

ORDINANCE NO. 2017-1122

AN ORDINANCE OF THE CITY OF BELMONT AMENDING BELMONT CITY CODE CHAPTER 7 TO PROVIDE AN EXPEDITED, STREAMLINED PERMITTING PROCESS FOR ELECTRIC VEHICLE CHARGING STATIONS

WHEREAS, the City of Belmont seeks to implement AB 1236 (Chapter 598, Statutes 2015, Cal. Gov't Code § 65850.7) to achieve timely and cost-effective installations of electric vehicle charging stations; and,

WHEREAS, the City of Belmont wishes to encourage the use of electric vehicle charging stations by removing unreasonable barriers, minimizing costs to property owners, and expanding the ability of property owners to install electric vehicle charging stations; and,

WHEREAS, the City of Belmont seeks to meet the climate action goals set by the City of Belmont and the State of California-, and help reduce the City's reliance on environmentally damaging fossil fuels; and,

WHEREAS, it is in the interest of the health, welfare, and safety of the people of the City of Belmont to provide an expedited permitting process to assure the effective deployment of electric vehicle charging stations.

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

SECTION 1. BCC CHAPTER 7, ARTICLE IV, DIVISION 9 ADDED

Division 9 is added to Belmont City Code Chapter 7, Article IV, commencing at section 7-90, to read:

DIVISION 9. EXPEDITED PERMITTING PROCESS FOR ELECTRIC VEHICLE CHARGING STATIONS

Sec. 7-90 Purpose

This Division provides an expedited, streamlined permitting process that complies with Government Code Section 65850.7, to achieve timely and cost-effective installations of electric vehicle charging stations. This Division encourages the use of electric vehicles by establishing a streamlined process, minimizing costs to property owners and the City of Belmont, and expanding the ability of property owners to install electric vehicle charging stations.

Sec. 7-91 Definitions

The terms "electric vehicle charging station", "charging station", "specific, adverse impact", "feasible method to satisfactorily mitigate or avoid the specific, adverse impact" and "electronic submittal" are defined in Government Code Section 65850.7.

Sec. 7-92**Permit Application**

(a) The Building Official shall develop and implement an expedited, streamlined permitting process for electric vehicle charging stations. The process may refer to the recommendations contained in the most current version of the “Plug-In Electric Vehicle Infrastructure Permitting Checklist” of the “Zero-Emission Vehicles in California: Community Readiness Guidebook” as published by the Governor’s Office of Planning and Research. The process shall include:

- (1) A checklist of all application requirements for expedited review.
- (2) Posting on the City’s website of a checklist containing all requirements for expedited review and all documents required for the submission of an expedited application.
- (3) The option to electronically submit the permit application and supporting documents.
- (4) Acceptance of an applicant’s electronic signature on all forms, applications, and other documents in lieu of a wet signature.

(b) For purposes of this section, an electronic copy, such as a facsimile image or an electronic image (such as a PDF), of an applicant’s written signature is acceptable as an electronic signature.

(c) For walk-in applications, the Building Official shall perform a plan review and issue all required permits over-the-counter or within 1 business day. For electronic submittals the building official shall perform a plan review and issue all required permits within 1 – 3 business days.

(d) If an application is incomplete, the Building Official shall issue a written correction notice to the applicant detailing all deficiencies in the application and any additional information or documentation required to be eligible for expedited permit issuance.

Sec. 7-93**Permit Review**

(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 and 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 adopted checklist shall be deemed complete and be promptly processed. Upon confirmation by the Building Official that the permit application and supporting documents meets the requirements of the City adopted checklist, and is consistent with all applicable laws and health and safety standards, the Building Official shall 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.

(c) The Building Official may require an applicant to apply for a use permit if the Building Official finds based on substantial evidence that the charging station could have a specific, adverse impact upon the public health and safety. The use permit may not be denied unless the Building Official makes written findings based upon substantive evidence in the record that the proposed installation would have a specific, adverse impact upon 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 the potential feasible alternative for preventing the adverse impact.

(d) The Building Official's decision under subsections (b) and (c) may be appealed to the Planning Commission.

(e) An electric vehicle charging station 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

(f) Any condition imposed on an application shall be designed to mitigate the specific, adverse impact upon health and safety at the lowest possible cost.

(g) Approval for an application for an electric vehicle charging station permit may not be conditioned on the approval of an association, as defined by Civil Code Section 4080.

SECTION 2. CEQA.

Exemption. The City Council finds, under Title 14 of the California Code of Regulations, Section 15061(b)(3), that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a Project which has the potential for causing a significant effect on the environment.

SECTION 3. EFFECTIVE DATE.

This Ordinance shall take effect and will be enforced thirty (30) days after its adoption.

SECTION 4. PUBLICATION AND POSTING

Publication of summary. The City Clerk has caused to be published a summary of this ordinance, prepared by the City Attorney under Government Code Section 36933, subdivision (c), once, in a newspaper of general circulation printed and published in San Mateo County and circulated in the City of Belmont, at least five days before the date of adoption. A certified copy of the full text of the ordinance was posted in the office of the City Clerk since at least five days before this date of adoption. Within 15 days after adoption of this ordinance, the City Clerk shall cause the summary of this ordinance to be published again with the names of those City Council members voting for and against the ordinance; and the City Clerk shall post in the office of the City Clerk a certified copy of the full text of this adopted ordinance with the names of those City Council members voting for and against the ordinance.

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The City Council of the City of Belmont, California introduced the foregoing ordinance, on September 12, 2017 and adopted the ordinance at a regular meeting held on September 26, 2017 by the following vote:

ADOPTED September 26, 2017, by the City of Belmont City Council by the following vote:

Ayes: Hurt, Kim, Reed, Lieberman, Stone

ATTEST:

City Clerk

Mayor

APPROVED AS TO FORM:

City Attorney