

# STAFF REPORT

## *City Council Business Item*

---

**DATE:** February 5, 2024

**TO:** City Council

**FROM:** Katey Schmidt, Community Development Department

**THROUGH:** Merritt Perry, City Manager

**SUBJECT:** **Second Reading and Adoption of *Ordinance 2024-767*, Amending Title 15 of the City of Fortuna Municipal Code by Streamlining the Permit Process for Electric Vehicle Charging Stations**

### **STAFF RECOMMENDATION:**

Conduct second reading, by title only, and adopt *Ordinance 2024-767*, which amends Title 15 - Buildings and Construction of the Fortuna Municipal Code, adding Chapter 15.65.

### **EXECUTIVE SUMMARY:**

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.

An electric vehicle charging station is any level of electric vehicle supply equipment station that 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.

### **BACKGROUND:**

Assembly Bill 1236, which amended Government Code Section 65850.7 to require jurisdictions with a population less than 200,000 residents to establish procedures for expedited, streamlined processes for permitting of electric vehicle charging stations. The amendments to Section 65850.7 include the requirement for a jurisdiction to adopt an ordinance for the expedited, streamlined process. The ordinance shall include the requirement 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.

This process includes 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. 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 will comply with any vehicle clearance requirements in the City’s Zoning Ordinance. Section 65850.7 requires that the City’s checklist may 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 clarifies 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.

Staff recommends that City Council introduce for First Reading the attached ordinance, given Government Code Section 65850.7’s requirement that local agencies adopt such an ordinance to create an expedited, streamlined permitting process for electric vehicle charging stations. Most of the procedures, such as electronic submittal of plans are currently in place and comply with the requirements of the Assembly Bill and staff is assuring that successful implementation of an expedited, streamlined process will be available to permit applicants.

**FISCAL IMPACT:**

There is no immediate financial impact or budget action necessary as a result of the recommended action. Following adoption of Ordinance 2024-767, the City will regain eligibility for State grant funds to install electric vehicle charging stations in public facilities.

**RECOMMENDED COUNCIL ACTION:**

1. Receive staff report;
2. Open Public Comment;
3. Close Public Comment; and
4. Motion to hold the second reading and adopt *Ordinance 2024-767*, read by title only.

**ATTACHMENTS:**

- *Ordinance 2024-767, An Ordinance of the City Council of the City of Fortuna Adding Chapter 15.65 to Title 15 of the Fortuna Municipal Code to Provide Procedures for Expediting Permitting Processing for Electric Vehicle Charging Systems and Determining the Ordinance to be Exempt from CEQA.*
- Residential And Non-Residential Checklist For Permitting Electric Vehicle Charging Stations