ORDINANCE NO.

AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTERS 16.64 AND 16.240 OF THE STOCKTON MUNICIPAL CODE, RELATING TO ELECTRIC VEHICLE CHARGING STATIONS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF STOCKTON, AS FOLLOWS:

SECTION I. FINDINGS AND INTENT

The City Council of the City of Stockton finds that:

A. The proposed amendment of the Stockton Municipal Code provisions related to electric vehicle charging stations is consistent with applicable General land uses, objectives, policies, programs, and actions of all elements of the General Plan on balance and will not create any inconsistencies with the Development Code. The proposed amendment will serve to comply with AB 1236 and be consistent with the following General Plan goals and policies:

i NCR-8.6 Incentives. The City will work with the California Energy Commission and other public and non-profit agencies to promote the use of programs that encourage developers to surpass Title 24 Energy Efficiency standards by utilizing renewable energy systems and more efficient practices that conserve energy, including, but not limited to natural gas, hydrogen or electrical vehicles.

ii NCR-8.9 Alternative Fuels Vehicle Parking. The City shall require prioritized parking within commercial and retail areas for electric vehicles, hybrid vehicles, and alternative fuel vehicles as well as provide electric charging stations.

B. The proposed amendment will amend Title 16 of the SMC to address electric vehicle charging stations. The amendment will not endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare of persons residing or working in the City, because the amendment will bring the City into compliance with state law, which contains standards for the safe installation of electric vehicle charging stations.

C. The proposed SMC amendments are exempt from the California Environmental Quality Act (CEQA) under the “general rule” that CEQA applies only to projects that have the potential for causing significant environmental effects, as specified in Section 15061(b)(3). Approval of the required amendments will bring the City into compliance with state law and constitutes an administrative action that will not result in direct or indirect physical changes in the environment, and any future projects that would rely on these amendments will require further case-specific environmental review under CEQA.

D. The proposed amendments address electric vehicle charging stations and are internally consistent with other applicable provisions of the Development Code.

SECTION II. AMENDMENT OF CODE

Title 16, Chapter 16.64, Section 16.64.030 of the Stockton Municipal Code is hereby amended to read as follows:

16.64.030 General parking regulations.

A. Parking and Loading Spaces to be Permanent. Required parking and loading spaces shall be permanently available; off-site parking shall require a permanent covenant in compliance with Section 16.64.080(B)(4) (Location). The spaces shall be marked (except for single-family dwellings, duplexes, and triplexes) and maintained for parking or loading purposes for the use they are intended to serve. The Director may approve the temporary reduction of parking or loading spaces in conjunction with a seasonal or intermittent use for a period of not more than 30 days. Longer periods may be allowed with the approval of a temporary activity permit (Chapter 16.164).

B. Parking and Loading to be Unrestricted. During business hours, parking and loading facilities required by this chapter shall be available to the general public without charge, except for colleges and universities. Required parking for residential uses shall be continuously available without charge to the residents and their guests. A fee for parking may only be charged for spaces that exceed the requirements of this chapter.

C. Maintenance. Parking spaces, driveways, maneuvering aisles, turnaround areas, and landscaping areas shall be kept free of dust, graffiti, and litter and shall be maintained to prevent the tracking of dirt, mud and/or gravel into the right-of-way. Striping, paving, walls, light standards, and all other facilities shall be permanently maintained and meet the requirements of Section 8.36.010 of the Municipal Code.

D. Surfacing. Parking spaces, driveways, maneuvering aisles and turnaround areas shall be paved with a permanent surface, consisting of concrete, asphalt or other similar material authorized by the City's Standard Specifications. Compacted soil and/or gravel shall not be considered an acceptable surface.

E. Vehicles for Sale. Vehicles, trailers, or other personal property shall not be parked upon a private street, parking lot, or private property for the primary purpose of displaying the vehicle, trailer, or other personal property for sale, hire, or rental, unless the property is appropriately zoned, and the vendor is licensed to transact a vehicle sales business at that location. Vehicles shall not be parked on public streets for the purpose of sale, hire, or rental, except for buses and taxis in compliance with Title 10 of the Municipal Code.

F. Fire Lanes. Parking is prohibited in marked fire lanes designated by the Fire Marshal in compliance with Section 10.04.1090 of the Municipal Code.

G. Official Parking Areas. The City Manager may designate official parking areas that are not available for public use in compliance with Section 10.04.1050 of the Municipal Code.

H. Commercial Parking Lots. Tractor-trailers, either with or without a trailer, shall be prohibited from parking overnight on residentially used property, and shall not be parked on commercially used property for more than 72 hours.

I. Electric vehicle charging stations are permitted in all required and non-required off-street parking spaces. As an incentive for the provision of electric vehicle charging stations, a reduction in required parking is permitted up to two required parking spaces for each electric vehicle charging space provided, up to a maximum reduction of 10 percent of the total required parking.

SECTION III. AMENDMENT OF CODE

Title 16, Chapter 16.240, Section 16.240.020 of the Stockton Municipal Code is hereby amended by adding the following definition for "Electric vehicle charging station" and shall read as follows:

> **Electric vehicle charging station.** A station that is designed in compliance with the California Building Standards Code and delivers electricity from a source outside an electric vehicle into one or more electric vehicles. An electric vehicle charging station may include several charge points simultaneously connecting several electric vehicles to the station and any related equipment needed to facilitate charging plug-in electric vehicles.

SECTION IV. SEVERABILITY.

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, that invalidity shall not affect other provisions or applications of the act which can be given without the invalid provision or application, and to this end the provisions of this act are severable.

SECTION V. EFFECTIVE DATE.

This Ordinance shall take effect and be in full force thirty (30) days after its passage.

ADOPTED: _____

EFFECTIVE:_____

_____
ANTHONY SILVA
Mayor of the City of Stockton

ATTEST:

_____
BONNIE PAIGE
City Clerk of the City of Stockton