



COUNTY OF HUMBOLDT

AGENDA ITEM NO.

I-1

For the meeting of September 12, 2017

Date: August 8, 2017

To: Board of Supervisors

From: John H. Ford, Director of Planning and Building *JH*

Subject: Introduction of Ordinance Adding Chapter 3 of Division 4 to Title VIII of the Humboldt County Code relating to Expedited Permitting of Electric Vehicles and Electric Vehicle Charging Stations.

RECOMMENDATION(S):

That the Board of Supervisors:

1. Introduce the attached Ordinance relating to Expedited Permitting of Electric Vehicles and Electric Vehicle Service Equipment (adding Chapter 3 of Division 4 to Title VIII of the Humboldt County Code) by title and waive the first reading;
2. Set the Ordinance for adoption at least one week away;

Prepared by Todd Sobolik

CAO Approval *[Signature]*

REVIEW:

Auditor _____ County Counsel *NAN* Human Resources _____ Other _____

TYPE OF ITEM:

☐ Consent
☒ Departmental
☐ Public Hearing
☐ Other _____

PREVIOUS ACTION/REFERRAL:

Board Order No. _____

Meeting of: _____

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT

Upon motion of Supervisor *Bohn* Seconded by Supervisor *Fennell*

Ayes *Bohn, Fennell, Bass, Wilson*
Nays _____
Abstain _____
Absent *Sundberg*

and carried by those members present, the Board hereby approves the recommended action contained in this Board report.

Dated: *September 12, 2017*

By: *[Signature]*
Kathy Hayes, Clerk of the Board

3. Direct the Clerk of the Board to publish the pre-adoption summary of the Ordinance and to post a certified copy of the full text of the proposed Ordinance in the office of the Clerk of the Board, both publication and posting to be done at least five (5) days prior to the Board meeting at which the Ordinance will be adopted. [Government Code Section 25124(b)(1)]; and
4. Direct the Clerk of the Board, within 15 days after adoption of the Ordinance, to publish a post-adoption summary of the Ordinance with the names of the Supervisors voting for and against the Ordinance, and to post in the office of the Clerk of the Board a certified copy of the full text of the adopted Ordinance and amendments along with the names of those supervisors voting for and against the Ordinance. [Government Code Section 25124(b)(1)].

SOURCE OF FUNDING:

The ongoing implementation of the ordinance will be funded with fees collected by the Building Inspection Division with issuance of the permits.

DISCUSSION:

The attached ordinance will fulfill State Law requirement to have an expedited process for permitting electric vehicles and electric vehicle service equipment. The ordinance anticipates approval of such charging stations will be over the counter, something made possible by the presence of a new senior inspector added this budget year. Humboldt County currently expedites the processing of such applications by reviewing plans and issuing permits as expeditiously as possible and is in substantial compliance with the law.

Section 65850.7(a)(g)(1) of the California Government Code requires that, on or before September 30, 2017, every city, county, or city and county with a population of less than 200,000 residents adopt an ordinance that creates an expedited, streamlined permitting process for electric vehicle charging stations. Adoption of this ordinance will fulfill this requirement.

CALIFORNIA ENVIRONMENTAL QUALITY ACT ("CEQA")

This ordinance is not a Project as defined by CEQA in Title 14 of the California Code of Regulations, Section 15378. Furthermore, the Ordinance is exempt pursuant to Section 15061(b)(3) as it is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment.

FINANCIAL IMPACT:

There is minimal financial impact by adopting the Ordinance as staff time to prepare the Ordinance is already included in the fiscal year 2017-18 budget. Additionally, there is a possibility of increased permit revenue in the future as a result of this Ordinance as it will expedite the process for permitting electric vehicle charging stations.

This ordinance conforms to the Board of Supervisors' Strategic Framework Priorities for New Initiatives by engaging in and influencing areas of statewide concern.

OTHER AGENCY INVOLVEMENT

None

ALTERNATIVES TO STAFF RECOMMENDATIONS

The Board may choose not to adopt the Ordinance; however, AB 1236 offers no alternative to adoption of an Ordinance at the local level.

ATTACHMENTS

ATTACHMENT A: Summary for Publication Prior to Adoption of Ordinance

ATTACHMENT B: Summary for Publication After Adoption of Ordinance

ATTACHMENT C: Ordinance No. _____

ATTACHMENT A

SUMMARY FOR PUBLICATION PRIOR TO ADOPTION OF ORDINANCE

(The summary shall be published and a certified copy of the full text of the proposed ordinance shall be posted in the office of the Clerk of the Board of Supervisors at least five (5) days prior to the Board of Supervisors meeting at which the proposed ordinance is to be adopted.)

SUMMARY

On _____, 2017, at its regularly scheduled Board meeting, the Humboldt County Board of Supervisors will consider for adoption a proposed ordinance adding Chapter 3 relating to providing an expedited streamlined permitting process for Electric Vehicle and Electric Charging Stations (EVCS) to Division 4 of Title VIII of the Humboldt County Code.

The text of the proposed ordinance is available in the office of the Clerk of the Board of Supervisors, 825 Fifth Street, Room 111, Eureka, California 95501.

ATTACHMENT B

SUMMARY FOR PUBLICATION AFTER ADOPTION OF ORDINANCE

(The summary shall be published within fifteen (15) days after the adoption of the ordinance.)

SUMMARY

On _____, 2017, the Humboldt County Board of Supervisors adopted Ordinance No. _____ adding Chapter 3 relating to providing an expedited streamlined permitting process for Electric Vehicle and Electric Charging Stations (EVCS) to Division 4 of Title VIII of the Humboldt County Code.

A copy of the ordinance is posted in the office of the Clerk of the Board of Supervisors, 825 Fifth Street, Room 111, Eureka, California 95501.

The votes were:

AYES:	Supervisors:
NOES:	Supervisors:
ABSENT:	Supervisors:
ABSTAIN:	Supervisors:

ATTACHMENT C

Proposed Ordinance

ORDINANCE NO. _____

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF HUMBOLDT ADDING CHAPTER 3 RELATING TO PROVIDING AN
EXPEDITED STREAMLINED PERMITTING PROCESS FOR ELECTRIC VEHICLE
AND ELECTRIC CHARGING STATIONS (EVCS) TO DIVISION 4 OF TITLE VIII OF
THE HUMBOLDT COUNTY CODE**

WHEREAS, the State of California recently adopted Assembly Bill 1236, which requires local agencies to adopt an ordinance that creates an expedited and streamlined permitting process for electric vehicle charging systems; and

WHEREAS, creation of an expedited, streamlined permitting process for electric vehicle charging stations would facilitate convenient charging of electric vehicles and help reduce the County's reliance on environmentally damaging fossil fuels.

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

SECTION 1. Sections 843-1 through 843-8 of Chapter 3 of Division 4 of Title VIII of the Humboldt County Code are added as shown on the attached pages.

SECTION 2. This ordinance shall take effect and be in force thirty (30) days from the date of its passage. A summary shall be published at least five (5) days before the date set for adoption and again fifteen (15) days after passage of this ordinance. It shall be published once with the names of the Board of Supervisors voting for and against the ordinance in a newspaper of general circulation published in the County of Humboldt, State of California.

PASSED, APPROVED AND ADOPTED this _____ day of _____,
2017.

AYES: Supervisors--
NOES: Supervisors--
ABSENT: Supervisors--

Chair of the Board of Supervisors of the
County of Humboldt, State of California

(SEAL)

ATTEST:

Kathy Hayes, Clerk of the Board of Supervisors
County of Humboldt

TITLE VIII - BUSINESS LICENSES, FRANCHISES

AND MUNICIPAL SOLAR UTILITY PROGRAMS

DIVISION 4

MUNICIPAL SOLAR UTILITY PROGRAMS

Chapter 1 - Municipal Solar Utility Program

- \$ 841-1. Findings.
- \$ 841-2. Definitions.
- \$ 841-3. Regulation of Solar Leasing Operations.

Chapter 2 - Expedited, Streamlined Permitting Process for Small Residential Rooftop Solar Energy Systems.

- \$ 842-1. Definitions.
- \$ 842-2. Applicability.
- \$ 842-3. Solar Energy System Requirements.
- \$ 842-4. Duties of the Building Inspection Division and Building Official.
- \$ 842-5. Permit Review and Inspection Requirement.

Chapter 3 - Expedited, Streamlined Permitting Process for Electric Vehicles and Electric Vehicle Charging Stations (EVCS).

- \$ 843-1. Purpose.
- \$ 843-2. Definitions.
- \$ 843-3. Applicability.
- \$ 843-4. Expedited Permitted Process.
- \$ 843-5. Permit Application Processing.
- \$ 843-6. Technical Review.
- \$ 843-7. Electric Vehicle Charging Station Installation Requirements.
- \$ 843-8. Severability.

CHAPTER 3

EXPEDITED, STREAMLINED PERMITTING PROCESS FOR ELECTRIC VEHICLES
AND ELECTRIC VEHICLE CHARGING STATIONS (EVCS)

§ 843-1. PURPOSE.

The purpose of this Chapter is to promote and encourage the use of electric vehicles by establishing an expedited, streamlined permitting process for electric vehicle charging stations while protecting the public health and safety by preventing potential specific adverse impacts resulting from the installation and use of such charging stations. This Chapter is also purposed to comply with California Government Code section 65850.7. (Ord. __, § __, 2017)

§ 843-2. DEFINITIONS.

(a) "Electronic submittal" means the utilization of one or more of the following: (Ord. __, § __, 2017)

- i) Email
- ii) The internet
- iii) Facsimile

(b) "Electric vehicle charging station" or "charging station" means 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 section, and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle. (Ord. __, § __, 2017)

(c) "Specific adverse impact" means 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. (Ord. __, § __, 2017)

§ 843-3. APPLICABILITY.

(a) This Ordinance applies to the permitting of all electric vehicles and electric vehicle charging stations in the unincorporated area of Humboldt County (hereinafter referred to as County). (Ord. __, § __, 2017)

(b) Electric vehicle charging stations legally established or permitted prior to the effective date of this Ordinance are not subject to the requirements of this Ordinance unless physical modifications or alterations are undertaken that materially change the size, type or components of electric vehicle charging stations. (Ord. __, § __, 2017)

§ 843-4. EXPEDITED PERMITTING PROCESS.

In order to implement Government Code Section 65850.7, the County will endeavor to review complete building permit applications for electric vehicle charging stations over the counter, and when circumstances do not allow, will review building permit applications within two (2) working days of submittal. Applications meeting all submittal requirements on the checklist published on the County's website and complying with all applicable codes will be issued a permit. Applications which are incomplete or do not comply with applicable codes, will be issued a notice of correction and will be subject to subsequent plan review prior to the permit issuance. Ord. ___, § __, 2017)

§ 843-5. PERMIT APPLICATION PROCESSING.

(a) As part of the Building Permit Application, the applicant shall demonstrate that the installation of an electric vehicle charging station will not have a specific adverse impact to public health and safety and building occupants. The plans submitted must, at a minimum, address electrical system capacity and loads, electrical system wiring, bonding and overcurrent protection, building infrastructure affected by electric vehicle charging stations and associated conduits, areas of electric vehicle charging stations and vehicle parking. The Chief Building Official may require additional information to address a specific adverse impact. (Ord. ___, § __, 2017)

(b) The Building Official shall allow for electronic submittal of permit applications covered by this Ordinance and associated supporting documentation. In accepting such permit applications, the Building Official shall also accept electronic signatures on all forms, applications, and other documentation in lieu of a wet signature by any applicant. (Ord. ___, § __, 2017)

§ 843-6. TECHNICAL REVIEW.

(a) The Building Official may deny an application for a permit if the official makes written findings based upon substantive evidence in the record that the proposed electric vehicle charging stations would have an adverse impact upon public health or safety and there is no feasible method to satisfactorily mitigate or avoid the adverse impact. The written findings shall include the basis for the rejection of identified potential feasible alternatives for preventing the adverse impact. The decision may be appealed to the Board of Appeals. (Ord. ___, § __, 2017)

(b) In technical review of an electric vehicle charging station, the Building Official shall not condition the approval for any electric vehicle charging station permit on the approval of such a system by an association, as that term is defined by Civil Code Section 4080. (Ord. ___, § __, 2017)

§ 843-7. ELECTRIC VEHICLE CHARGING STATION INSTALLATION REQUIREMENTS.

(a) Electric vehicle charging station equipment shall meet the requirements of the California Electrical Code, the Society of Automotive Engineers, the National Electrical Manufacturers Association, and accredited testing laboratories such as Underwriters Laboratories, and rules of the Public Utilities Commission or a Municipal Electric Utility Company regarding safety and reliability. (Ord. __, § __, 2017)

(b) Installation of electric vehicle charging stations and associated wiring, bonding disconnecting means and over current protective devices shall meet the requirements of Article 625 and all applicable provisions of the California Electrical Code. (Ord. __, § __, 2017)

(c) Installation of electric vehicle charging stations shall be incorporated into the load calculations of all new or existing electrical services and shall meet the requirements of the California Electrical Code. Electric vehicle charging equipment shall be considered a continuous load. (Ord. __, § __, 2017)

(d) Anchorage of either floor-mounted or wall-mounted electric vehicle charging stations shall meet the requirements of the California Building or Residential Code as applicable per occupancy, and the provisions of the manufacturer's installation instructions. Mounting of charging stations shall not adversely affect building elements. (Ord. __, § __, 2017)

§ 843-8. SEVERABILITY.

If any provision of this Ordinance, or the application thereof, is held invalid, that invalidity shall not affect any other provision or application of this Ordinance that can be given effect without the invalid provisions or application; and to this end, the provisions or application of this Ordinance are severable. (Ord. __, § __, 2017)