

ORDINANCE NO. 5818

AN ORDINANCE OF THE COUNCIL OF THE CITY OF  
SANTA BARBARA ESTABLISHING PROCEDURES FOR  
EXPEDITING PERMITTING PROCESSING FOR ELECTRIC  
VEHICLE CHARGING SYSTEMS

WHEREAS, the State of California and the City of Santa Barbara have consistently promoted and encouraged the use of fuel-efficient electric vehicles; and

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

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

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS FOLLOWS:

**SECTION 1. Title, Words, and Phrases.**

This Ordinance shall be known as the City of Santa Barbara Electric Vehicle Charging Station Permit Expediting Ordinance. The terms, phrases, and words used in this Ordinance shall be construed in compliance with the definitions set forth by California Government Code Section 65850.7.

**SECTION 2.** Chapter 22.93 is hereby added to Title 22 of the City of Santa Barbara Municipal Code to read as follows:

**22.93.010 Expedited Electric Vehicle Charging Station Permitting.**

Electric Vehicle Charging Stations which qualify for expedited permit processing, pursuant to Government Code Section 65850.7, shall be subject to the administrative permitting procedures set forth in the City's Electric Vehicle Charging Station Permit Expediting Ordinance.

**22.93.020 Expedited Review Process.**

The Chief Building Official shall implement an expedited administrative permit review process for electric vehicle charging stations, and adopt a checklist of all requirements with which electric vehicle charging stations shall comply with in order to be eligible for expedited review. The expedited administrative permit review process and checklist may refer to the recommendations in the checklist prescribed by 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. The City's checklist shall be published on the City's website.

**22.93.030 Electronic Submittals.**

The Chief Building Official shall allow for electronic submittal of permit applications covered by this Ordinance and associated supporting documentations. In accepting such permit applications, the Chief Building Official shall also accept electronic signatures on all forms, applications, and other documentation in lieu of a wet signature by any applicant.

**22.93.040 Association Approval.**

The Chief Building Official shall not condition the approval for any electric vehicle charging station permit upon the approval of such a system by an association, as that term is defined by Civil Code Section 4080.

**22.93.050 Permit Application Processing.**

A permit application that satisfies the information requirements in the City's checklist shall be deemed complete and be promptly processed. Upon confirmation by the Chief Building Official that the permit application and supporting documents meets the requirements of the City checklist, and is consistent with all applicable laws, the Chief Building Official shall, consistent with Government Code Section 65850.7, approve the application and issue all necessary permits. Such approval does not authorize an applicant to energize or utilize the electric vehicle charging station until approval is granted by the City. If the Chief Building Official determines that the permit application is incomplete, he or she shall issue a written correction notice to the applicant, detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance.

**22.93.060 Technical Review.**

It is the intent of this Ordinance to encourage the installation of electric vehicle charging stations by removing obstacles to permitting for charging stations so long as the action does not supersede the Chief Building Official's authority to address higher priority life-safety situations. If the Chief 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, as defined in Government Code 65850.7, the City may require the applicant to apply for a use permit.

**22.93.070 Electric Vehicle Charging Station Use Permit.**

If, upon making the findings specified in Section 22.93.060, the Chief Building Official requires an applicant to apply for a use permit, the applicant shall submit an application for an Electric Vehicle Charging Station Use Permit with any supporting information specified by the Chief Building Official in the application requirements. The Chief Building Official shall not deny an application for an Electric Vehicle Charging Station Use Permit unless the Chief Building Official makes the following findings supported by substantial evidence: (i) the proposed installation would have a specific, adverse impact upon the public health or safety, and (ii) there is no feasible method to

satisfactorily mitigate or avoid the specific, adverse impact. The findings shall include the basis for the rejection of potentially feasible alternatives of preventing the adverse impact. 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.

**22.93.080 Appeals.**

The decision of the Chief Building Official pursuant to Sections 22.93.060 or 22.93.070 may be appealed to the City Planning Commission by the applicant or any person aggrieved by the decision of the Chief Building Official.

SECTION 3. Any provision of the City of Santa Barbara Municipal Code or appendices thereto, inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, are hereby repealed or modified to that extent necessary to effect the provisions of this Ordinance.

SECTION 4. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of any competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each and every Section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the Ordinance would be subsequently declared invalid or unconstitutional.

SECTION 5. This Ordinance shall become effective on January 1, 2018.


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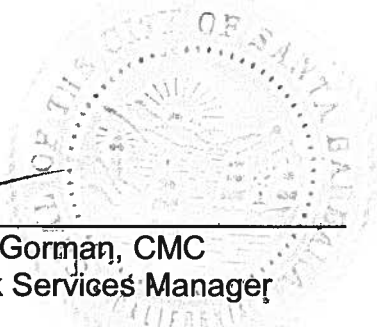
STATE OF CALIFORNIA            )  
  )  
COUNTY OF SANTA BARBARA    ) ss.  
  )  
CITY OF SANTA BARBARA         )

I HEREBY CERTIFY that the foregoing ordinance was introduced on December 5, 2017, and was adopted by the Council of the City of Santa Barbara at a meeting held on December 12, 2017, by the following roll call vote:

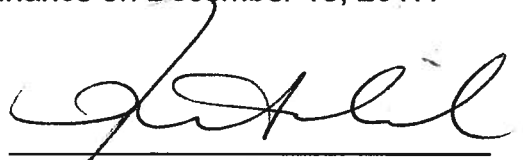
- AYES:                    Councilmembers Jason Dominguez, Gregg Hart, Frank Hotchkiss, Cathy Murillo, Randy Rowse, Bendy White; Mayor Helene Schneider
- NOES:                    None
- ABSENT:                 None
- ABSTENTIONS:        None

IN WITNESS WHEREOF, I have hereto set my hand and affixed the official seal of the City of Santa Barbara on December 13, 2017.

  
\_\_\_\_\_  
Sarah P. Gorman, CMC  
City Clerk Services Manager



I HEREBY APPROVE the foregoing ordinance on December 13, 2017.

  
\_\_\_\_\_  
Helene Schneider  
Mayor