

**BOARD OF SUPERVISORS  
COUNTY OF SIERRA  
STATE OF CALIFORNIA**

**ORDINANCE NO. 1123**

**ADDING SECTION 12.04.200 TO THE SIERRA COUNTY CODE  
TO PROVIDE AN EXPEDITED PERMITTING PROCESS FOR  
ELECTRIC VEHICLE CHARGING STATIONS**

**WHEREAS**, Section 65850.7 of the California Government Code (AB 1236; Chiu, 2015) provides that it is the policy of the State to promote and encourage the installation and use of electric vehicle charging systems by limiting obstacles to their use and by minimizing the permitting costs of such systems; and,

**WHEREAS**, the law was developed to further the availability of charging infrastructure to help drive the deployment of zero emission vehicles—with the State’s assumption that the faster charging stations are deployed, the sooner California’s air quality improves, greenhouse gas emissions are reduced, and local economic benefits are captured; and,

**WHEREAS**, Section 65850.7 of the California Government Code requires every city and county in California to adopt an ordinance that creates an expedited, streamlined permitting process for electric vehicle charging stations while promoting public health and safety and preventing specific adverse impacts in the installation and use of such charging stations; and,

**WHEREAS**, it is in the health, welfare, safety, and economic interests of Sierra County residents to have an expedited permitting process to assure the effective deployment of electric vehicle charging technology.

**NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF SIERRA DOES ORDAIN AS FOLLOWS:**

**Ordinance Section One:**

Chapter 12.04 of the Sierra County Code is hereby amended by adding a new Section 12.04.200 to read as follows:

12.04.200 Expedited Permitting Process for Electric Vehicle Charging Stations

- A. Purpose. The purpose of this section is to comply with the requirements of Government Code Section 65850.7 to promote and encourage the use of electric vehicles by creating an expedited, streamlined permitting process for electric vehicle charging stations while promoting public health and safety and preventing specific adverse impacts in the installation and use of such charging stations.
- B. Applicability. This section applies to the permitting of electric vehicle charging stations in the unincorporated area of the County of Sierra after the effective date of the ordinance enacting this section. Electric vehicle charging stations legally established or permitted prior to the implementation of this expedited permitting process are not subject to the requirements of this section unless physical modifications or alterations are undertaken that materially change the size, type or components of an electric vehicle charging station in such a way as to require new permitting.

Expedited permitting shall not apply to electric vehicle charging station projects that include additional scope. All electric vehicle charging station projects with additional scope shall be processed under sections 12.04.060ff. of the Sierra County Code and applicable provisions of the California Building Standards Code, and the streamlining provisions of this section shall not apply.

- C. Definitions. The following words and phrases as used in this section are defined as follows:

“Electric vehicle charging station” or “charging station” means any level of electric vehicle supply equipment station that is designed and built in compliance with Article 625 of the California Electrical Code, as it reads on the effective date of the ordinance adopting this section, and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle.

“Electronic submittal” means a submittal made by email, the Internet, and/or facsimile.

“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.

- D. Expedited Permitting Process.

1. Consistent with Government Code Section 65850.7, the Sierra County Building Official is hereby authorized and directed to develop and implement an expedited, streamlined permitting process for electric vehicle charging stations, and adopt

and maintain a checklist of all requirements with which electric vehicle charging stations must comply in order to be eligible for expedited review. In developing the expedited permitting process and checklist, the Building Official may refer to the recommendations contained in the most recent version of the “Plug-In Electric Vehicle Infrastructure Permitting Checklist” and/or the “Zero-Emission Vehicles in California: Community Readiness Guidebook” published by the State of California’s Office of Planning and Research. The Building Official may modify the checklist and standards found in the Guidebook due to unique climatic, geological, seismological, or topographical conditions.

2. The checklist and all required permitting documentation shall be published on the County of Sierra’s website.
3. Electronic submittal of the required permit application and supporting documents shall be made available for all electric vehicle charging station permit applications. The method of electronic submittal shall be at the County’s discretion. The applicant may submit the permit application and associated documentation to the County’s Building Department by personal, mailed, or electronic submittal together with any required permit processing and inspection fees. In the case of electronic submittal, consistent with Government Code Section 65850.7, the Building Official shall also accept electronic signatures on all forms, applications, and other documentation in lieu of a wet signature by any applicant.
4. The Building Official may establish a process to prioritize competing applications for expedited permits.

E. Permit Application Processing.

1. Prior to submitting an application for processing, the applicant shall verify that the installation of an electric vehicle charging station will not have specific, adverse impact to public health and safety and building occupants. Verification by the applicant includes but is not limited to submission of plans and supporting documentation of sufficient detail to demonstrate compliance with all applicable codes and design standards, including: that the support structure for the electric vehicle charging system is stable and adequate to transfer all wind, seismic, snow, and dead and live loads associated with the system to the building or support structure’s foundation, using standard engineering evaluation techniques; electrical system capacity and loads; electrical system wiring, bonding and overcurrent protection; building infrastructure affected by charging station equipment and associated conduits; areas of charging station equipment location,

clearances, and vehicle parking; and proper elevation or flood-resistant enclosure if located within a FEMA-mapped Special Flood Hazard Area.

2. An application that satisfies the information requirements in the checklist, as determined by the building official, shall be deemed complete and be promptly processed.
3. If the Building Official determines that the permit application is incomplete, he or she shall issue a written correction notice to the applicant, detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance.
4. Upon confirmation by the Building Official that the permit application and supporting documents is complete and meets the requirements of the County adopted checklist and is consistent with all applicable laws and health and safety standards, the Building Official shall, consistent with Government Code Section 65850.7, administratively approve the application and issue all necessary permits or authorizations.
5. Such approval does not authorize an applicant to energize or utilize the electric vehicle charging station until final inspection and approval is granted by the County.

F. Discretionary Review--Limitations.

1. It is the intent of this Ordinance 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 Building Official's authority to address higher priority life-safety situations. If the Building Official makes a finding based on substantial evidence that the electric vehicle charging station could have a specific adverse impact upon the public health or safety, as defined in this Section, the County may require the applicant to apply for a use permit, to be processed in accordance with the procedures established in Sierra County Code Chapter 20.05.
2. Any conditions imposed on an application to install an electric vehicle charging station shall be designed to mitigate the specific adverse impact upon public health or safety at the lowest cost possible.
3. The County shall not deny an application for a use permit to install an electric vehicle charging station unless it makes written findings based upon substantial evidence in the record that the proposed installation would likely 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 findings shall include the basis for the rejection of potential feasible alternatives for preventing the adverse impact.

4. In the technical review of a charging station, consistent with Government Code Section 65850.7, the Building Official or other reviewing authority shall not condition the approval for any electric vehicle charging station permit on the approval of such a system by an association, as that term is defined by Civil Code Section 4080.
5. Any decision of the Building Official under the provisions of this Section may be appealed to the Sierra County Planning Commission.

**G. Electric Vehicle Charging Station Installation Requirements.**

1. Electric vehicle charging station equipment 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 the Public Utilities Commission or a Municipal Electric Utility Company regarding safety and reliability.
2. Installation of electric vehicle charging stations and associated wiring, bonding, disconnecting means and overcurrent protective devices shall meet the requirements of Article 625 and all applicable provisions of the California Electrical Code.
3. Installation of electric vehicle charging stations shall be incorporated into the load 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.
4. Anchorage of 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.

**Ordinance Section Two: Severability**

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder of this Ordinance, including the application of such part or provision

to other circumstances, shall not be affected thereby and shall continue in full force and effect. To this end, the provisions of this Ordinance are severable. The Board of Supervisors hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof irrespective of the fact that any one (1) or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be held unconstitutional, invalid, or unenforceable.

**Ordinance Section Three: CEQA**

The Board hereby finds and declares that this Ordinance is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to the following exemptions: CEQA Guidelines, Title 14 of California Code of Regulations, Section 15378(b)(5) (as an organizational administrative governmental activity that will not result in direct or indirect physical changes to the environment); and Section 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment); and Section 15268 (exempting ministerial actions such as approval of building permits and individual utility service connections).

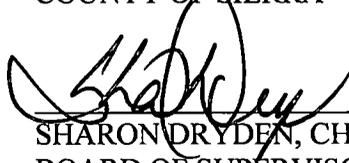
**Ordinance Section Four:**

This ordinance shall take effect thirty (30) days after the effective date of its passage. Before expiration of fifteen (15) days after passage of this ordinance, it shall be published once with the names of the members of the Board of Supervisors voting for and against the ordinance in *The Mountain Messenger*, a newspaper of general circulation published in the County of Sierra, State of California.

Introduced at a regular meeting of the Board of Supervisors of the County of Sierra, State of California, on the 21<sup>st</sup> day of March 2023, and passed and **ADOPTED BY THE BOARD OF SUPERVISORS** on the 4<sup>th</sup> day of April, 2023, by the following roll call vote, to wit:

AYES: Supervisors Adams, Heuer, Roen, LeBlanc, Dryden  
NOES: None  
ABSTAIN: None  
ABSENT: None

COUNTY OF SIERRA

  
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SHARON DRYDEN, CHAIR  
BOARD OF SUPERVISORS

ATTEST:

  
\_\_\_\_\_  
HEATHER FOSTER,  
CLERK OF THE BOARD

APPROVED AS TO FORM:

  
\_\_\_\_\_  
DAVID PRENTICE  
COUNTY COUNSEL