

ORDINANCE NO. _____

An ordinance adding Subsections 91.106.6, 91.106.6.1, 91.106.6.2, 91.106.6.3, 91.106.6.4, 91.106.6.5, 91.106.6.6, and 91.106.6.7 to Section 91.106, Division 1, Article 1, Chapter IX of the Los Angeles Municipal Code to streamline and expedite the permitting process for electric vehicle charging stations.

WHEREAS, the State of California and the City of Los Angeles has consistently promoted and encouraged the use of fuel-efficient electric vehicles;

WHEREAS, the State of California adopted Assembly Bill 1236, which requires local agencies to adopt an ordinance that creates an expedited and streamlined permitting process for electric vehicle charging systems; and

WHEREAS, creation of an expedited, streamlined permitting process for electric vehicle charging stations would facilitate convenient charging of electric vehicles and help reduce the City's reliance on environmentally damaging fossil fuels.

NOW, THEREFORE,

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. A new Subsection 91.106.6 is added to Section 91.106, Division 1, Article 1, Chapter IX of the Los Angeles Municipal Code to read as follows:

91.106.6. Electric Vehicle Charging Station Permitting.

Sec. 2. A new Subsection 91.106.6.1 is added to Section 91.106, Division 1, Article 1, Chapter IX of the Los Angeles Municipal Code to read as follows:

91.106.6.1. Title, Words, and Phrases. The following definitions shall apply in place of those set forth in Government Code Section 65850.7, and any reference herein to a term set forth in a federal or state statute, term, or regulation shall be to the statute, term, or regulation as written and in effect on the date this Subsection 91.106.6 is adopted:

DEPARTMENT. The Department of Building and Safety of the City of Los Angeles.

ELECTRIC VEHICLE CHARGING STATION or CHARGING STATION. One or more electric vehicle charging spaces served by electric vehicle charger(s) or other charging equipment that facilitates the charging of electric vehicles. Electric vehicle charging stations are not considered parking spaces.

ELECTRONIC SUBMITTAL. The utilization of one or more of either electronic mail, the internet, or facsimile to transmit an application.

SPECIFIC, ADVERSE IMPACT. A significant, quantifiable, direct, or 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.

Sec. 3. A new Subsection 91.106.6.2 is added to Section 91.106, Division 1, Article 1, Chapter IX of the Los Angeles Municipal Code to read as follows:

91.106.6.2. Expedited Electric Vehicle Charging Station Permitting. Electric vehicle charging stations that qualify for expedited permit processing shall be subject to the administrative permitting procedures set forth in Subsections 91.106.6, et seq.

Sec. 4. A new Subsection 91.106.6.3 is added to Section 91.106, Division 1, Article 1, Chapter IX of the Los Angeles Municipal Code to read as follows:

91.106.6.3. Expedited Review Process. The Department shall develop and implement an expedited administrative permit review process for electric vehicle charging stations, and promulgate a checklist of all requirements with which electric vehicle charging stations must comply in order to be eligible for expedited review, subject to any budgetary constraints. The adopted checklist shall be published on the Department's website. The Superintendent may modify the checklist from time to time to address local and unique climactic, geological, seismological, or topographical conditions.

Sec. 5. A new Subsection 91.106.6.4 is added to Section 91.106, Division 1, Article 1, Chapter IX of the Los Angeles Municipal Code to read as follows:

91.106.6.4. Electronic Submittals. Permit applications covered by these regulations and of associated supporting documentations may be submitted electronically. In lieu of a wet signature, an applicant may utilize electronic signatures on all forms, applications, and other documentation transmitted pursuant to this subsection.

Sec. 6. A new Subsection 91.106.6.5 is added to Section 91.106, Division 1, Article 1, Chapter IX of the Los Angeles Municipal Code to read as follows:

91.106.6.5. Association Approval. Consistent with Government Code Section 65850.7, the approval for any electric vehicle charging station permit shall not be contingent on the approval of such a system by an association, as that term is defined by Civil Code Section 4080.

Sec. 7. A new Subsection 91.106.6.6 is added to Section 91.106, Division 1, Article 1, Chapter IX of the Los Angeles Municipal Code to read as follows:

91.106.6.6. Permit Application Processing. A permit application is complete if the Department determines that a permit application satisfies the information requirements in the Department's adopted checklist and the applicant has paid all applicable fees.

If the Department determines that the permit application is incomplete, it shall issue a written correction notice to the applicant detailing the additional information required for the project to be eligible for expedited permit processing. Confirmation of a complete application does not authorize an applicant to energize or utilize the electric vehicle charging station.

Notwithstanding the foregoing, an application shall be deemed complete if all of the following conditions are met: the Department has not determined that a permit application satisfies the information requirements in the Department's adopted checklist; the Department has not issued a written correction notice; and, either five business days have elapsed since the submission of an application for at least one but not more than 25 electric vehicle charging stations, or ten business days have elapsed since submission of an application for more than 25 electric vehicle charging stations.

Sec. 8. A new Subsection 91.106.6.7 is added to Section 91.106, Division 1, Article 1, Chapter IX of the Los Angeles Municipal Code to read as follows:

91.106.6.7. Permit Issuance. It is the intent of these regulations to encourage the installation of electric vehicle charging stations by removing obstacles to permitting for charging stations so long as the action does not supersede the Department's regulatory authority to identify and address higher priority life-safety situations. Permit(s) may be issued once the Department determines that the permit application and supporting documents meet all requirements and are consistent with all applicable health and safety requirements necessary to ensure the electric vehicle charging station will not have a specific, adverse impact upon the public health or safety. If the electric vehicle charging station and associated equipment interfere with or reduce the required parking spaces for existing uses, the Department shall reduce the number of required parking spaces by the amount necessary to accommodate the electric vehicle charging station and associated equipment.

If the Department makes a finding that the electric vehicle charging station would have a specific adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact, the Department may deny the permit application. Such a finding shall include the basis for rejecting any alternatives proposed by the applicant to prevent the specific, adverse impact. The decision to deny the permit application may be administratively appealed.


Notwithstanding the foregoing, an application for an electric vehicle charging station shall be deemed approved if all of the following conditions are met: the Department has not administratively approved the permit application; the Department has not made a finding that the electric vehicle charging station would have a specific, adverse impact upon the public health or safety, as specified; no administrative appeal

has been filed; and, either 20 business days have elapsed since an application for at least one, but not more than 25 electric vehicle charging stations has been deemed complete, or 40 business days have elapsed since an application for more than 25 electric vehicle charging stations has been deemed complete.

Sec. 9. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Approved as to Form and Legality

HYDEE FELDSTEIN SOTO, City Attorney

By  _____
CHARLES D. SEWELL
Deputy City Attorney

Date December 4, 2024

File No. 22-0120

["M:\Real Prop_Env_Land Use\Land Use\Charles Sewell\LU - Ordinances\ORD - EV (1236)\2024.10.28 AB 1236 - Draft Ordinance.docx"]

The Clerk of the City of Los Angeles hereby certifies that the foregoing ordinance was passed by the Council of the City of Los Angeles.

CITY CLERK

MAYOR

Ordinance Passed _____

Approved _____