# Staff Report

Meeting Date: June 20, 2023

To: Siskiyou County Board of Supervisors

From: Hailey Lang, Planning Director

Subject: Proposed first reading of an ordinance adding Chapter 5, Electric Vehicle Charging Stations, to Title 9, Building Regulations, of the Siskiyou County Code to create an expedited, streamlined permitting process for electric vehicle charging stations pursuant to AB 1236 and AB 970.

## Discussion

In 2015, the State of California adopted AB 1236 (codified as Government Code Section 65850.7), which requires local jurisdictions to adopt an ordinance to create an expedited, streamlined permitting process for electric vehicle charging stations (EVCS). Additionally, in 2021, the State adopted AB 970 (codified in Government Code Section 65850.71), which builds on the State’s existing permit streamlining law by adding timelines for EVCS application review and approval. Whereas AB 1236 requires that jurisdictions limit their review of EVCS projects to health and safety requirements, AB 970 adds specific binding timelines to that review period based on the size of the project. AB 970 also clarifies that cities and counties shall reduce the number of required parking spaces by the amount necessary to accommodate the EVCS if the EVCS and associated equipment interferes with, reduces, eliminates, or in any way impacts the required parking spaces for existing uses.

AB 1236 and AB 970 apply to all charging station installations, including: Level 1, Level 2, and DC Fast Charging; public and private charging stations; light-, medium-, and heavy-duty electric vehicle charging stations; and stations that are installed as the accessory or primary use of a site. AB 1236 and AB 970 likewise apply to essential components and infrastructure necessary for charging station function.

The required ordinance to create an expedited, streamlined permitting process is included as **Attachment A**. Consistent with AB 1236, staff has also developed the required checklist containing objective requirements for the installation of an electric vehicle charging station (see **Attachment B**). The content of the checklist requires the permit applicant to check the features of the existing electrical service such as rating in amperes, system voltage, connected or calculated load, spare capacity in amperes, voltage and ampere rating of the electric vehicle supply equipment, circuit rating of the electric vehicle supply equipment, location of the electric vehicle supply equipment, if ventilation is/or is not required, and clearances of the charging equipment to comply with all applicable building and fire safety laws. The checklist also assists the applicant in confirming that the location of the electric vehicle supply equipment will comply with any vehicle clearance requirements in the County’s Zoning Ordinance. At the second reading of the ordinance, staff will present a resolution to adopt the checklist as required in Section 9-5.05B of the proposed ordinance.

## Environmental Review

The project entails adoption of an ordinance to create an expedited, streamlined permitting process for electric vehicle charging stations in compliance AB 1236 and AB 970. Because there is no potential for a significant adverse impact on the environment as a result of adoption and implementation of the ordinance, the project is exempt from environmental review pursuant to CEQA Guidelines Section 15061(b)(3) (i.e., the “common sense exemption”). Section 15061(b)(3) states that CEQA only applies to projects that have the potential for causing a significant effect on the environment.

If the Board of Supervisors concurs with staff’s environmental recommendation, it would need to make the findings that the project will not have a significant adverse impact on the environment and is exempt from CEQA prior to project approval. As such, findings to this effect have been incorporated into the suggested motion below as well as the draft ordinance prepared for the Board of Supervisors’ consideration.

## Public Comment

No public comment has been received.

## Recommended Motion

I move that:

1. the Board finds that the proposed ordinance will not have a significant adverse impact on the environment and that it is exempt from environmental review pursuant to CEQA Guidelines Section 15061(b)(3).

2.I further move that the Board introduce, waive and approve, by title only, the first reading of an ordinance adding Chapter 5, Electric Vehicle Charging Stations to Title 9, Building Regulations, of the Siskiyou County Code.

3. Direct the Clerk to schedule a second reading of the ordinance and publish any required public notice.

## Attachments

1. Ordinance 23-XX, An Ordinance of the Board of Supervisors of the County of Siskiyou Adding Chapter 5, Electric Vehicle Charging Stations, to Title 9, Building Regulations, of the Siskiyou County Code
2. AB 1236 EVCS Checklist