



City of Rialto

Legislation Text

File #: 17-1010, **Version:** 1

For City Council Meeting [November 14, 2017]

TO: Honorable Mayor and City Council

APPROVAL: Michael Story, City Administrator

FROM: Robb Steel, Assistant City Administrator/Development Services Director

Request City Council to Conduct a **Public Hearing** to Introduce for First Reading **Ordinance No. 1597** entitled: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO TO ESTABLISH CHAPTER 15.64 OF THE RIALTO MUNICIPAL CODE ENTITLED ELECTRIC VEHICLE CHARGING STATION STREAMLINED PERMITTING PROCESS AND AMEND VARIOUS SECTIONS OF THE RIALTO MUNICIPAL CODE (TITLE 18-ZONING)" (Development Code Amendment No. 2017-0006).

(ACTION)

BACKGROUND:

In 2015, the State Legislature of California adopted Assembly Bill 1236 ("AB 1236"), which amended Government Code section 65850.7 to require local agencies to adopt an ordinance creating an expedited and streamlined permitting process for electric vehicle charging systems. According to AB 1236, a local agency shall administratively approve applications to install electric vehicle charging stations. Under the new law, a building official's review of the application is limited to laws and regulations that ensure the electric vehicle charging stations will not have a specific adverse impact on public health or safety, based on substantial evidence.

On October 11, 2017, the Planning Commission reviewed the proposed Ordinance and adopted Resolution 17-42 (**Exhibit A**) voting 7-0 to recommend approval to the City Council. The Planning Commission Agenda Report and Resolution are included with this report as an associated file (17-909).

ANALYSIS/DISCUSSION:

Electrical Vehicle Charging

The Rialto General Plan states that motor vehicles represent the major source of regional emissions throughout the Southern California Air Quality Basin and within the City of Rialto. The City encourages the use of electrical vehicle charging stations in new development to reduce emissions. On September 27, 2016, the City Council authorized the installation of Electrical Vehicle Charging Stations as part of the Easton Development Parking Lot Improvements (City Project No. 160812) and a Service and Subscription Agreement and Purchase Agreement with Charge Point Inc. for equipment purchase, network, and fee collection services. In addition, Charge Point is working with the City to establish public charging stations as an amenity within multi-family residential communities.

According to Charge Point, electric vehicle sales experienced a growth spurt in the last 4 years and will comprise over 5% - 15% of all car sales by 2020 depending on the region.

Utility Incentives

As of May 2017, Southern California Edison (SCE) offers a \$450.00 reward to customers who drive all electric or plug-in hybrid vehicles. Implementing expedited processes to permit electrical vehicle charging stations supports residents who wish to take advantage of the reward.

Proposed Ordinance

Given the City's support of clean technology and the incentives offered by SCE, the City desires to comply with Government Code Section 65850.7 to encourage the installation of electric vehicle charging station infrastructure on all types of residential, commercial, and industrial properties.

The City proposes a new Chapter 15.64 to the Rialto Municipal Code entitled "Electric Vehicle Charging Station Streamlined Permitting Process" to provide an expedited permitting process with a shortened time frame for review. The text of the proposed Ordinance and the various sections of the Municipal Code proposed for amendment in support of AB 1236 are included with this agenda report as **Exhibit 'B'**.

GENERAL PLAN CONSISTENCY:

The proposed Ordinance is consistent with the following goals and policies of the 2010 General Plan:

Goal 2-35: Reduce air pollution emissions from both mobile and stationary sources in the City.

ENVIRONMENTAL IMPACT:

The adoption of this Development Code Amendment 2017-0007 is exempt from the California Environmental Quality Act. Pursuant to Section 15378 of the California Environmental Quality Act, a 'Project' means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. A project does not include organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment. There is no possibility the City's adoption of this ordinance, as mandated by the State, will have a significant, adverse, effect on the environment because this ordinance only establishes a streamlined process for electric vehicle charging permits - it merely authorizes an administrative activity that will not result in a direct or reasonably foreseeable indirect physical change in the environment. The City shall file a Notice of Exemption as soon as practical following adoption of this Ordinance.

The City published a public notice in the San Bernardino Sun in accordance with Government Code Section 65090

LEGAL REVIEW:

The City Attorney has reviewed the staff report and prepared the Ordinance.

FINANCIAL IMPACT:

The proposed ordinance expedites the permit process for electric vehicle charging stations and there is no financial impact to the General Fund.

RECOMMENDATION:

Staff recommends that the City Council approve Ordinance No. _____ (**Exhibit "C"**) entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO TO ESTABLISH CHAPTER 15.64

OF THE RIALTO MUNICIPAL CODE ENTITLED ELECTRIC VEHICLE CHARGING STATION STREAMLINED PERMITTING PROCESS AND AMEND VARIOUS SECTIONS OF THE RIALTO MUNICIPAL CODE (TITLE 18-ZONING)” (Development Code Amendment No. 2017-0006).