ORDINANCE NO.____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REDWOOD CITY ADDING ARTICLE XIII OF CHAPTER 9 OF THE REDWOOD CITY CODE REGARDING ELECTRICAL VEHICLE CHARGING STATIONS AND SETTING FORTH PROCEDURES FOR EXPEDITING PERMITTING PROCESSING FOR ELECTRIC VEHICLE CHARGING STATIONS

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

WHEREAS, Government Code Section 65850.7 requires local agencies to adopt an ordinance that creates an expedited and streamlined permitting process for electric vehicle charging stations; and

WHEREAS, creation of an expedited, streamlined permitting process for electric vehicle charging stations would facilitate convenient charging of electric vehicles and help reduce drivers’ reliance on environmentally damaging fossil fuels.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF REDWOOD CITY DOES ORDAIN AS FOLLOWS:

SECTION 1. The proposed ordinance is consistent with California Law, specifically Government Code Section 65850.7.

SECTION 2. The City Council hereby finds that this Ordinance is in the public interest.

SECTION 3. Adoption of this Ordinance is not a project within the meaning of section 15378 of the CEQA Guidelines because it has no potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment. In the event that this Ordinance is found to be a project under CEQA, it is subject to the CEQA exemption contained in CEQA Guidelines section 15061(b)(3) because it can be seen with certainty to have no possibility of having a significant effect on the environment.

SECTION 4. If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance be is for any reason found to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portion or sections of the Ordinance. The City Council of the City of Redwood City hereby declares that it would have adopted the Ordinance and each section, subsection, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, paragraphs, sentences, clauses or phrases may be declared invalid or unconstitutional.

SECTION 5. The City Council of the City of Redwood City adopts the following amendment to Chapter 9 of the Redwood City Code by adding a new Article XIII as shown in Exhibit A, which is attached hereto and incorporated herein by reference.

SECTION 6. This Ordinance shall go into effect thirty (30) days after the date of its passage and adoption.
EXHIBIT A
AN ORDINANCE OF THE CITY OF REDWOOD CITY ADDING A NEW ARTICLE XIII TO CHAPTER 9 OF THE REDWOOD CITY MUNICIPAL REGARDING EXPEDITED PERMIT PROCESSING FOR ELECTRICAL VEHICLE CHARGING STATIONS

9.217. - Definitions

A. "Electric vehicle charging station" or charging station" means 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 section, and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle.

B. "Electronic submittal" means the utilization of one or more of the following:
   1. Email;
   2. The Internet; or
   3. Facsimile.

C. "Specific, adverse impact" means 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.

D. "A feasible method to satisfactorily mitigate or avoid the specific adverse impact" includes, but is not limited to, any cost-effective method, condition, or mitigation imposed by the City on another similarly situated application in a prior successful application for a permit.

9.218. - Electric Vehicle Charging Station Requirements

A. All electric vehicle charging stations shall meet applicable health and safety standards and requirements imposed by state and local permitting authorities.

B. Electric vehicle charging stations shall meet all applicable safety and performance standards established by the California Electrical Code, the Society of Automotive Engineers, the National Electrical Manufacturers Association, and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability.

9.219. - Application Standards

A. The Building Official or their designee shall implement an expedited permitting process that will allow the Building Official or their designee to administratively approve an application to install electric vehicle charging stations through the issuance of a building permit or similar nondiscretionary permit.
B. The Building Official shall adopt a checklist of all requirements with which electric vehicle charging stations shall comply to be eligible for expedited review. The checklist and all required permitting documentation shall be published on the City's website.

C. In developing the expedited permitting process and checklist, the Building Official may refer to the recommendations contained in the most current version of the "Plug-In Electric Vehicle Infrastructure Permitting Checklist" and/or the "Zero-Emission Vehicles in California: Community Readiness Guidebook" published by the State of California's Office of Planning and Research. The Building Official may modify the checklist and standards found in the guidebook due to unique climatic, geological, seismological, or topographical conditions.

D. Electronic submittal of the required permit application and supporting documents shall be made available for all electric vehicle charging station permit applications. The method(s) of electronic submittal permitted shall be at the Building Official's discretion.

9.220. - Expedited Permitting Process and Permit Review

A. The applicant may submit the permit application and supporting documents to the Building Division by electronic submittal. In the case of electronic submittal, the electronic signature of the applicant on all forms, applications, and other documents may be used in lieu of a wet signature.

B. An application and supporting documents that satisfy the information requirements in the checklist, as determined by the Building Official, shall be deemed complete. Upon confirmation Building Official or their designee of the application and supporting documents being complete and meeting the requirements of the checklist, they shall approve the application and issue all required permits or authorizations. The Building Official may establish a process to prioritize competing applications for expedited permits.

C. The City shall not condition approval for any electric vehicle charging station permit on the approval of an electric vehicle charging station by an association, as that term is defined in Section 4080 of the Civil Code, as amended or renumbered from time to time.

D. Upon receipt of an incomplete application, the Building Official or designee shall issue a written correction notice detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance.

E. 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, the City may require the applicant to apply for a use permit in accordance with 42.6 of the City’s Zoning Ordinance. The Building Officials' decision may be appealed to the City of Redwood City Planning Commission in accordance with Chapter 1, Article III of the Redwood City Code.
F. The Building Official shall not deny an application for a use permit to install an electric vehicle charging station unless they make 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.

G. Any conditions imposed on an application to install an electric vehicle charging station shall be designed to mitigate the specific adverse impact upon the public health or safety at the lowest cost possible.

H. This expedited permitting process is intended to apply only to applications for permits for electric vehicle charging stations, and will not expedite the review of any other permit applications.