

City of Hesperia STAFF REPORT



DATE: August 6, 2024
TO: Mayor and Council Members
FROM: Rachel Molina, City Manager **SECOND READING AND ADOPTION**
BY: Nathan R. Freeman, Director of Development Services
Andrew Lemke, Building Official
SUBJECT: Electric Vehicle Charging Stations

RECOMMENDED ACTION

It is recommended that the City Council introduce and place on first reading Ordinance No. 2024-07 adding Chapter 15.04.060 to the City's Municipal Code, setting forth an expedited and streamlined permitting process for electric vehicle charging stations.

BACKGROUND

The State of California adopted Assembly Bill 1236, which added Section 65850.7 to the Government Code, to incorporate numerous requirements and permitting processes applicable to the installation of Electric Vehicle (EV) charging stations. Amongst other things, AB 1236 also requires that all municipalities, with a population of 200,000 or less, adopt an ordinance to streamline the permitting process for EV charging stations. Moreover, in developing the expedited permitting process, the City must also adopt a checklist of all requirements with which EV charging stations shall comply to be eligible for expedited review.

AB 1236 applies to all EV charging station installations, including Level 1, Level 2, and DC Fast Charging; public and private charging stations; light-medium- and heavy-duty charging stations; and stations that are installed as the accessory or primary use of a site.

ISSUES/ANALYSIS

The content of the noted checklist requires the permit applicant to check the features of the existing electrical service such as rating in amperes, system voltage, connected or calculated load, spare capacity in amperes, voltage and ampere rating of the electric vehicle supply equipment, circuit rating of the electric vehicle supply equipment, location of the electric vehicle supply equipment, if ventilation is/ or is not required, and clearances of the charging equipment to comply with all applicable building and fire safety laws.

The checklist also assists the applicant in confirming that the location of the electric vehicle supply equipment will comply with any vehicle clearance requirements in the City's Zoning Ordinance. Section 65850.7 requires that the City's checklist may be based on the "Plug-In Electric Vehicle Infrastructure Permitting Checklist" of the "Zero-Emission Vehicles in California: Community Readiness Guidebook" of the Governor's Office of Planning and Research.

Staff recommends that City Council introduce for First Reading the attached ordinance, given Government Code Section 65850.7's requirement that local agencies adopt such an ordinance to

create an expedited, streamlined permitting process for electric vehicle charging stations. The process and procedures required can be accommodated to comply with the requirements of the Assembly Bill. Staff anticipates that the successful implementation of an expedited, streamlined process will be available to permit applicants when the ordinance is adopted.

Environmental: Approval of the subject Development Code Amendment is exempt from the requirements of the California Environmental Quality Act per Section 15061(b)(3), where it can be seen with certainty that there is no significant effect on the environment. The proposed Development Code Amendment is also exempt from the requirements of the California Environmental Quality Act by Section 16.12.415(B)(10) of the City's CEQA Guidelines, as the Development Code Amendment does not propose to increase the density or intensity allowed in the General Plan.

Conclusion: The subject Development Code Amendment complies with the General Plan. Ensuring that the new streamlining process will meet the intent of the States mandate for enactment and implementation.

CITY GOAL SUPPORTED BY THIS ITEM

Future Development – Facilitate balanced growth to ensure cohesive community development and pursue economic development.

FISCAL IMPACT

There is no fiscal impact associated with this action.

ALTERNATIVE(S)

1. Provide alternative direction to staff.

ATTACHMENT(S)

1. Ordinance No. 2024-07
2. Exhibit A - H.M.C. 15.04.060
3. EV Checklist