

ORDINANCE NO. 1716

AN ORDINANCE OF THE COUNTY OF SUTTER AMENDING THE SUTTER COUNTY ORDINANCE CODE BY RENUMBERING CHAPTER 1320 PERTAINING TO ELECTRIC VEHICLE CHARGING STATION EXPEDITED PERMITTING PROCESS

The Board of Supervisors of the County of Sutter ordains as follows:

SECTION 1: The Sutter County Ordinance Code is amended by renumbering Chapter 1320, titled "Electric Vehicle Charging Station Expedited Permit Process," by adding Chapter 1325 to read, in its entirety, as follows:

CHAPTER 1325

Electric Vehicle Charging Station Expedited Permitting Process

Sections:

- 1325-010 Purpose and authority
- 1325-020 Applicability
- 1325-030 Definitions
- 1325-040 Electric Vehicle Charging Station Requirements
- 1325-050 Expedited Permit Review

1325-010 Purpose and Authority

The purpose of this chapter is to create an expedited, streamlined permitting process compliant with AB 1236 and Government Code section 65850.7 to achieve timely and cost-effective installation of electric vehicle charging stations. This chapter encourages the installation and use of electric vehicle charging stations by removing obstacles to and minimizing the cost of permitting for charging stations, and by expanding the ability of residential, agricultural, and commercial property owners to install electric vehicle charging stations. This chapter allows the county to achieve these goals while protecting the public health and safety.

This chapter is enacted pursuant to Government Code section 65850.7 as established by Assembly Bill 1236 (Chapter 598, Statutes 2015).

1325-020 Applicability

This chapter applies to the permitting of electric vehicle charging stations in the unincorporated territory of the County of Sutter.

Electric vehicle charging systems legally established or permitted prior to the Building Official's implementation of an expedited permitting process are not subject to the requirements of this chapter unless physical modifications or alterations are undertaken that

materially change the size, type, or components of an electric vehicle charging station in such a way as to require new permitting.

1325-030 Definitions

For the purpose of this chapter, the following definitions shall apply, unless the context clearly indicates otherwise. If a word is not defined in this chapter, the common and ordinary meaning of the word shall apply.

- A. **Electronic Submittal.** The utilization of one (1) or more of the following:
 - 1. Email.
 - 2. The Internet.
 - 3. Facsimile.
- B. **Electric Vehicle Charging Station or Charging Station.** 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.
- C. **Building Official.** The officer or other designated authority charged with the administration and enforcement of the Sutter County Building Code, or a duly authorized representative.

1325-040 Electric Vehicle Charging Station Requirements

- A. All electric vehicle charging stations shall meet applicable health and safety standards and requirements of local, state, and federal law.
- B. The establishment of electric vehicle charging stations shall be determined to be a "permitted" or "accessory use" consistent with the Sutter County Zoning Code but shall not be subject to design review.
- C. There is not a violation of record for any structures associated with the application under review.
- D. 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.
- E. The Building Official shall establish 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 County website.
- F. In developing the expedited permitting process and checklist, the Building Official may refer to the recommendations contained in the most recent version of the "Plug-In Electric Vehicle Infrastructure Permitting Checklist" of 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 climactic, geological, seismological, or topographical conditions.

G. Electronic submittal of the required permit application and supporting documents shall be made available for all electric vehicle charging station permit applications. The method of electronic submittal shall be at the County's discretion.

H. The County 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 Civil Code section 4080.

1325-050 Expedited Permit Review

A. A permit application and supporting documentation for electric vehicle charging stations may be submitted to the Development Services Department 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. If at the time of a permit application, the County's supporting technology does not facilitate electronic signatures, the county, at its discretion, may authorize the acceptance of either electronic signature or wet signature.

B. A permit application and supporting documentation that satisfy the information requirements in the checklist, as determined by the Building Official, shall be deemed complete. Upon making the determination of an incomplete application, the Building Official shall issue a written correction notice detailing all deficiencies in the application and any additional information that is required to be eligible for expedited permit issuance.

C. The County shall issue a building permit for an electric vehicle charging station upon completion of the following:

1. The application complies with the County's electric vehicle charging station checklist.
2. The application has been determined to be consistent with this chapter.
3. The applicant has paid all appropriate fees.
4. The application has been deemed complete by the Building Official.

The County may establish a process to prioritize competing applications for expedited permits.

D. If the Building Official makes a finding based on substantial evidence that the electric vehicle charging station could have a specific adverse impact upon public health or safety, as defined by Government Code Section 65850.7, the County may require the applicant to apply for and receive approval of a use permit application.

E. 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.

F. The Building Official's decision to deny a permit application may be appealed to the Board of Supervisors in writing within 10-days of receiving writing notification by the Building Official. The Board of Supervisors decision shall be final.

SECTION 2: If any section, subsection, sentence, clause, portion, or phrase of this ordinance is for any reason held illegal, invalid, or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof. The Board of Supervisors hereby declares that it would have passed this Chapter and each section, subsection, sentence, clause, portion, or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared illegal, invalid or unconstitutional.

SECTION 3: Nothing in this Ordinance is intended to repeal, amend, or affect Chapter 1320 (public nuisance) of the Sutter County Ordinance Code, passed and adopted as Ordinance No. 1684 by the Sutter County Board of Supervisors on July 27, 2021.

SECTION 4: This Ordinance shall take effect thirty (30) days from and after its adoption, and prior to the expiration of 15 days from the adoption thereof, shall be published at least one time in the Appeal Democrat, a newspaper of general circulation.

PASSED AND ADOPTED this 27th day of February 2024, by the Board of Supervisors of the County of Sutter, State of California, by the following vote:

AYES: Supervisors Micheli, Flores, Ziegenmeyer, Bains, and Conant

NOES: None

ABSENT: None

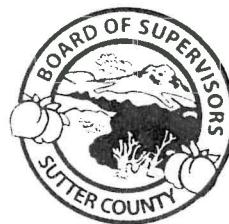
ABSTAIN: None



MAT CONANT, CHAIR
BOARD OF SUPERVISORS

ATTEST:
DONNA M. JOHNSTON, CLERK

BY: Donna M. Johnston
DEPUTY



FILED
FEB 28 2024

BOARD OF SUPERVISORS
DONNA M. JOHNSTON
Clerk of the Board
By Donna M. Johnston Deputy