

ORDINANCE NO. 931
AN ORDINANCE OF THE COUNTY OF RIVERSIDE
RELATED TO EXPEDITED PERMITTING PROCEDURES FOR
ELECTRIC VEHICLE CHARGING STATIONS

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

Section 1. FINDINGS AND PURPOSE. The Board of Supervisors finds and declares the following:

- a. Subsection (a) of Government Code section 65850.7 states that the implementation of consistent statewide standards to achieve the timely and cost-effective installation of electric vehicle charging stations is a matter of statewide concern and it is the policy of the State to promote and encourage the use of solar energy systems and to limit obstacles to their use.
- b. Subsection (a) of Government Code section 65850.7 further states that it is the intent of the Legislature of the State that local agencies “not adopt ordinances that create unreasonable barriers to the installation of electric vehicle charging stations and not unreasonably restrict the ability of homeowners and agricultural and business concerns to install electric vehicle charging stations.”
- c. The purpose of this ordinance is to adopt an expedited, streamlined permitting process for electric vehicle charging stations that complies with Assembly Bill No. 1236 (Chapter 598, Statutes 2015) to achieve timely and cost-effective installations of electric vehicle charging stations while protecting public health and safety.
- d. This ordinance shall apply to the permitting of all electric vehicle charging stations in the unincorporated area of the County. Electric vehicle charging stations permitted prior to the effective date of this ordinance are not subject to the requirements set forth herein 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. Routine operation and maintenance or like-kind replacements shall not require a permit.

Section 2. AUTHORITY. This ordinance is adopted pursuant to the authority granted by Article XI, Section 7 of the California Constitution and Government Code section 65850.7.

Section 3. DEFINITIONS. As used in this ordinance, the following terms shall have the following meanings:

a. Director. The Director of the Building and Safety Department or his designee.

b. Electronic submittal. The utilization of one or more of the following:

1. Email;
2. Internet;
3. Facsimile.

- c. Electric vehicle 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 and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle.
- d. Specific, adverse impact. 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.

Section 4. ELECTRIC VEHICLE CHARGING STATIONS EXPEDITED PERMITTING PROCESS.

- a. Installation of an electric vehicle charging station shall require a permit, current an effective, issued pursuant to this ordinance.
- b. On or before September 30, 2016, the Director shall adopt an administrative, nondiscretionary expedited permit process for electric vehicle charging stations. The checklist shall set forth all requirements with which the electric vehicle charging station must comply in order to be eligible for expedited permit processing.
- c. The electric vehicle charging station permit process and checklist may refer to the recommendations in the checklist prescribed by the most current version of the “Plug-In Electric Vehicle Infrastructure Permitting Checklist” of the “Zero-Emission Vehicles in California: Community Readiness Guidebook” (“Guidebook”) published by the Governor’s Office of Planning and Research, as may be periodically revised.
- d. The Director may modify the checklist found in the Guidebook due to unique climactic, geological, seismological, or topographical conditions.
- e. The checklist and standards for electric vehicle charging stations adopted by the Director, as well as all other required permitting documentation shall be published on the County’s website. If the Director modifies the checklist and standards found in the Guidebook, he shall document the unique climactic, geological, seismological or topographical conditions requiring such modifications and shall also include such documentation on the County’s website.

Section 5. APPLICATION REVIEW.

- a. The applicant may submit the application and related documentation for an electric vehicle charging station by electronic submittal, with all required permit processing and inspection fees, as specified on the County website. Electronic signatures shall be accepted by the Building and Safety Department on all electronic submittals in lieu of a wet signature.
- b. An application for an electric vehicle charging station shall be deemed complete when the Building and Safety Department staff determines that the application satisfies all the information requirements in the checklist and standard plans.

- c. If an application is deemed incomplete, a written correction notice detailing all deficiencies in the application and any additional information or documentation required to be eligible for expedited permit issuance shall be sent to the applicant for resubmission.
- d. Applications for electric vehicle charging stations shall be administratively reviewed and acted upon by the Director as nondiscretionary permits within a reasonable time following receipt of a complete application that meets the requirements of the County's approved checklist, standards plans, and payment of all required permit processing and inspection fees. The Director's review shall be limited to whether the proposed electric vehicle charging station meets all health and safety requirements of local, state, and federal law. The requirements of local law shall be limited to those standards and regulations necessary to ensure that the electric vehicle charging station will not have a specific, adverse impact upon the public health and safety.
- e. The Director may require the applicant to apply for a plot plan pursuant to section 18.30 of Ordinance No. 348 and all provisions of sections 18.30 of Ordinance No. 348 shall apply if the Director finds, based on substantial evidence, that the proposed electric vehicle charging station could have a specific, adverse impact upon the public health or safety.
 - 1. If a plot plan is required, the application for the plot plan may be denied if the appropriate authority as designed in Ordinance No. 348 makes written findings based upon substantial evidence that the proposed installation of the electric vehicle charging station would have a specific, adverse impact and there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact. 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 County on another similarly situated application in a prior successful application for a permit. The findings for denial shall include the basis for the rejection of potential feasible alternatives of preventing the adverse impact. Such decision may be appealed to the Planning Commission consistent with Section 18.30 of Ordinance No. 348.
 - 2. Any condition imposed on a plot plan for the electric vehicle charging station shall be designed to mitigate the specific, adverse impact upon the public health and safety at the lowest possible cost.
- f. Approval of an application for an electric vehicle charging station shall not be based or conditioned on the approval of an association, as defined in section 4080 of the Civil Code.

Section 6. SEVERABILITY. If any provision, clause, sentence or paragraph of this ordinance or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this ordinance which can be

given effect without the invalid provision or application, and to this end, the provisions of this ordinance are hereby declared to be severable.

Section 7. EFFECTIVE DATE. This ordinance shall take effect thirty (30) days after its adoption.

Adopted: Item 3-9 of 09/27/2016 (Eff: 10/27/2016)