

ORDINANCE NO. 4166

AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH ADDING
CHAPTER 17.62 TO THE HUNTINGTON BEACH MUNICIPAL CODE REGARDING
EXPEDITED ELECTRIC VEHICLE CHARGING STATION PERMITTING

The City Council of the City of Huntington Beach does hereby ordain as follows:

WHEREAS, the City of Huntington Beach desires to promote and encourage the use of Electric Vehicle Charging Stations and to limit obstacles to their use; and

WHEREAS to promote the health, safety, and welfare of the citizens of Huntington Beach, the City of Huntington Beach desires to create an expedited, streamlined permitting process for the installation of Electric Vehicle Charging Stations.

NOW, THEREFORE, the City Council of the City of Huntington Beach does hereby ordain as follows:

SECTION 1. Chapter 17.62 is hereby added to the Huntington Beach Municipal Code to read as follows:

Section 17.62.010. Intent and Purpose

The intent and purpose of this Chapter is to adopt an expedited permitting process for the installation of Electric Vehicle Charging Stations. Implementation of this Chapter is designed to encourage the use of Electric Vehicle Charging Stations while protecting the public health and safety.

Section 17.62.020. Definitions

A. "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 a city, county, or city and county on another similarly situated application in a prior successful application for a permit.

B. "Electronic Submittal" means the utilization of one or more of the following:

1. Email.
2. The Internet.
3. Facsimile.

C. "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 or any successor statutes, 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.

D. "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.

Section 17.62.030. Applicability

This Chapter applies to the process for installation of Electric Vehicle Charging Stations in the City.

Section 17.62.040. Electric Vehicle Charging Station Requirements

A. All Electric Vehicle Charging Stations shall meet applicable health and safety standards and requirements imposed by the City and State of California.

B. Electric Vehicle Charging Stations shall comply with all City, State, and Federal laws and regulations including, but not limited to, all applicable safety and performance standards established by the California Electrical Code, the Society of Automotive Engineers, the National Electrical Manufacturers Association, and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability.

Section 17.62.050. Duties of Department of Community Development and Building Official

A. The Building Official shall implement an administrative, nondiscretionary review process to expedite the review of Electric Vehicle Charging Station applications. The process shall include a checklist of all requirements that Electric Vehicle Charging Station applications shall have to be eligible for expedited review.

B. The Building Official may establish a process to prioritize competing applications for expedited permits.

C. The checklist and required permitting documentation shall be published on the City's website.

Section 17.62.060. Expedited Permit Review Requirements

A. The Building Official shall review an application for an Electric Vehicle Charging Station to determine whether it satisfies the information requirements prior to deeming the application complete.

B. If the Building Official deems an application incomplete, the Building Official shall issue a written correction notice detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance.

C. Upon confirmation of the application and supporting documents being complete and meeting the requirements of the checklist, the Building Official shall approve the application and issue all required permits or authorizations.

D. The Building Official shall review each application for an Electric Vehicle Charging Station to determine whether it will have a Specific, Adverse Impact upon the public health or safety. If the Building Official makes a finding, based on substantial evidence, that the Electric Vehicle Charging Stations could have a Specific, Adverse Impact upon the public health or safety, the City may require the applicant to apply for a conditional use permit. Any conditions imposed on an application to install an Electric Vehicle Charging Station shall be designed to mitigate the Specific, Adverse Impact upon the public health or safety at the lowest cost possible.

E. The Building Official may not deny an application for a permit to install an Electric Vehicle Charging Station unless he or she makes written findings based upon substantial evidence in the record that the proposed installation would have a Specific, Adverse Impact upon the public health or safety, and there is no Feasible Method to Satisfactorily Mitigate or Avoid the Specific, Adverse Impact. The findings shall include the basis for the rejection of potential feasible alternatives of preventing the adverse impact.

F. The decision of the Building Official pursuant to subdivisions (D) and (E) may be appealed to the City's planning commission.

SECTION 2. Electronic Submittal. The City will allow for Electronic Submittal of a permit application and associated documentation, and / or authorize the electronic signature on all forms, applications, and other documentation in lieu of a wet signature by an applicant, at such time when it is achievable under the City's operating system.

SECTION 3. Severability. If any section, subsection, phrase, or clause of this Ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 4. This ordinance shall become effective 30 days after its adoption.

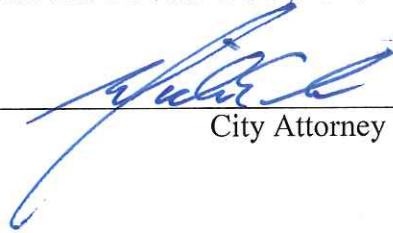
PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting held this _____ day of _____, 2019.

Mayor

ATTEST:

APPROVED AS TO FORM:

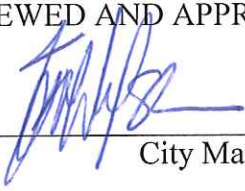
City Clerk



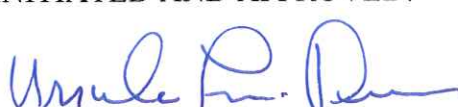
City Attorney *mv*

REVIEWED AND APPROVED:

INITIATED AND APPROVED:



City Manager



Director of Community Development