



Legislation Text

File #: 17-480, **Version:** 1

An Ordinance of the City of San Leandro Adding Article 15 “Electric Vehicle Charging Station Permits” to Chapter 7-5 of the San Leandro Municipal Code to Provide for an Expedited, Streamlined Permitting Process for Electric Vehicle Charging Stations

WHEREAS, the City of San Leandro desires to promote and encourage the use of fuel-efficient electric vehicles; and

WHEREAS, on October 8, 2015, the Governor signed AB 1236, which amended Government Code section 65850.7 to require local agencies to adopt an ordinance by creating an expedited and streamlined permitting process for electric vehicle charging stations; and

WHEREAS, the City Council of the City of San Leandro seeks to implement AB 1236 through the creation of an expedited, streamlined permitting process for electric vehicle charging stations; and

WHEREAS, the City Council of the City of San Leandro finds that it is in the interest of the health, welfare, and safety of the public to provide an expedited, streamlined permitting process to encourage and facilitate the convenient development of electric vehicle charging stations.

Now, therefore, the City Council of the City of San Leandro does ordain as follows:

SECTION I. Recitals. The above recitals are true and correct and made a part of this ordinance.

SECTION II. Electronic Signatures. The City is unable as of the date of this Ordinance to comply with the provisions of Government Code Section 65850.7(g)(2) that would allow the City to utilize "electronic signatures on all forms, applications, and other documentation in lieu of a wet signature by an applicant." The City does not have a system in place that is capable of verifying an electronic signature. The technology required to implement such a system would require significant changes to the City's technology infrastructure, which is currently in re-design and development. Therefore, at present the City requires more time and analysis to determine the best means to implement an electronic signature acceptance system. Based on the reasons set forth in this Section, the City Council determines that it is unable to authorize the acceptance of an electronic signature on all forms, applications, and other documents in lieu of a wet signature by an applicant for an electric vehicle charging station.

SECTION III. CEQA. Approval of the amendments is exempt from further environmental review under the general rule in California Environmental Quality Act (CEQA) Guidelines Section 15061(b)

(3) that CEQA only applies to projects that have the potential for causing a significant effect on the environment. As a text amendment to adopt regulations to expedite and streamline permitting for electric vehicle charging stations, it can be seen with certainty that there is no possibility that this Ordinance will have a significant effect on the environment.

SECTION IV. Approval. The City Council hereby approves the amendments to the Municipal Code, more particularly, adding Article 15 to Chapter 7-5, as shown in attached Exhibit A, which is incorporated herein by reference and available for review in the City Clerk's office during normal business hours.

SECTION V. Severability. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance, including the application of such part or provision to other persons or circumstances shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this ordinance are severable. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be held unconstitutional, invalid, or unenforceable.

SECTION VI. Publication and effective date. This Ordinance shall take effect thirty (30) days after adoption. The City Clerk of the City of San Leandro shall cause the Ordinance to be published in accordance with section 36933 of the Government Code of the State of California.