

TO: Board of Supervisors

FROM: Planning and Building Services

MEETING DATE: December 8, 2020

DEPARTMENT CONTACT: Jesse Davis

PHONE: (707) 234-6650

DEPARTMENT CONTACT: Michael Oliphant

PHONE: (707) 234-6650

ITEM TYPE: Noticed Public Hearing

TIME ALLOCATED FOR ITEM: 15 Mins.

AGENDA TITLE:

Noticed Public Hearing – Discussion and Possible Action to Introduce and Waive First Reading of an Ordinance Adding Chapter 18.50 to the Mendocino County Code for Expedited Electric Vehicle Charging Station Permitting.

RECOMMENDED ACTION/MOTION:

Adopt an Ordinance adding Chapter 18.50 to the Mendocino County Code to facilitate expedited permitting of Electric Vehicle Charging Station in accordance with Assembly Bill 1236, and direct the Chief Building Official to convey compliance to the California Governor’s Office of Business and Economic Development; and authorize Chair to sign same.

PREVIOUS BOARD/BOARD COMMITTEE ACTIONS:

On September 22, 2020, the Mendocino County Board of Supervisors directed staff to prepare an Ordinance adding Chapter 18.50 to the Mendocino County Code for expedited Electric Vehicle Charging Station permitting in accordance with Assembly Bill 1236.

SUMMARY OF REQUEST:

On October 8, 2015, Assembly Bill 1236 (AB 1236) was signed into law requiring all cities and counties to create an expedited and streamlined permitting process for electric vehicle charging stations. The bill establishes permit processing requirements as codified in section 65850.7 of the California Government Code. Section 65850.7(a) of the California Government Code provides that it is of statewide concern to achieve the timely and cost effective installation of electric vehicle charging stations by limiting barriers to the installation of these stations and not unreasonably restricting the ability of homeowners, agricultural and business operations to install electric vehicle charging stations. For those cities and counties with a population less than 200,000, the deadline to adopt and implement these regulations was September 30, 2017.

The recommended Ordinance to add Chapter 18.50 to Mendocino County Code addresses all requirements of AB 1236 and Government Code section 65850.7, such as accepting and approving electric vehicle charging station permit applications electronically, directing the County’s Chief Building Official to utilize an approved “checklist” of all requirements, requiring that the checklist and all permitting documentation be published on a publicly accessible internet website, allowing for electronic submittal of such permit application and associated documentation, and authorizing the Chief Building Official to administratively approve complete applications.

While the County of Mendocino currently reviews and issues most residential applications for electric vehicle charging stations over the-counter, adoption of this Ordinance will codify the requirement for a streamlined process that includes both residential and commercial applications, as well as facilitate compliance with State law.

See attached Memorandum, Draft Ordinance, Draft Checklist, and 2019 Mendocino County Zero Emission Vehicle (ZEV) and Alternative Fuels Readiness Plan Update

ALTERNATIVE ACTION/MOTION:

Provide direction to staff.

FISCAL IMPACT:

SOURCE OF FUNDING: N/A
CURRENT F/Y COST: N/A

BUDGETED IN CURRENT F/Y: N/A
ANNUAL RECURRING COST: N/A

SUPERVISORIAL DISTRICT: ALL

VOTE REQUIREMENT: MAJORITY

AGREEMENT/RESOLUTION/ORDINANCE APPROVED BY COUNTY COUNSEL: Yes

CEO LIAISON: Steve Dunicliff, Deputy CEO

CEO REVIEW:

CEO COMMENTS:

FOR COB USE ONLY

Executed By:

Date:

Note to Department:

Final Status:

Executed Item Number:



MEMORANDUM

DATE: DECEMBER 8, 2020

TO: HONORABLE BOARD OF SUPERVISORS

FROM: MIKE OLIPHANT, MENDOCINO COUNTY, CHIEF BUILDING OFFICIAL
 JESSE DAVIS, MENDOCINO COUNTY, SENIOR PLANNER

SUBJECT: ORDINANCE ADDING CHAPTER 18.50 TO THE MENDOCINO COUNTY CODE RELATED TO AN EXPEDITED PERMITTING PROCESS FOR ELECTRIC VEHICLE CHARGING STATIONS

BACKGROUND

In 2015, the State of California adopted Assembly Bill 1236 (2015, Chiu, Codified as Government Code Section 65850.7), which requires local jurisdictions with a population of less than 200,000 residents to adopt an ordinance creating an expedited permit process for electric vehicle (EV) charging stations. The amendments to Section 65850.7 include the requirement that jurisdictions adopt an ordinance for this process and make available an online checklist of requirements. For review, the proposed Mendocino County Electric Vehicle Charging Station Checklist is attached to this memorandum as Attachment A.

MENDOCINO COUNTY STATISTICS – EV CHARGING STATIONS & VEHICLES

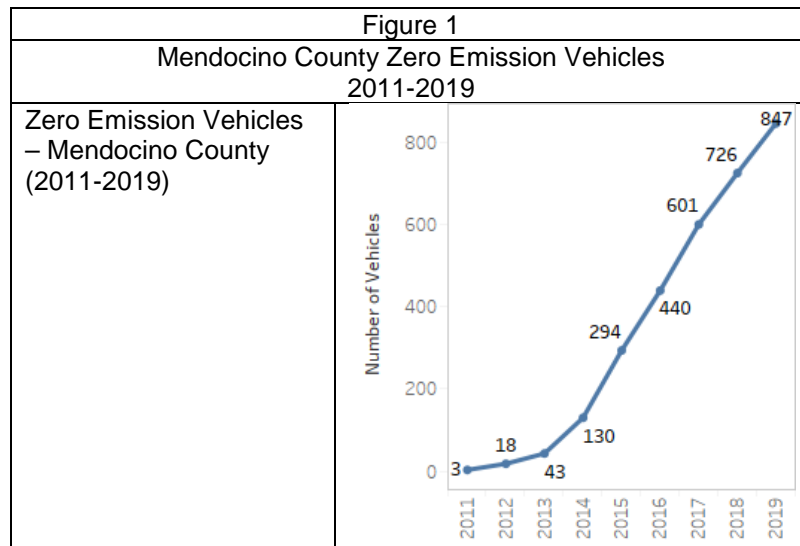
The California Energy Commission (CEC) and the Department of Motor Vehicles (DMV) track the sales and registration of light duty zero emission vehicles (ZEVs). ZEVs include battery-electric (BEVs), plug-in hybrid electric (PHEV), and fuel cell vehicles. The CEC also tracks the number of plug-in electric vehicle chargers serving these light-duty vehicles in California. Comparatively, Mendocino County, which includes incorporated jurisdictions for the purpose of this memorandum, presents a similar profile to the statewide registration of vehicles, with the exception of diesel and BEVs. Further information is presented in Table 1, below:

Table 1				
<u>Vehicle Ownership in Mendocino County versus Statewide as of December 2019</u>				
<u>Vehicle Type</u>	Mendocino County (2019)		Statewide (2019)	
	Number of Vehicles	Percentage of Total	Number of Vehicles	Percentage of Total
Light Duty	82,115	100%	28,462,885	100%
Gasoline	69,334	83.5%	25,526,368	87.9%
Diesel (Bio & Regular)	6,975	8.4%	680,622	2.3%
Battery Electric	315	.380%	308,447	1.0%
Plug-in Hybrid	532	.641%	251,522	.866%
Gasoline Hybrid	2,477	2.9%	1,114,944	3.8%
Flex-Fuel	3,322	4.0%	1,131,474	3.8%
Natural Gas & Propane)	8	.008%	9,477	9.3%

Source: California Energy Commission (2020). CEC Zero Emission Vehicle and Charger Statistics. Data Last Updated August 28, 2020. Retrieved From: <https://www.energy.ca.gov/data-reports/energy-insights/zero-emission-vehicle-and-charger-statistics>

Presently, within the County, there are 110 total Public and Shared Private Electric Vehicle Chargers, 87 of which are Level 2 Chargers, while the remainder are DC Fast Chargers. The number of registered ZEVs has risen substantially since 2011, as conveyed by the graph in Figure 1. It should be noted that there are comparatively fewer BEVs in Mendocino County, when compared to PHEVs. Of the 847 ZEVs considered “on

the road' in 2019, 532 were PHEVs while 315 were BEVs.¹ This disparity is substantiated by the corresponding development of EV charging station infrastructure. Given the substantial increase in range capabilities of BEVs since 2011, especially for vehicles like the Nissan LEAF, Tesla Model S and Kia Soul, which each saw dramatic increases in range capabilities, BEVs are expected to become more common throughout Mendocino County and the State more broadly. There are presently no registered Fuel Cell Vehicles identified by the CEC registered within Mendocino County.



Source: California Energy Commission (2020). California Energy Commission Zero Emission Vehicle and Charger Statistics. Data Last Updated August 28, 2020. Retrieved From: <https://www.energy.ca.gov/data-reports/energy-insights/zero-emission-vehicle-and-charger-statistics>

As stated by the *Mendocino County Zero Emission Vehicle (ZEV) and Alternative Fuels Readiness Plan Update (2019)*, while the distribution of plug-in electric vehicles is generally in line with the population distribution, there are some notable variations:

“The City vehicle registration data shows that approximately one-third of all vehicles registered in Mendocino County are registered in Ukiah. Additionally, approximately one-third of the battery electric PEVs are registered in Ukiah. More plug-in hybrid PEVs are registered in Fort Bragg compared to the other cities reviewed. Less than 10 percent of the battery electric PEVs in the County are registered in Willits as compared to 15 percent of all vehicles. Despite the low population density, residents in areas of the County outside of the three largest cities have disproportionately higher electric vehicle ownership.”²

The *Mendocino County Zero Emission Vehicle (ZEV) and Alternative Fuels Readiness Plan Update (2019)* builds on substantial previous work to facilitate the development of a robust charging network at regional scale. The 2013 Regional Readiness Plan, which developed the original strategy for implementing a countywide network of publicly accessible electric vehicle charging stations, recommended just 18 new electric vehicle charging stations countywide at that time. Since then public outreach and site specific evaluations continue to advance implementation of these plans. Regional planning efforts are considered critical for the continued development of alternative fuels, as well as for the application of state and regional grant funds. In conjunction with these regional planning efforts, it will be necessary to streamline regulatory approaches as required by AB 1236, and the impetus for this ordinance.

¹ California Energy Commission (2020). California Energy Commission Charger Statistics. Data Last Updated August 28, 2020. Retrieved From: <https://www.energy.ca.gov/data-reports/energy-insights/zero-emission-vehicle-and-charger-statistics>

² Mendocino County Zero Emission Vehicle (ZEV) and Alternative Fuels Readiness Plan Update, Prepared By W-Trans for the Mendocino Council of Governments (MCOG), June 2019

ANALYSIS

The proposed ordinance (OA_2020-0002) addresses all requirements of AB 1236, such as accepting and approving electric vehicle charging station permit applications electronically, directing the Chief Building Official to utilize an approved “checklist”, requiring that the checklist and all permitting documentation be published on a publicly accessible internet website,³ allowing for electronic submittal of such permit application and associated documentation, and authorizing the Building Official to administratively approve complete applications. Once a permit application satisfies all information requirements, it will be deemed complete and promptly processed. An approved checklist in combination with supportive literature from the State Office of Planning and Research provides property owners and contractors with a complete set of resources, as well as an efficient method for the permitting of residential and commercial electric vehicle charging systems in the County.

While the County of Mendocino currently issues most residential applications for electric vehicle charging stations over the-counter, adoption of this Ordinance will codify these streamlined processes for both residential and commercial applications in an effort to facilitate compliance with State law and further encourage the development of a robust EV charging network.

For BEVs and PHEVs to be a viable alternative to gasoline-powered vehicles in Mendocino County, there will need to be a comprehensive network of charging stations facilitated in conjunction with regional partners. With the increasing popularity of ZEVs and increasing sales, the need for associated infrastructure is increasingly important. By 2025, California will need between 229,000 and 279,000 plug-in electric chargers, including public, workplace, and multi-unit dwelling chargers.⁴ This projected need for chargers is in addition to single-family home chargers, which serve as the primary charging location for most plug-in electric vehicle drivers. Moving forward, the County will need to ensure this topic is a continued consideration in conjunction with incorporated and regional partners, such as the Mendocino Council of Governments (MCOG).

ENVIRONMENTAL STATUS

This ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to section 15061, subdivision (b)(3) of the CEQA Guidelines because it can be seen with certainty that adoption of the ordinance does not result in a physical change in the environment.

RECOMMENDED ACTION

Adopt an Ordinance adding Chapter 18.50 to the Mendocino County Code for expedited Electric Vehicle Charging Station Permitting in accordance with Assembly Bill 1236, and direct the Chief Building Official to convey compliance to the California Governor’s Office of Business and Economic Development.

ATTACHMENT LIST:

- Attachment A - Mendocino County EV Checklist Form & Building Permit Application
- Attachment B - OA_2020-0002 (ZEV AB 1236) Ordinance Chapter 18.50
- Attachment C - 2019 MCOG ZEV and Alternative Fuels Readiness Plan

³ County Website – EV Charging Stations: <https://www.mendocinocounty.org/government/planning-building-services/regulations/electric-vehicle-charging>

⁴ See “Quantifying the electric vehicle charging infrastructure gap across U.S. markets,” ICCT (2019), pg. ii;



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DEPARTMENT OF PLANNING AND BUILDING SERVICES
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COUNTY OF MENDOCINO RESIDENTIAL AND NON-RESIDENTIAL CHECKLIST FOR PERMITTING ELECTRIC VEHICLES

Please complete the following information related to permitting and installation of Electric Vehicle Service Equipment (EVSE) as a supplement to the application for a building permit. This checklist contains the technical aspects of EVSE installations and is intended to help expedite permitting and use for electric vehicle charging.

Upon this checklist being deemed complete, a permit shall be issued to the applicant. However, if it is determined that the installation might have a specific adverse impact on public health or safety, additional verification will be required before a permit can be issued.

This checklist substantially follows the “*Plug-In Electric Vehicle Infrastructure Permitting Checklist*” contained in the *Governor’s Office of Planning and Research “Zero Emission Vehicles in California: Community Readiness Guidebook”* and is purposed to augment the guidebook’s checklist.

Job Address:	Permit No.
<input type="checkbox"/> Single-Family <input type="checkbox"/> Multi-Family (Apartment) <input type="checkbox"/> Multi-Family (Condominium) <input type="checkbox"/> Commercial (Single Business) <input type="checkbox"/> Commercial (Multi-Businesses) <input type="checkbox"/> Mixed-Use <input type="checkbox"/> Public Right-of-Way	
Location and Number of EVSE to be Installed: Garage _____ Parking Level(s) _____ Parking Lot _____ Street Curb _____	
Description of Work:	
Applicant Name:	
Applicant Phone & email:	

Contractor Name:	License Number & Type:
Contractor Phone & email:	
Owner Name:	
Owner Phone & email:	

EVSE Charging Level: <input type="checkbox"/> Level 1 (120V) <input type="checkbox"/> Level 2 (240V) <input type="checkbox"/> Level 3 (480V)	
Maximum Rating (Nameplate) of EV Service Equipment = _____ kW	
Voltage EVSE = _____ V	Manufacturer of EVSE: _____
Mounting of EVSE: <input type="checkbox"/> Wall Mount <input type="checkbox"/> Pole Pedestal Mount <input type="checkbox"/> Other _____	

System Voltage: <input type="checkbox"/> 120/240V, 1 ϕ , 3W <input type="checkbox"/> 120/208V, 3 ϕ , 4W <input type="checkbox"/> 120/240V, 3 ϕ , 4W <input type="checkbox"/> 277/480V, 3 ϕ , 4W <input type="checkbox"/> Other _____
Rating of Existing Main Electrical Service Equipment = _____ Amperes
Rating of Panel Supplying EVSE (if not directly from Main Service) = _____ Amps
Rating of Circuit for EVSE: _____ Amps / _____ Poles
AIC Rating of EVSE Circuit Breaker (if not Single Family, 400A) = _____ A.I.C. (or verify with Inspector in field)

Specify Either Connected, Calculated or Documented Demand Load of Existing Panel:
<ul style="list-style-type: none"> • Connected Load of Existing Panel Supplying EVSE = _____ Amps

<ul style="list-style-type: none"> • Calculated Load of Existing Panel Supplying EVSE = _____ Amps
<ul style="list-style-type: none"> • Demand Load of Existing Panel or Service Supplying EVSE = _____ Amps <i>(Provide Demand Load Reading from Electric Utility)</i>
<p>Total Load (Existing plus EVSE Load) = _____ Amps</p>
<p><i>For Single Family Dwellings, if Existing Load is not known by any of the above methods, then the Calculated Load may be estimated using the “Single-Family Residential Permitting Application Example” in the Governor’s Office of Planning and Research “Zero Emission Vehicles in California: Community Readiness Guidebook” https://www.opr.ca.gov</i></p>

<p>EVSE Rating _____ Amps x 1.25 = _____ Amps = Minimum Ampacity of EVSE Conductor = # _____ AWG</p>
<p>For Single-Family: Size of Existing Service Conductors = # _____ AWG or kcmil - or - : Size of Existing Feeder Conductor Supplying EVSE Panel = # _____ AWG or kcmil <i>(or Verify with Inspector in field)</i></p>

I hereby acknowledge that the information presented is a true and correct representation of existing conditions at the job site and that any causes for concern as to life-safety verifications may require further substantiation of information.

Signature of Permit Applicant: _____ Date: _____



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES

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BUILDING PERMIT APPLICATION CHECKLIST

Minimum required documents to submit for Building Permit:

- 1 permit application with all fields and applicable declaration(s) completed (double sided); 1 copy of the Checklist for Permitting Electric Vehicles
- 1 copy of an 8 ½" x 11" plot/site plan with all applicable information
- 3 copies of construction (Building or Grading) plans

Other documents that may be required for submittal OR prior to permit issuance:

- 2 copies of engineering calculations with "wet" signature
- 1 copy of approved Cal Fire application and conditions of approval
- 1 copy of Fire Department approval (local responsibility areas)
- 1 copy of Air Quality approval
- 1 copy of "Class K" wavier form completed
- 1 copy of current recorded deed
- 1 copy of MS4 handout (if in MS4 area)
- 1 copy of agent authorization form completed by property owner



Planning and Building Services
BUILDING PERMIT APPLICATION

Permit # _____

Accepted By: _____

Date: _____

(Office Use Only)

Only property owners, licensed contractors or agents with written authorization may obtain permits.

MARK ALL THAT APPLY
1. RESIDENTIAL COMMERCIAL AGRICULTURAL INDUSTRIAL
2. New Addition Remodel/Replace Demolition
3. Single Family Mobile Home Grading Window Change Reroof w/Sheathing Electrical EV Charging Station
2-4 Unit Residential Manufactured Fire Repair Swimming Pool Photovoltaic Class K Other:
5+ Unit Residential Modular Garage/Storage Siding Mechanical Ag Exempt
Second Residence Foundation Only Deck/Patio Cover Reroof Plumbing Occupancy Change

Project Address: _____ APN: _____

Driving Directions: _____

Complete scope of work: _____ Valuation: \$ _____
Residential Existing Proposed
Living Area sf
Garage/Storage sf
Deck sf
Porch sf
Carport sf
Remodel sf
Other: sf
Commercial/Industrial
Office sf
Medical sf
Retail sf
Restaurant sf
Warehouse sf
Other: sf
Agricultural
Other: sf
Grading YES NO
Cut (cy) Fill (cy) Slope (sf)
Area of disturbance (sf)
Utilities
Well Septic Public:
Will you or your contractor perform any of the following?
Construct/upgrade a fence?
Construct/upgrade driveway?
Construct new road or upgrade an existing approach?
Install/replace culvert in roadside ditch?
Install utilities/services in County Right-of-Way?
Trim/remove any trees within County Right-of-Way?
Will not be performing any of the above actions.
Are there any other buildings on the site? If so, please describe:
Are there any other adjoining properties owned? If so, list APN's:

Applicant Information: Please check the appropriate box for the primary contact

- PROPERTY OWNER AGENT CONTRACTOR
OWNER/BUILDER? *Proof of Ownership will be required

Property Owner Name: _____ Phone: _____ Email: _____

Address: _____

Agent Name: _____ Phone: _____ Email: _____

Address: _____

Contractor Name: _____ Phone: _____ Email: _____

Address: _____ License # & Class: _____

Waste Management-Recycling Plan

- Yes -I understand that a Construction Waste Management Plan is required for all construction permits of 1,000 sf or more and all demolition permits. 50% diversion of your waste may be required.

LICENSED CONTRACTOR DECLARATION: I hereby affirm under penalty of perjury that I am licensed under the provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect.

Date: _____ Contractor Signature: _____

OWNER/BUILDER DECLARATION: I hereby affirm under penalty of perjury that I am exempt from the Contractors' State License Law for the reason(s) indicated below by the checkmark(s) I have placed next to the applicable item(s) (Section 7031.5, Business and Professions Code: Any city or county that requires a permit to construct, alter, improve, demolish, or repair any structure, prior to its issuance, also requires the applicant for the permit to file a signed statement that he or she is licensed pursuant to the provisions of the Contractors' State License Law (Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code) or that he or she is exempt from licensure and the basis for the alleged exemption. Any violation of Section 7031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than five hundred dollars (\$500).)

I, as owner of the property, am exclusively contracting with licensed Contractors to construct the project (Section 7044, Business and Professions Code: The Contractors' State License Law does not apply to an owner of property who builds or improves thereon, and who contracts for the projects with a licensed Contractor pursuant to the Contractors' State License Law.).

I, as owner of the property, or my employees with wages as their sole compensation, will do () all of OR () portions of the work, and the structure is not intended or offered for sale (Section 7044, Business and Professions Code: The Contractors' State License Law does not apply to an owner of property who, through employees' or personal effort, builds or improves the property, provided that the improvements are not intended or offered for sale. If, however, the building or improvement is sold within one year of completion, the Owner-Builder will have the burden of proving that it was not built or improved for the purpose of sale.).

I am exempt from licensure under the Contractors' State License Law for the following reason: _____

By my signature below I acknowledge that, except for my personal residence in which I must have resided for at least one year prior to completion of the improvements covered by this permit, I cannot legally sell a structure that I have built as an owner-builder if it has not been constructed in its entirety by licensed contractors. I understand that a copy of the applicable law, Section 7044 of the Business and Professions Code, is available upon request when this application is submitted or at the following Web site: <http://www.leginfo.ca.gov/calaw.html>.

Date: _____ Owner Signature: _____

WORKER S' COMPENSATION DECLARATION: *Please read carefully and check the applicable statement below:*

WARNING: FAILURE TO SECURE WORKERS' COMPENSATION COVERAGE IS UNLAWFUL, AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS (\$100,000), IN ADDITION TO THE COST OF COMPENSATION, DAMAGES AS PROVIDED FOR IN SECTION 3706 OF THE LABOR CODE, INTEREST, AND ATTORNEY'S FEES.

I hereby affirm under penalty of perjury one of the following declarations:

I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are: Carrier _____ Policy No _____ Expiration Date _____

Name of Agent _____ Phone Number _____

I certify that, in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that, if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

I have and will maintain a certificate of consent to self-insure for workers' compensation, issued by the Director of Industrial Relations as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. Policy Number _____

CONSTRUCTION LENDING AGENCY:

I hereby affirm under penalty of perjury that there is a construction lending agency for the performance of the work for which this permit is issued (Section 3097, Civil Code). N/A

Lender's Name _____

Lender's Address _____

By my signature below, I certify to the following: I am () a California licensed contractor or () the property owner* or () authorized to act on the property owner's behalf**. I have read this construction permit application and the information I have provided is correct. I agree to comply with all applicable city and county ordinances and state laws relating to building construction. I authorize representatives of this city or county to enter the above-identified property for inspection purposes.

TIME LIMITATIONS OF APPLICATION: *An application for a permit for any proposed work shall be deemed to have been abandoned 1 year after the date of filing, unless a permit has been issued. The destruction of documents may occur 180 days after application expiration date.*

Date: _____ SIGNATURE OF APPLICANT: _____

* Requires Separate Owner Verification

**Requires Separate Agent Authorization Form

ORDINANCE NO ____.

ORDINANCE ADDING CHAPTER 18.50 TO THE MENDOCINO COUNTY CODE CREATING AN EXPEDITED ELECTRIC VEHICLE CHARGING STATION PERMITTING PROCESS

The Board of Supervisors of the County of Mendocino, State of California, ordains as follows:

Section 1: Chapter 18.50 is hereby added to the Mendocino County Code to read as follows:

Chapter 18.50 – Electric Vehicle Charging Station Permitting Process

Sec. 18.50.005 - Title and Authority.

Sec. 18.50.010 - Purpose.

Sec. 18.50.015 - Applicability.

Sec. 18.50.020 - Definitions.

Sec. 18.50.025 - Requirements for Electric Vehicle Charging Stations.

Sec. 18.50.030 - Application Checklist and Procedures.

Sec. 18.50.035 - Expedited Permitting Process and Permit Review.

Sec. 18.50.005 - Title and Authority.

This chapter is and may be cited as the "Electric Vehicle Charging Station Permitting Process." The chapter is enacted pursuant to Government Code section 65850.7 as established by Assembly Bill 1236 (Chapter 598, Statutes 2015).

Sec. 18.50.010 - Purpose.

The purpose of this chapter is to create an expedited, streamlined permitting process that complies with AB 1236 and Government Code section 65850.7 to achieve timely and cost-effective installation of electric vehicle charging stations. This chapter encourages the installation and use of electric vehicle charging stations by removing obstacles to and minimizing the cost of permitting for charging stations, and by expanding the ability of residential, agricultural, and commercial property owners to install electric vehicle charging stations. This chapter allows the county to achieve these goals while protecting the public health and safety. The expedited permitting process shall allow the building official to administratively approve an application to install electric vehicle charging stations through the issuance of a building permit.

Sec. 18.50.015 - Applicability.

This chapter applies to the permitting of electric vehicle charging stations in the unincorporated territory of the County of Mendocino. Electric vehicle charging systems legally established or permitted prior to the building official's

implementation of an expedited permitting process are not subject to the requirements of this chapter 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.

Sec. 18.50.020 - Definitions.

The following words and phrases as used in this chapter are defined as follows:

- (A) "Electronic submittal" means the utilization of Email; the Internet; or 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 that article may be amended or superseded, and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle.
- (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.
- (D) "Building Official" has the same definition as stated in section 18.04.010.

Sec. 18.50.025 – Requirements for Electric Vehicle Charging Stations

- (A) All electric vehicle charging stations shall meet applicable health and safety standards and requirements of local, state, and federal law.
- (B) Electric vehicle charging stations shall meet 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.

Sec. 18.50.030. - Application Checklist and Procedures

- (A) The Building Official shall adopt a checklist of all requirements with which electric vehicle charging stations shall comply to be eligible for expedited review. The checklist and all required permitting documentation shall be published on the County of Mendocino's Department of Planning & Building Services website.

- (B) In developing the expedited permitting process and checklist, the building official may refer to the recommendations contained in the most recent version of the "Plug-In Electric Vehicle Infrastructure Permitting Checklist" of the "Zero-Emission Vehicles in California: Community Readiness Guidebook" published by the State of California's Office of Planning and Research. The building official may modify the checklists and standards found in the guidebook due to unique climactic, geological, seismological, or topographical conditions.
- (C) The Building Official may establish a process to prioritize competing applications for expedited permits.

Sec. 18.50.035 - Expedited Permitting Process and Permit Review

- (A) The Department of Planning and Building Services shall provide for the electronic submittal of electric vehicle charging station permit applications, though the method of electronic submittal shall be at the Department's discretion and electronic submittal of applications is not required. . In the case of electronic submittal, the electronic signature of the applicant on all forms, applications, and other documents may be used in lieu of a wet signature. If at the time of a permit application, the county's supporting technology does not facilitate electronic signatures, the county, at its discretion, may authorize the acceptance of either electronic signature or wet signature.
- (B) An application and supporting documents that satisfy the information requirements in the checklist, as determined by the Building Official, shall be deemed complete. Upon receipt of an incomplete application, the building official shall issue a written correction notice detailing all deficiencies in the application and any additional information that is required to be eligible for expedited permit issuance.
- (C) Upon confirmation by the Building Official that the application is complete and meets the requirements of the checklist, and is consistent with this chapter, the building official shall administratively approve the application and issue all required permits or authorizations. However, the county may withhold issuance of the permit or authorization if there is a violation on record for any structure associated with the application under review.
- (D) If the Building Official makes a finding, based on substantial evidence, that the electric vehicle charging station could have a specific adverse impact upon the public health or safety, the permit application shall be denied.

- (E) This expedited permitting process is intended to apply only to applications for permits for electric vehicle charging stations, and will not expedite the review of any other permit applications.
- (F) The Building Official's decision to approve or deny a permit for an electrical vehicle charging station may be appealed to the Mendocino County Planning Commission pursuant to the appeal provisions of the relevant division of the Mendocino County Zoning Code.

Section 2. Severability. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance and every section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

Section 3. Environmental Determination. This ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to section 15061, subdivision (b)(3) of the CEQA Guidelines because it can be seen with certainty that adoption of the ordinance does not result in a physical change in the environment. Procedures to expedite review of Electric Vehicle Charging Station Systems do not alter requirements for compliance with existing health and safety regulations for Electrical Vehicle Charging Station Systems. Implementation is required under Assembly Bill 1236 and will not result in any impact on the environment.

PASSED AND ADOPTED by the Board of Supervisors of the County of Mendocino, State of California, on this _____ day of _____, 2020, by the following roll call vote:

AYES:
 NOES:
 ABSENT:

WHEREUPON, the Chair declared the Ordinance passed and adopted and **SO ORDERED**

ATTEST: CARMEL J. ANGELO
 Clerk of the Board

 JOHN HASCHAK, Chair
 Mendocino County Board of Supervisors

 Deputy

I hereby certify that according to the provisions of Government Code section 25103, delivery of this document has been made.

APPROVED AS TO FORM:
 CHRISTIAN M. CURTIS,
 County Counsel

BY: CARMEL J. ANGELO
 Clerk of the Board

Deputy