

Resolution No.

STOCKTON PLANNING COMMISSION

RESOLUTION RECOMMENDING THE CITY COUNCIL APPROVE AN AMENDMENT TO TITLE 16 OF THE STOCKTON MUNICIPAL CODE RELATED TO ELECTRIC VEHICLE CHARGING STATIONS

Assembly Bill 1236 (Chp. 598, Stats. 2015), contained provisions requiring local agencies to adopt ordinances that would ensure by-right approval of applications for the installation of electric vehicle charging stations; and

AB 1236 requires each city and county with a population of 200,000 or more residents to adopt an ordinance, by September 30, 2016, that creates an expedited and streamlined permitting process for electric vehicle charging stations; and

City staff prepared and is recommending an amendment to Title 16 that addresses revisions necessary to comply with AB 1236; and

The Planning Commission is authorized by Section 16.212.040 of the Stockton Municipal Code (SMC) to review and make a recommendation to the Council to amend the provisions of Title 16 related to electric vehicle charging stations; and

The code amendment will bring the City into compliance with state law; now, therefore:

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF STOCKTON AS FOLLOWS:

1. The Planning Commission of the City of Stockton, in accordance with Section 16.116.050B, finds and determines:

A. The proposed amendment of the Stockton Municipal Code (SMC) 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.

2. The Planning Commission hereby recommends that the City Council adopt the amendments to the SMC related to electric vehicle charging stations as set forth in Exhibit 1, attached hereto and incorporated by this reference.

PASSED, APPROVED and ADOPTED: August 11, 2016.

KEVIN HERNANDEZ, CHAIR
CITY OF STOCKTON PLANNING COMMISSION

ATTEST:

DAVID KWONG, SECRETARY
CITY OF STOCKTON PLANNING COMMISSION