

## **Exhibit 'A'**

### **“Chapter 15.64 – ELECTRIC VEHICLE CHARGING STATION STREAMLINED PERMITTING PROCESS**

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#### **Sections:**

##### **15.64.010 - Purpose.**

The purpose of this ordinance is to create an expedited, streamlined electric vehicle charging station permitting process that complies with Government Code section 65870.7 to achieve timely and costs-effective installation of electric vehicle charging stations within the City.

##### **15.64.020 – Applicability.**

A. This Chapter applies to the permitting of all electric vehicle charging stations in the City.

B. Electric vehicle charging stations legally established or permitted prior to the effective date of this ordinance are not subject to the requirements of this ordinance 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 a new permit.

##### **15.64.030 – Definitions.**

A. For the purpose of this Chapter, words and terms shall be defined as set forth in this Section. Where words and terms are not defined in this Section, they shall

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be interpreted so as to give them the meaning they have in common usage and to give this Chapter the most reasonable application.

B. “Building official” means the building official of the City of Rialto or the person designated by the building official as the person responsible for administering this Chapter.

C. “Building and Safety Division” means the Building and Safety Division of the City of Rialto.

D. “Electric vehicle 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 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.

E. “Electronic submittal” means the utilization of one or more of the following: (i) electronic mail or email; (ii) the internet; or (iii) facsimile.

F. “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.

### **15.64.040 – Requirements.**

A. Every electric vehicle charging station shall require a permit issued in accordance with this Chapter. It shall be unlawful for any person to install, operate, or maintain an electric vehicle charging station without such a permit for such work, and the permit shall be secured from the Building and Safety Division by the owner or owner’s agent.

B. Any electric vehicle charging station erected, constructed, installed, altered, replaced, or to which additions are made shall meet all applicable health and safety standards, requirements, and development and performance standards imposed by

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local, state, and federal law, including but not limited to the Rialto Municipal Code, local fire department regulations, electric utility department regulations, 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.

C. In the event the City owns or operates an electric utility into which connection is proposed by the applicant, the application shall demonstrate compliance with the City's utility interconnection policies prior to approval.

### **15.64.050 – Application and Documentation.**

A. The Building and Safety Division shall establish a checklist of all requirements and development standards with which electric vehicle charging stations must comply to be eligible for expedited review, which checklist shall be published on the City's website. The Building and Safety Division may refer to the recommendations contained 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, when adopting the electric vehicle charging checklist and development standards.

B. Every application for an electric vehicle charging station shall be in writing and contain the information required in the application, checklist, and standards established by the Building and Safety Division. All documents required for the submission of an expedited electric vehicle charging station application shall be made available on the publicly-accessible the City website.

C. The applicant may submit the permit application and documentation to the Building and Safety Division in person, by mail, or by electronic submittal, together with any processing and inspection fees. An applicant's electronic signature shall be accepted on all forms, applications, and their documents in lieu of a wet signature.

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### **15.64.060 – Permit Review Requirements.**

A. The building official shall implement an administrative review process to expedite approval of applications for electric vehicle charging stations. When the application contains all the required information and documentation of the approved checklist and standards, the building official shall deem the application complete.

B. If a permit application is deemed incomplete, then a written correction notice detailing all deficiencies in the permit application and any additional information or documentation required to be eligible for expedited permit issuance shall be sent to the applicant for resubmission.

C. If a permit application is deemed complete, then the building official shall determine whether the proposed electric vehicle charging station is in compliance with the requirements of the checklist and standards established by the Building and Safety Division. The building official shall also determine whether the proposed electric vehicle charging station will have a specific adverse impact upon the public health and safety. The building official's determination shall make written findings, based on substantial evidence, to support his or her determination.

D. The building official may require an applicant to apply for a conditional development permit, in accordance with Chapter 18.66 of this code, if the official finds, based on substantial evidence, the proposed electric vehicle charging station could have a specific adverse impact upon the public health and safety. Any condition imposed on a proposed electric vehicle charging station shall be designed to mitigate the specific, adverse impact upon health and safety at the lowest possible cost. If a conditional development permit is required, then the City may only deny such application if it makes written findings, based upon substantial evidence in the record, that the proposed electric vehicle charging station would have a specific adverse impact upon public health or safety and there is no feasible method to satisfactorily mitigate or avoid the adverse impact. Such findings shall include the basis for the rejection of the potential feasible

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alternative for preventing the adverse impact. 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 the City on another similarly-situated application in a prior successful application for a permit.

### **15.64.070 – Appeals.**

Decisions of the building official may be appealed to the planning commission. A written appeal must be filed with the director of development services or his designee within ten (10) business days after of the issuance of the decision of the building official accompanied by a filing fee in an amount that may set by City Council resolution from time to time. The planning commission shall consider the appeal within thirty (30) days after receipt of the written appeal and filing fee, and notice of the public hearing shall be in accordance with applicable law. The planning commission shall make written findings, based on substantial evidence within the record, and affirm, modify, or reverse the decision of the building official. The planning commission's decision shall be final and conclusive and binding.

### **15.64.080 – Fees.**

The City Council may establish by resolution fees that shall be charged for permits issued under this Chapter.”

**Section 4.** A new subparagraph O is hereby added to Section 18.08.020 [Permitted Uses] of Chapter 18.08 [A-1 Agricultural Zone] of the Rialto Municipal Code to read as follows:

“O. Electric vehicle charging stations, in accordance with Chapter 15.64 of the code.”

**Section 5.** A new subparagraph K is hereby added to Section 18.10.020 [Permitted Uses] of Chapter 18.10 [R-1 Single Family Zones] of the Rialto Municipal Code to read as follows:

“K. Electric vehicle charging stations, as an accessory use, in accordance with Chapter 15.64 of the code.”

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**Section 6.** A new subparagraph E is hereby added to Section 18.26.030 [Permitted Uses] of Chapter 18.26 [A-P Administrative – Professional – Institutional Zone] of the Rialto Municipal Code to read as follows:

“E. Electric vehicle charging stations, as an accessory use, in accordance with Chapter 15.64 of the code.”

**Section 7.** A new subparagraph F is hereby added to Section 18.27.020 [Permitted Uses] of Chapter 18.27 [O-P Office Park Zone] of the Rialto Municipal Code to read as follows:

“F. Electric vehicle charging stations, as an accessory use, in accordance with Chapter 15.64 of the code.”

**Section 8.** A new subparagraph F is hereby added to Section 18.28.020 [Permitted Uses] of Chapter 18.28 [C-1 Neighborhood Commercial Zone] of the Rialto Municipal Code to read as follows:

“F. Electric vehicle charging stations, in accordance with Chapter 15.64 of the code.”

**Section 9.** A new subparagraph E is hereby added to Section 18.35.020 [Permitted Uses] of Chapter 18.35 [I-P Industrial Park Zone] of the Rialto Municipal Code to read as follows:

“E. Electric vehicle charging stations, in accordance with Chapter 15.64 of the code.”

**Section 10.** A new subparagraph C is hereby added to Section 18.38.020 [Permitted Uses] of Chapter 18.38 [M-1 Light Manufacturing Zone] of the Rialto Municipal Code to read as follows:

“C. Electric vehicle charging stations, in accordance with Chapter 15.64 of the code.”

**Section 11.** A new subparagraph G is hereby added to Section 18.40.020 [Permitted Uses] of Chapter 18.40 [Planned Industrial Development (PID) Zone] of the Rialto Municipal Code to read as follows:

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“G. Electric vehicle charging stations, in accordance with Chapter 15.64 of the code.”

**Section 12.** A new subparagraph C is hereby added to Section 18.44.020 [Permitted Uses] of Chapter 18.44 [P Automobile Parking Zone] of the Rialto Municipal Code to read as follows:

“C. Electric vehicle charging stations, in accordance with Chapter 15.64 of the code.”