

ORDINANCE NO. 2026-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMMERCE AMENDING CHAPTER 15.13 TITLED ELECTRIC VEHICLE CHARGING STATIONS

WHEREAS, the City Council of the City of Commerce has previously implemented AB 1236 (Chapter 598, Statutes 2015) and Assembly Bill (AB) 970 (Chapter 710, Statutes 2021) through the creation of an expedited, streamlined permitting process for electric vehicle charging stations;

WHEREAS, the City Council wishes to continue to advance the use of electric vehicle charging stations in the City;

WHEREAS, it is in the interest of the health, welfare and safety of the people of City of Commerce to continue to provide an expedited permitting process to assure the effective deployment of electric vehicle charging stations technology; and

WHEREAS, the City Council wishes to clarify terminology related to its electric vehicle charging station permitting process consistent with AB 1236 and AB 970.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF LYNWOOD DOES ORDAIN AS FOLLOWS:

SECTION 1. Chapter 15.13 of the Commerce Municipal Code titled Electric Vehicle Charging Stations is hereby amended and replaced in its entirety to read as follows:

CHAPTER 15.13 ELECTRIC VEHICLE CHARGING STATIONS

15.13.010 Purpose and Applicability.

The purpose of this chapter is to establish an expedited, streamlined electric vehicle charging stations permitting process to achieve timely and cost-effective installations of electric vehicle charging stations, and, to promote and encourage the use of electric vehicle charging stations and to limit obstacles to their use.

This chapter applies to the permitting of all electric vehicle charging stations in the City. Electric vehicle charging stations legally established or permitted prior to the effective date of this chapter are not subject to the requirements of this chapter unless physical modifications or alterations are undertaken that materially change the size, type, or components of the electric vehicle charging stations in such a way as to require new permitting. Routine operation and maintenance shall not require a permit.

15.13.020 Definitions.

A. "Association" means a nonprofit corporation or unincorporated association created for the purpose of managing a common interest development, or as further defined in Civil Code Section 4080.

B. “Electric vehicle charging station” or “charging station” means any level of electric vehicle supply equipment that is designed and built in compliance with Article 625 of the California Electric Code, or any successor regulation, and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle.

C. “Electronic submittal” means the utilization of one or more of either electronic mail, the internet, or facsimile.

D. “Specific adverse impact” means a significant, quantifiable, direct, and 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.

15.13.030 Electric Vehicle Charging Station Requirements

A. All electric vehicle charging stations shall meet the requirements of the California Electrical Code, the Society of Automotive Engineers, the National Electrical Manufacturers Association, and accredited testing laboratories such as Underwriters Laboratories and, rules of Public Utilities Commission regarding safety and reliability.

B. Installation of electric vehicle charging stations shall be incorporated into the loads calculations of all new or existing electrical services and shall meet the requirements of the California Electrical Code. Electric vehicle charging equipment shall be considered a continuous load.

C. Anchorage or either floor-mounted or wall-mounted electric vehicle charging stations shall meet the requirements of the California Building or Residential Code as applicable per occupancy, and the provisions of the manufacturer’s installation instructions. Mounting of charging stations shall not adversely affect building elements.

15.13.040 Duties of the Building Official

A. All documents required for submission of an electric vehicle charging station application shall be made publicly available on the City’s website.

B. The Building Official shall administratively adopt a checklist of all requirements with which electric vehicle charging shall comply to be eligible for expedited review.

C. The electric vehicle charging station permit process and checklist shall substantially conform to recommendations contained in the most current version of the Plug-In Electric Vehicle Infrastructure Permitting Checklist contained in the Zero-Emission Vehicles in California: Community Readiness Guidebook adopted by the Governor’s Office of Planning and Research.

D. The City’s Building Official shall allow electronic signatures and the electronic submittal of the electric vehicle charging station application.

15.13.050 Permit Review Requirements

A. Review of the permit application shall be limited to the Building Official's review of whether the application meets local, State and Federal health and safety requirements. The application shall be administratively reviewed by the Building Official as a nondiscretionary permit.

B. The City shall not condition approval of an application on the approval of an Association, as defined in Civil Code Section 4080, or any successor statute.

C. An application for an electric vehicle charging station permit shall be deemed complete and the permit available for issuance, when the Building Official determines the application satisfies all of the requirements found in the checklist.

D. If an application is deemed incomplete, a written plan check correction notice will be available to the applicant, detailing all deficiencies in the application and any additional information or documentation required to be eligible for expedited permit issuance shall be provided to the applicant for resubmission.

E. The following timeline is established for the application for permits for electric vehicle charging stations.

1. An application to install an electric vehicle charging station submitted to the Building Official shall be deemed complete if, after the applicable time period described in subsection (E)(2) of this section has elapsed, both of the following are true:

- a. The Building Official has not deemed the application complete, consistent with the checklist created by the City pursuant to Section 15.13.040.
- b. The Building Official has not issued a written correction notice detailing all deficiencies in the application and identifying any additional information explicitly necessary for the Building Official to complete a review limited to whether the electric vehicle charging station meets all health and safety requirements of local, state, and federal law, consistent with subsection (D) of this section.

2. For the purposes of subsection (E)(1) of this section, "Applicable time period" means either of the following:

- a. Five business days after submission of the application to the City, if the application is for at least one, but not more than twenty-five (25) electric vehicle charging stations at a single site.

- b. Ten business days after submission of the application to the City, if the application is for more than twenty-five (25) electric vehicle charging stations at a single site.

F. The Building Official may, in consultation with the Community Development Director, require an applicant to apply for a conditional use permit if the Building Official finds, based on substantial evidence, that the electric vehicle charging station could have a specific, adverse impact upon the public health and safety. The Building Official's decision to require a conditional use permit may be appealed by the applicant to the Planning Commission.

If a conditional use permit is required, the application for the conditional use permit may be denied if the Planning Commission makes findings, based on substantial evidence in the record, that the proposed installation 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. Such findings shall include the basis for rejection of potential feasible alternatives for preventing the specific, adverse impact. Such decisions may be appealed to the City Council.

SECTION 2. Nothing in this Ordinance shall be interpreted or applied so as to create any requirement, power, or duty in conflict with federal or state law.

SECTION 3. If any portion, subsection, sentence, clause, or phrase of this Ordinance is for any reason held by a court of competent jurisdiction to be invalid or unconstitutional, such a decision shall not affect the validity of the remaining portions of this Chapter. The City Council hereby declares that it would have passed this Chapter and each portion or subsection, sentence, clause, and phrase herein, irrespective of the fact that any one or more portions, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

SECTION 4. The City Clerk shall certify to the passage and adoption of this Ordinance, and shall cause it, or a summary of it, to be published as required by law, and it shall be effective thirty (30) days after its adoption.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Commerce, California this _____, 2026.

Kevin Lainez
Mayor

ATTEST:

Eduardo Sarmiento
City Clerk

Ernie Hernandez
City Manager

APPROVED AS TO FORM:

Noel Tapia
City Attorney