

**Ordinance No. 1638(17)**

**An Ordinance of the City Council of the City of Lompoc,  
County of Santa Barbara, State of California  
Establishing Chapter 15.76 of the Lompoc Municipal Code  
Entitled Electric Vehicle Charging Station Streamlined Permitting Process**

**WHEREAS**, the City Council of the City of Lompoc (City) seeks to comply with Government Code section 65850.7 to achieve timely and cost-effective installations of electric vehicle charging stations; and

**WHEREAS**, the City Council wishes to advance the use of electric vehicles by all of its citizens, businesses, and industries; and

**WHEREAS**, the City Council seeks to meet the climate action goals set by the City and the State of California; and

**WHEREAS**, the City Council recognizes the importance of the use of electric vehicles and the need for charging stations for its residents and businesses; and

**WHEREAS**, it is in the interest of the health, welfare, and safety of the citizens of the City to provide an expedited permitting process to encourage smart climate choices.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOMPOC DOES HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1.** The Lompoc Municipal Code is hereby amended by adding Chapter 15.76, "Electric Vehicle Charging Station Streamlined Permitting Process," to read as follows:

Chapter 15.76

Electric Vehicle Charging Station Streamlined Permitting Process

- 15.76.010 Purpose
- 15.76.020 Applicability
- 15.76.030 Definitions
- 15.76.040 Requirements
- 15.76.050 Application and Documents
- 15.76.060 Permit Review Requirements
- 15.76.070 Fees
- 15.76.080 Appeals – Decisions of the Building Official

**15.76.010 Purpose.**

The purpose of this ordinance is to create an expedited, streamlined electric vehicle charging station permitting process that complies with Government Code section 65850.7 to achieve timely and cost-effective installation of electric vehicle charging stations within the City.

**15.76.020 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.

**15.76.030 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 be interpreted so as to give them the meaning they have in common usage and to give this Chapter the most reasonable application.
- B. An "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.
- C. "Electronic Submittal" means the utilization of any computer-based electronic plan review software maintained, operated, and utilized by the City while receiving applications through the internet.
- 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.

**15.76.040 Requirements.**

- A. All electric vehicle charging stations shall meet all applicable health and safety standards and the requirements imposed by the State and the City, local fire department, and electric utility department.

- 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.
- C. Electric vehicle charging stations must demonstrate compliance with the City's Electric Utility policies prior to approval of an application by the Building and Life Safety Services Section of the Fire Department.

**15.76.050 Application and Documents.**

- A. All documents required for the submission of an expedited electric vehicle charging station application shall be made available on the publicly-accessible City website.
- B. Electronic submittal of the required permit application and documents through City-utilized computer-based software shall be made available to all electric vehicle charging station permit applicants.
- C. An applicant's electronic signature shall be accepted on all forms, applications, and their documents in lieu of a wet signature.
- D. The Building and Safety Division shall adopt a checklist of all requirements with which electric vehicle charging stations shall comply to be eligible for expedited review.
- E. The Building and Safety Division may refer to the recommendation contained in the most current version of the Plug-In Electric Vehicle Infrastructure Permitting Checklist and 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 permit process and checklist.

**15.76.060 Permit Review Requirements.**

- A. The Building Official shall implement an administrative review process to expedite approval of electric vehicle charging stations. Where the application meets the requirements of the approved checklist and standards and there are no specific adverse impacts upon public health or safety, the Building and Safety Division shall complete the building permit approval process, which is nondiscretionary. Review of the application for electric vehicle charging stations shall be limited to the Building Official's

review of whether the application meets local, State, and federal health and safety requirements.

- 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. The Building Official may require an applicant to apply for a Special Use Permit if the official finds, based on substantial evidence, the Electric Vehicle Charging Station could have a specific, adverse impact upon the public health and safety.
- D. If a Special Use Permit is required, then the City may only deny such application if it makes written findings based upon substantial evidence in the record the proposed installation 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 alternative for preventing the adverse impact.
- E. Any condition imposed on an application shall be designed to mitigate the specific, adverse impact upon health and safety at the lowest possible cost.
- F. 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.

**15.76.070 Fees.**

A schedule of fees shall be established by resolution of the City Council for all costs incurred in the processing of any permits issued under this chapter. Such fees shall cover the full costs of review, approvals, inspections, certifications of compliance, or other determinations or actions necessitated by the permit. Fees shall be based on actual City costs incurred for time, equipment and materials.

**15.76.080 Appeals – Decisions of the Building Official.**

Pursuant to subdivisions (b) and (c) of Government Code Section 65850.7, decisions of the Building Official may be appealed to the Planning Commission. A written appeal must be filed with the City Clerk within ten (10) business days after 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.

**SECTION 2.** California Environmental Quality Act (CEQA) Finding. This ordinance is exempt from CEQA because the adoption of this ordinance is not a "project" pursuant to Subdivisions 15060(c)(2) and 15060(c)(3) of Title 14 of the California Code of Regulations. Specifically, this ordinance only establishes a streamline process for electric vehicle charger permits and merely authorizes administrative activities which will not result in a direct or reasonable foreseeable indirect physical change in the environment. The City Manager or designee shall prepare and file a Notice of Exemption as soon as practical following adoption of this ordinance.

**SECTION 3.** This ordinance shall take effect 30 days after its adoption. The City Clerk, or her duly appointed deputy, shall attest to the adoption of this ordinance and shall cause this ordinance to be posted in the manner required by law.

This Ordinance was introduced on September 19, 2017, and duly adopted by the City Council of the City of Lompoc at its duly noticed regular meeting on \_\_\_\_\_, 2017, by the following electronic vote:

PASSED AND ADOPTED this \_\_\_th day of \_\_\_ 2017, by the following electronic vote:

AYES: Council Member(s):

NOES: Council Member(s):

ABSENT: Council Member(s):

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Bob Lingl, Mayor  
City of Lompoc

Attest:

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Stacey Haddon, City Clerk  
City of Lompoc