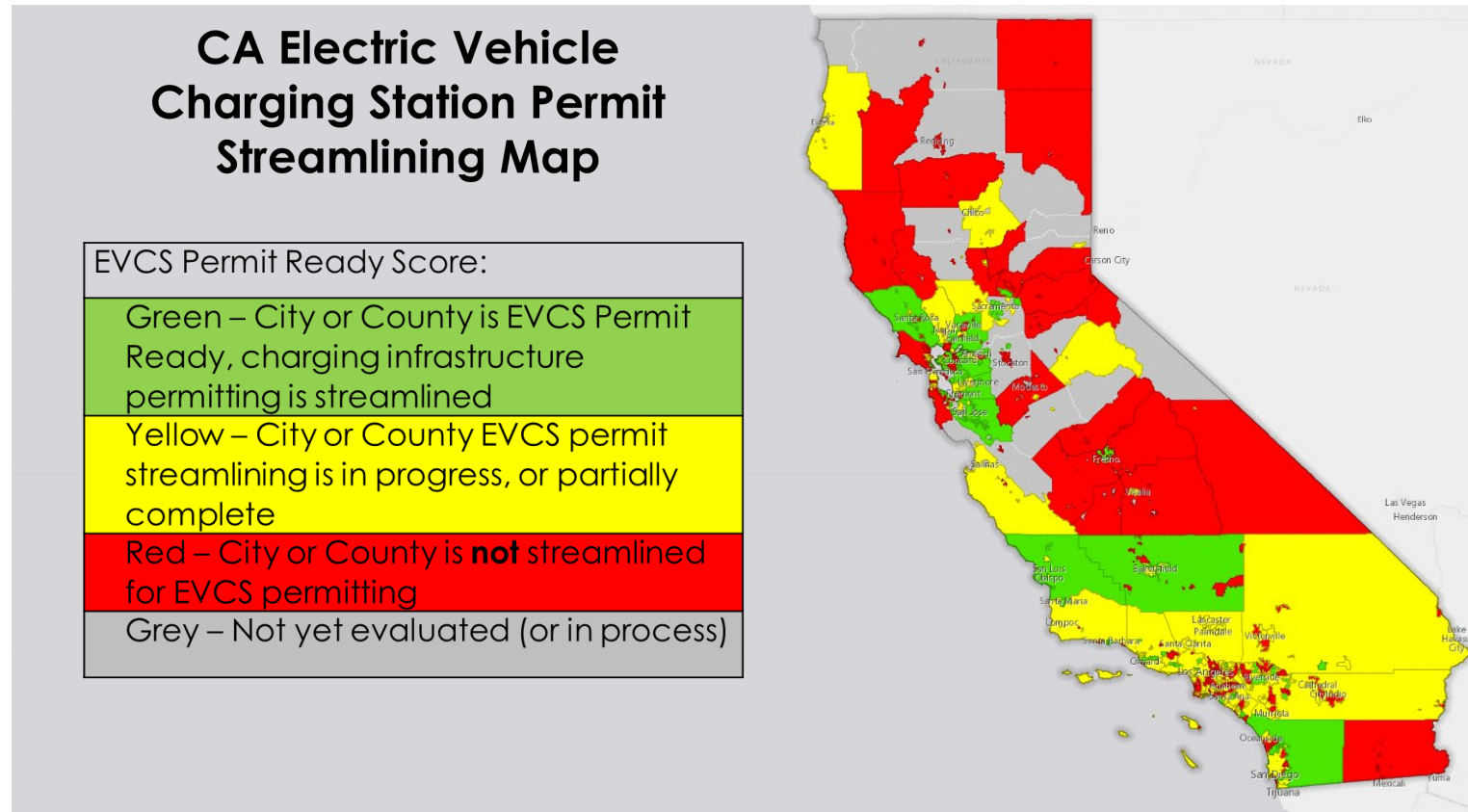
Presentation by:
Cindy Moore, Sustainability Coordinator
Karina Takemoto, CivicSpark Climate Fellow



Presentation Overview

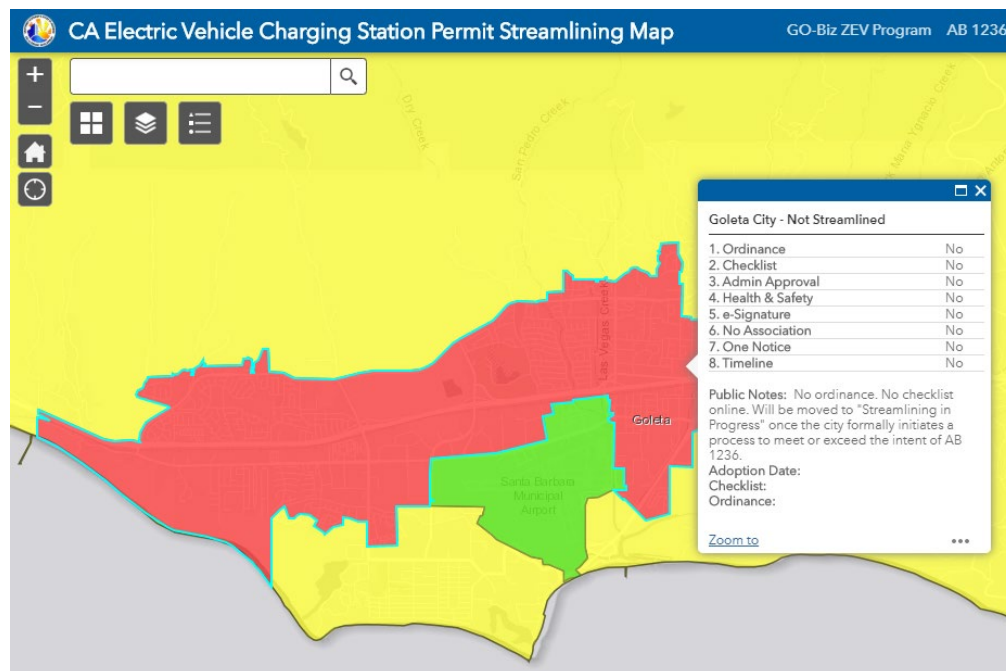
1. Assembly Bill (AB) 1236
2. Required Actions & Proposed Ordinance
3. California Electric Vehicle Infrastructure Project (CALeVIP)
4. Recommendation Request & Next Steps

1. Assembly Bill 1236 (2015)



- As of September 30, 2017 all local governments are required to be compliant. (<15% are)

1. Assembly Bill 1236

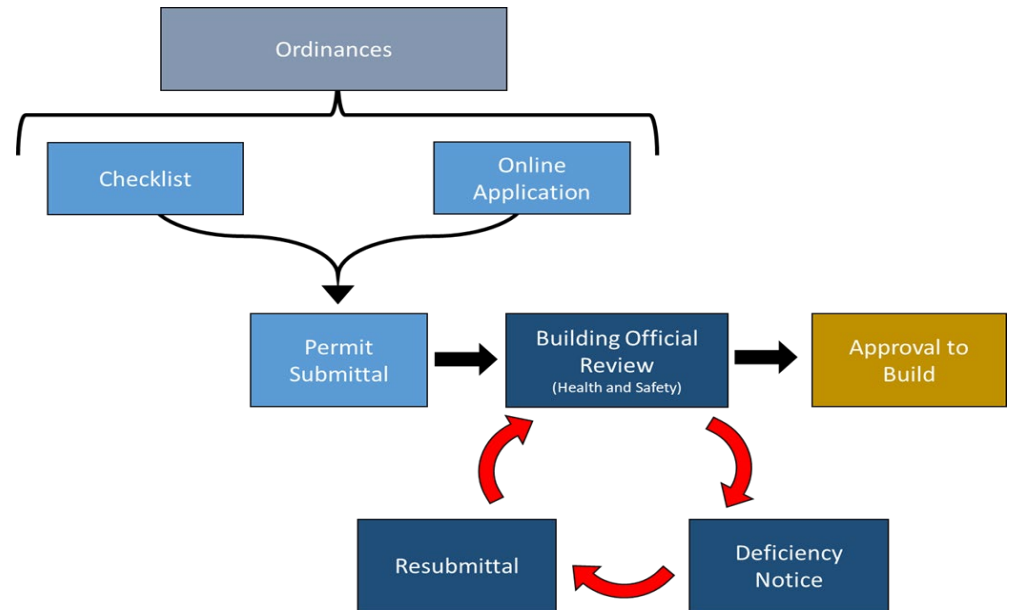


- Removes obstacles and minimizes cost for permitting.
- Encourages the installation of EVCS.
- Allows eligibility for CALeVIP funding.
- Goleta in process

2. Required Actions & Proposed Ordinance

GOVERNOR'S OFFICE OF BUSINESS AND ECONOMIC DEVELOPMENT

Electric Vehicle Charging Station Permitting Guidebook



Governor's Office of
Business and Economic
Development (GO-BED)
JULY 2019

2. Required Actions & Proposed Ordinance

<input checked="" type="checkbox"/>	1. Streamlining Ordinance Ordinance creating an expedited, streamlined permitting process for electric vehicle charging stations (EVCS) including level 2 and direct current fast chargers (DCFC) has been adopted.
<input checked="" type="checkbox"/>	2. Permitting checklists covering L2 and DCFC Checklist of all requirements needed for expedited review posted on city or county website.
<input checked="" type="checkbox"/>	3. Administrative approval of EVCS EVCS projects that meet expedited checklist are administratively approved through building or similar non-discretionary permit.
<input checked="" type="checkbox"/>	4. Approval limited to health and safety review EVCS project review limited to health and safety requirements found under local, state, and federal law.
<input checked="" type="checkbox"/>	5. Electric signatures accepted AHJ accepts electronic signatures on permit applications.**
<input checked="" type="checkbox"/>	6. EVCS not subject to association approval EVCS permit approval not subject to approval of an association (as defined in Section 4080 of the Civil Code).
<input checked="" type="checkbox"/>	7. One complete deficiency notice AHJ commits to issuing one complete written correction notice detailing all deficiencies in an incomplete application and any additional information needed to be eligible for expedited permit issuance.
<input type="checkbox"/>	8. Bonus: Expedited timeline for approval Consistent with the intent of AB 1236, AHJ establishes expedited timelines for EVSE permit approval compared to standard project approval procedures.

3. California Electric Vehicle Infrastructure Project (CALeVIP)

- A. Addresses Regional Needs for EV Charging Infrastructure
- B. California Energy Commission Funded Incentives
- C. Local Partners across Tri-County Region Providing Additional Monetary & In-Kind Support
 - MBCP, SB APCD, SB County, CEC
- D. Decision Expected in June

4. Recommendation Request & Next Steps

- A. April 7th – City Council Presentation & Recommendation for 1st Reading
- B. April 21st – 2nd Reading
- C. Updates to City Website and State Map