



Monterey County

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Board Report

Legistar File Number: ORD 16-020

September 13, 2016

Introduced: 8/24/2016

Version: 1

Current Status: Agenda Ready

Matter Type: Ordinance

Adopt an ordinance adding Chapter 18.18 to the Monterey County Code to establish an expedited permitting process for electric vehicle charging stations in accordance with Assembly Bill 1236 (AB 1236).

RECOMMENDATION:

It is recommended that the Board of Supervisors adopt an ordinance adding Chapter 18.18 to the Monterey County Code to establish an expedited permitting process for electric vehicle charging stations in accordance with Assembly Bill 1236 (AB 1236).

SUMMARY:

On August 30, 2016, the Board of Supervisors introduced, waived the reading and set September 13, 2016 at 10:30 a.m., (Consent Agenda) for adoption of an Ordinance adding Chapter 18.18 to the Monterey County Code to establish an expedited permitting process for electric vehicle charging stations in accordance with Assembly Bill 1236 (AB 1236).

In October 2015, Governor Brown signed AB 1236 (2015, Chiu, Codified as Government Code Section 65850.7), which requires local jurisdictions with a population of 200,000 or more residents to adopt an ordinance to create an expedited, streamlined permitting process for electric vehicle charging stations on or before September 30, 2016.

The proposed ordinance would add Chapter 18.18 to provide for this process as required by AB 1236. This ordinance would apply to all utility interconnected electric vehicle charging stations installed in unincorporated Monterey County.

The proposed ordinance complies with AB 1236 by providing the Department with the authority to:

1. Expedite permit applications for electric vehicle charging stations; and
2. Establish a checklist of requirements applicants must meet in order to be eligible for expediting, in conformance with the "Plug-In Electric Vehicle Infrastructure Permitting Checklist" published by the Office of Planning and Research.

The proposed ordinance also complies with AB 1236 by:

1. Allowing electronic submittals of permit applications for electric vehicle charging stations;
2. Limiting review of permit applications for electric vehicle charging stations to health and safety requirements; and
3. Prohibiting permit conditions that require approval of an association (e.g. homeowner's association).

DISCUSSION:

AB 1236 requires jurisdictions with populations of 200,000 or more residents to adopt an ordinance for expedited, streamlined processes for permitting of electric vehicle charging stations on or before September 30, 2016. Under the bill, the ordinance must include the requirement that the jurisdiction adopt a checklist of requirements with which a permit application for an electric vehicle charging station will be eligible for expedited review. AB 1236 refers to the recommendations in the most current version of the “Plug-In Electric Vehicle Infrastructure Permitting Checklist” of the “Zero-Emission Vehicles in California: Community Readiness Guidebook” published by the Governor’s Office of Planning and Research.

CHECKLIST:

Staff is recommending the adoption of the “Plug-In Electric Vehicle Infrastructure Permitting Checklist” without alteration. AB 1236 limits alteration of the checklist to “unique climactic, geological, seismological, or topographical conditions”, none of which have been identified as applicable in Monterey County. Should any of these conditions be identified in the future, staff will return to the Board to adopt an ordinance modifying the checklist as required by AB 1236.

The “Plug-In Electric Vehicle Infrastructure Permitting Checklist” contains objective requirements for the installation of an electric vehicle charging station and is attached to this board report for review. The content of the checklist requires the permit applicant to check the features of the existing electrical service, location of the electric vehicle supply equipment, and clearances of the charging equipment to comply with all applicable building and fire safety laws.

PROCESS:

Currently, the Resource Management Agency-Permit Center (RMA- Permit Center) processes permit applications for electric vehicle charging stations via in-person submittal in which an applicant visits the Permit Center and submits paper or electronic application materials over the counter. The application is approved via over-the-counter plan check, for small systems, or is routed to back plan check and approved on a first come, first serve basis, for larger, more complex systems.

Going forward, electronic submittal of permit applications for electric vehicle charging stations will be an additional option for applicants. RMA-Permit Center anticipates needing only minimal changes in its current electronic submittal procedures in order to extend this service to permit applications for electric vehicle charging stations as required by AB 1236. RMA-Permit Center currently accepts online applications for the majority of its small residential rooftop solar permits and anticipates being able to extend this online system to electric vehicle charging stations.

Additionally, the proposed ordinance establishes expedited processing of permit applications for electric vehicle charging stations that meet the criteria outlined in the adopted checklist. This means that the RMA-Permit Center will prioritize these applications before other applications, resulting in quicker issuance of these permits and adherence to AB 1236’s intent to achieve timely installation of electric vehicle charging stations.

FEES:

The Department is not seeking to amend the Monterey County Fee Resolution pursuant to the proposed ordinance. Fees charged for permits processed and issued under the proposed ordinance would consist of standard fees currently applied as follows.

For small systems that can be issued over the counter, fees would consist of the following items found in Article XIX, Resolution No. 16-023, adopted 5/3/2016, totaling approximately \$280:

- II.B.1. OTC Review and Issuance (\$90),
- II.D.4.a. Inspection, Minor Simple Permit (\$180),
- Plus standard administrative fees.

For larger, primarily commercial, systems that must be routed to plan check for review, fees would consist of the following items found in Article XIX, Resolution No. 16-023, adopted 5/3/2016, totaling approximately \$730:

- II.A.4.c Issuance, EV Charging Station Permit (\$90),
- II.A.7.a. Final Processing, Standard (\$90),
- II.B.2. Routing, Building Only Plan Review (\$150),
- II.C.7.c. Plan Review, EV Charging Station (\$195 hourly),
- II.D.4.a. Inspection, Minor Simple Permit (\$180),
- Plus standard administrative fees.

CEQA EXEMPTION:

Adoption of the Expedited Permitting Process for Electric Vehicle Charging Stations Ordinance is exempt from environmental review pursuant to Sections 15301, 15303, and 15304 of the California Environmental Quality Act (“CEQA”) Guidelines, as suggested in the Zero-Emission Vehicles in California: Community Readiness Guidebook adopted by the Governor's Office of Planning and Research. Adoption and implementation of this ordinance is an action taken by the County and is required by state law pursuant to Government Code Section 65850.7.

Consistent with Section 15301 of the CEQA Guidelines, an expedited permit process for electric vehicle charging stations will result in minor alterations to existing facilities involving negligible or no expansion of use beyond that which is presently existing. Additionally, consistent with Section 15303 and 15304 of the CEQA Guidelines, an expedited permit process for electric vehicle charging stations will result in a limited number of new, small structures, and will consist of minor public or private alterations in the condition of land.

OTHER AGENCY INVOLVEMENT:

The Alternative Energy and Environment Committee held a public meeting on August 25, 2016 where staff presented the draft ordinance and requested the Committee’s recommendation to the full Board of Supervisors. The Committee’s action was a recommendation to approve the ordinance.

The Office of the County Counsel has approved the ordinance as to form. RMA-Building Services has consulted with the appropriate local fire departments and districts as required by AB 1236. The draft ordinance has been distributed to stakeholders for their input.

FINANCING:

There is no additional impact to the General Fund as a result of the above actions. The staff cost associated processing electric vehicle charging stations are included in the FY 2016-17 Adopted Budget for RMA Building Services, Fund 001-3000-8170-RMA011 where the funding source are permit fees collected.

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Reviewed by: Dan Dobrilovic, Building Official
John Guertin, Acting RMA Deputy Director

Approved by: Carl P. Holm, AICP, RMA Director

The following attachments are on file with the Clerk of the Board:

Attachment A - Draft Ordinance

Attachment B - Plug-In Electric Vehicle Infrastructure Permitting Checklist

cc: Shawne Ellerbee, RMA-Administrative Services; John Guertin, RMA- Land Use and Community Development; Freda Escobar, RMA-Permit Center; Jacqueline Onciano & John Ford, RMA-Planning; Michael Goetz, RMA- Community Development; Daniel Dobrilovic, RMA- Building Services; Tom Moss, RMA-Environmental Services; Tim Burns, Code Compliance; Nick Chiulos, Assistant CAO; Lucila Sanchez, CAO Budget & Analysis Karina Bokanovich, CAO Administrative Support; Richard Rudisill, Chair, Permit Streamlining Task Force; Dorothy Priolo, Monterey County Regional Fire District; Art Black, Carmel Fire Protection Associates; Sichel Young, Cal Fire; Garrett Veyna, Cal Fire