

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF RIVERSIDE, CALIFORNIA, AMENDING TITLE 16 OF THE RIVERSIDE MUNICIPAL CODE BY ADDING CHAPTER 16.23 TO SPECIFY REQUIREMENTS FOR ELECTRIC VEHICLE CHARGING STATIONS AND TO PROVIDE AN EXPEDITED, STREAMLINED PERMITTING PROCESS FOR ELECTRIC VEHICLE CHARGING STATIONS.

WHEREAS, Subjection (a) of Section 65850.7 of the California Government Code provides that it is the policy of the State to promote and encourage the installation and use of electric vehicle charging stations and to limit obstacles to their use and minimizing costs of permitting for charging stations; and

WHEREAS, Subdivision (g) (1) of Section 65850.7 of the California Government Code provides that, on or before September 30, 2016, every city, county, or city and county with a population of 200,000 or more residents shall adopt an ordinance, consistent with the goals and intent of subdivision (a) of Section 65850.7, that creates an expedited, streamlined permitted process for electric vehicles charging stations.

NOW, THEREFORE, The City Council of the City of Riverside does ordain as follows:

Section 1: The Table of Contents for Title 16, Building and Construction, is amended to include Chapter 16.23:

**“Title 16 - Buildings and Construction**

Chapter 16.04	Administration
Chapter 16.06	Residential Code
...	
Chapter 16.20	Building Moving Regulations
Chapter 16.22	Solar Streamlined Permitting Process
<b><u>Chapter 16.23</u></b>	<b><u>Electric Vehicle Charging Station Streamlined Permitting Process</u></b>
Chapter 16.24	House Numbering”
...	

Section 2: Chapter 16.23 of the Riverside Municipal Code entitled Chapter 16.23 Electric Vehicle Charging Station Streamlined Permitting Process is added as follows:

**“Chapter 16.23**

**ELECTRIC VEHICLE CHARGING STATION STREAMLINED PERMITTING PROCESS**

<b><u>Sections:</u></b>	
<b><u>16.23.010</u></b>	<b><u>Purpose.</u></b>
<b><u>16.23.020</u></b>	<b><u>Applicability.</u></b>
<b><u>16.23.030</u></b>	<b><u>Definitions.</u></b>

1       16.23.040     Requirements.  
2       16.23.050     Application and Documents.  
3       16.23.060     Permit Review Requirements.  
4       16.23.070     Fees.

5       Section 16.23.010     Purpose.

6       The purpose of this ordinance is to create an expedited, streamlined electric vehicle  
7       charging station permitting process that complies with Government Code section 65850.7 to  
8       achieve timely and cost-effective installations of electric vehicle charging stations.

9       Section 16.23.020     Applicability.

10      a.     This chapter applies to the permitting of all electric vehicle charging stations in  
11      the City.

12      b.     Electric vehicle charging stations legally established or permitted prior to the  
13      effective date of this ordinance are not subject to the requirements of this ordinance unless  
14      physical modifications or alterations are undertaken that materially change the size, type, or  
15      components of an electric vehicle charging station in such a way as to require a new permit.

16      Section 16.23.030     Definitions.

17      a.     For the purpose of this Chapter, words and terms shall be defined as set forth in  
18      this Section. Where terms are not defined in this Code and are defined in other codes, such  
19      terms shall have the meanings ascribed to them as in those codes. Where terms are not defined  
20      through the methods authorized by this Section, such terms shall have ordinary accepted  
21      meanings such as the context implies.

22      b.     An “Electric Vehicle Charging Station” means the following:

23           i.     Any level of electric vehicle supply equipment station that is designed and  
24           built in compliance with Article 625 of the California Electrical Code, as it reads on the  
25           effective date of this section, and delivers electricity from a source outside an electric  
26           vehicle into a plug-in electric vehicle.

27      c.     “Electronic Submittal” means the utilization of the following:

28           i.     Any computer based electronic plan review software maintained, operated,  
          and utilized by the City while receiving applications through the internet.

1           d. “Specific Adverse Impact” means the following:  
2           i.       A significant, quantifiable, direct, and unavoidable impact, based on  
3 objective, identified, and written public health or safety standards, policies or conditions as they  
4 existed on the date the application was deemed complete.

5           Section 16.23.040     Requirements.

6           a.       All electric vehicle charging stations shall meet all applicable health and safety  
7 standards and the requirements imposed by the state and the City, local fire department and  
8 utility director.

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

14          Section 16.23.050     Application and Documents.

15          a.       All documents required for the submission of an expedited electric vehicle  
16 charging station application shall be made available on the publicly accessible City website.

17          b.       Electronic submittal of the required permit application and documents through  
18 City utilized computer based software shall be made available to all electric vehicle charging  
19 station permit applicants.

20          c.       An applicant’s electronic signature shall be accepted on all forms, applications,  
21 and other documents in lieu of a wet signature.

22          d.       The Building and Safety Division shall adopt a checklist of all requirements with  
23 which electric vehicle charging stations shall comply to be eligible for expedited review.

24          e.       The Building and Safety Division may refer to the recommendation contained in  
25 the most current version of the Plug-In Electric vehicle Infrastructure Permitting Checklist and  
26 the Zero-Emissions Vehicles in California: Community Readiness Guidebook published by the  
27 Governor’s Office of Planning and Research, when adopting the electric vehicle charging permit  
28 process and checklist.

1           **Section 16.23.060     Permit Review Requirements.**

2           **a.     The Building Official shall implement an administrative review process to**  
3 **expedite approval of electric vehicle charging stations. Where the application meets the**  
4 **requirements of the approved checklist and standards and there are no specific, adverse impacts**  
5 **upon public health or safety, the Building and Safety Division shall complete the building permit**  
6 **approval process, which is nondiscretionary. Review of the application for electric vehicle**  
7 **charging stations shall be limited to the Building Official's review of whether the application**  
8 **meets local, state, and federal health and safety requirements.**

9           **b.     If a permit application is deemed incomplete, a written correction notice detailing**  
10 **all deficiencies in the permit application and any additional information or documentation**  
11 **required to be eligible for expedited permit issuance shall be sent to the applicant for**  
12 **resubmission.**

13           **c.     The Building Official may require an applicant to apply for a Special Use Permit**  
14 **if the official finds, based on substantial evidence, that the Electric Vehicle Charging Station**  
15 **could have a specific, adverse impact upon the public health and safety. Such decisions may be**  
16 **appealed to the City Planning Commission in accordance with the procedures in Chapter 19.680.**

17           **d.     If a Use Permit is required, the City may only deny such application if it makes**  
18 **written findings based upon substantial evidence in the record that the proposed installation**  
19 **would have a specific, adverse impact upon public health or safety and there is no feasible**  
20 **method to satisfactorily mitigate or avoid the adverse impact. Such findings shall include the**  
21 **basis for the rejection of the potential feasible alternative for preventing the adverse impact.**  
22 **Such decisions may be appealed to the City Planning Commission in accordance with the**  
23 **procedures in Chapter 19.680.**

24           **e.     Any condition imposed on an application shall be designed to mitigate the specific,**  
25 **adverse impact upon health and safety at the lowest possible cost.**

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

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**Section 16.23.070 Fees.**

**The City Council may establish by resolution fees that shall be charged for permits issued under this chapter.**

Section 3: The City Council has reviewed the matter and, based upon the facts and information contained in the staff reports, administrative record, and written and oral testimony, hereby finds that this ordinance is not subject to the California Environmental Quality Act (“CEQA”) pursuant to Sections 15060(c)(2) of the State CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, in that it will not result in a direct or reasonably foreseeable indirect physical change in the environment; or, 15060(c)(3) in that it is not a “project”.

Section 4: The City Clerk shall certify to the adoption of this ordinance and cause publication once in a newspaper of general circulation in accordance with Section 414 of the Charter of the City of Riverside. This ordinance shall become effective on the 30th day after the date of its adoption.

ADOPTED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Mayor of the City of Riverside

Attest:

\_\_\_\_\_  
City Clerk of the City of Riverside

1 I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the  
2 foregoing ordinance was duly and regularly introduced at a meeting of the City Council on the  
3 \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and that thereafter the said ordinance was duly and  
4 regularly adopted at a meeting of the City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
5 by the following vote, to wit:

6 Ayes:

7 Noes:

8 Absent:

9 Abstain:

10 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the  
11 City of Riverside, California, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

12  
13 \_\_\_\_\_  
14 City Clerk of the City of Riverside  
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