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ORDINANCE NO. 1889 N.C.(2d)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VALLEJO ADDING CHAPTER 16.616 TO TITLE 16 (ZONING) OF THE VALLEJO MUNICIPAL CODE ESTABLISHING AN EXPEDITED PERMITTING PROCESS FOR ELECTRIC VEHICLE CHARGING STATIONS

WHEREAS, the State of California and the City of Vallejo have consistently promoted and encouraged the use of fuel-efficient electric vehicles; and

WHEREAS, the State of California has adopted Assembly Bill No. 1236 (2015-2016 Reg. Sess.)(adding Gov. Code § 65850.7) and Assembly Bill No. 970 (2021-2022 Reg. Sess.)(amending Gov. Code § 65850.7 and adding Gov. Code § 65850.71), which together require local agencies, including charter cities, to adopt an ordinance that creates an expedited and streamlined permitting process for electric vehicle charging stations; 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; and

WHEREAS, the City seeks to adopt an ordinance that complies with Government Code Sections 65850.7 and 65850.71 while protecting public health and safety; and

WHEREAS, under Title 14 of the California Code of Regulations, Section 15378(b)(5), the proposed ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) because it authorizes administrative activities and does not constitute a project that will result in a direct or reasonably foreseeable indirect physical change in the environment; and
WHEREAS, the Planning Commission, after giving all public notices required by State Law and the Vallejo Municipal Code, held a duly noticed public hearing on June 15, 2026, on the proposed ordinance and voted 5-0, with one absence, to recommend that it be adopted by the City Council; and

WHEREAS, thereafter, the City Council, after giving all public notices required by State Law and the Vallejo Municipal Code, held a duly noticed public hearing on July 28, 2026 on the proposed ordinance and considered testimony and information received at the public hearing and the oral and written reports from City staff, as well as other documents contained in the Record of Proceedings relating to the proposed ordinance, which are maintained in the Vallejo City Clerk's Office, 555 Santa Clara Street, Vallejo, CA 94590.

NOW THEREFORE THE COUNCIL OF THE CITY OF VALLEJO DOES ORDAIN AS FOLLOWS:

SECTION 1. Recitals.

All of the facts set forth in the Recitals are true and correct and are hereby incorporated and adopted as findings of the City Council as if fully set forth herein.

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SECTION 2. Record.

The Record of Proceedings ("Record") upon which the City Council bases its decision includes but is not limited to: (1) the staff reports, City files and records, and other documents prepared for the proposed EVCS permit expediting ordinance; (2) the evidence, facts, findings and other determinations set forth herein; (3) the Vallejo General Plan 2040 and its FEIR; (4) the Addendum to the General Plan 2040 FEIR adopted for the 2023-2031 Housing Element; (5) the Vallejo Municipal Code and its related environmental documents; (6) all documentary and oral evidence received at public meetings, hearings, or submitted to the City relating to the proposed EVCS permit expediting ordinance; and (7) all other matters of common knowledge to the Planning Commission including, but not limited to, City, state, and federal laws, policies, rules, regulations, reports, records, and projections related to development within the City of Vallejo and its surrounding areas.

The location and custodian of the records is the Office of the City Clerk of the City of Vallejo, 555 Santa Clara Street, Vallejo, California 94590.

SECTION 3. California Environmental Quality Act.

Based on the statements and findings recited herein, the City Council finds that the adoption of this Ordinance is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to 14 Cal Code Regs Section 15378(b)(5). The Ordinance authorizes administrative activities and is not a project which will result in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

SECTION 4. Findings.

In accordance with Vallejo Municipal Code Section 16.611.03.A.1 and A.2 (Required Findings, Zoning Code Text Amendments), the City Council hereby makes the following findings:

A.1 The zoning text amendment is consistent in principle with the general plan and any applicable specific plan;

Facts in support: The proposed Ordinance implements the General Plan policies and actions as described in Table 1, below.

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Table 1 – General Plan 2040 Policies and Actions	
Policies and Actions	**Staff's Analysis**
Policy CP-1.12: **Clean Air.** Protect the community from harmful levels of air pollution.	*Facts in Support: The Ordinance will facilitate the development of EVCS which are crucial to the large-scale adoption of electric vehicles with reduced or zero tailpipe emissions promoting cleaner local air quality.*
Policy EET2.1: **Economic Diversification.** Attract employment- and tax-generating businesses that support the economic diversity of the city.	*Facts in Support: The Ordinance will promote the development of EVCS throughout the City, including publicly accessible stations which will attract motorists needing to recharge their vehicles, inviting them to shop and/or dine at adjacent businesses while their vehicles are charging, with both the charging and shopping activities generating tax revenue for the City of Vallejo.*
Policy EET-4.1: **City-led Sustainability.** Pursue programs that enable the City to contribute meaningfully to economic development and diversification efforts by retaining, attracting, and promoting green and sustainable businesses.	*Facts in Support: The Ordinance advances this policy in that it promotes opportunities for green and sustainable businesses. This is a meaningful contribution to meeting the State's overall climate change mitigation goals.*
Action MTC-2.12C Update City regulations to require or incentivize the installation of sufficient electric charging infrastructure at high-priority locations, such as large new employment sites and large new multifamily residential developments.	*Facts in Support: The Ordinance implements this action as it updates City regulations to incentivize the installation of EVCS at high priority locations, including large employment sites and multifamily residential developments.*
Action MTC-2.13C Consider measures such as regulations or incentives to promote the installation of electric charging infrastructure at high-priority locations, such as new large employment sites.	*Facts in Support: The Ordinance implements this action as it considers regulations to incentivize the installation of EVCS at high priority locations.*

A.2. The zoning text amendment is consistent with the purpose of the Zoning Code to promote the growth of the city in an orderly manner and to promote and protect the public health, safety, and general welfare.

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Facts in support: The proposed Ordinance is intended to create an expedited permitting process for EVCS to comply with State law in support of the increased adoption of electric vehicles throughout California to promote the State's climate and air quality goals. Consistent with the statewide goals, the establishment of additional EVCS within the City would promote the public health, safety, and general welfare of Vallejo by facilitating the use of transportation technologies which reduce local air pollution and its associated health and safety impacts, while ensuring an orderly development process consistent with the Zoning Code.

SECTION 5. A new Chapter 16.616 is hereby enacted to read as follows:

Chapter 16.616
ELECTRIC VEHICLE CHARGING STATIONS

Section 16.616.01 Purpose.

The purpose of this Chapter is 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. This Chapter implements California Government Code Section 65850.7 and Section 65850.71.

Section 16.616.02 Definitions.

"**Building Official**" means the Chief Building Official of the City of Vallejo or their designee.

"**Director**" means the Planning and Development Services Director of the City of Vallejo or their designee.

"**Electronic submittal**" means application materials submitted through the utilization of one or more of the following: electronic mail or email, the internet, or other feasible method.

"**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 this Chapter and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle.

"**Feasible method to satisfactorily mitigate or avoid the specific adverse impact**" includes, but is not limited to, any cost-effective method, condition, or mitigation imposed on an application for a permit.

"**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.

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Section 16.616.03 Administrative Permitting Process.

(a) **Checklist**. The Building Official shall implement an expedited and streamlined permitting process for electric vehicle charging stations and adopt a checklist of all requirements with which electric vehicle charging stations shall comply with in order to be eligible for expedited review. The expedited and streamlined permitting process and checklist may refer to the recommendations contained in the most current version of the "Electric Vehicle Charging Station Permitting Guidebook" published by the Governor's Office of Business and Economic Development. The City's adopted checklist shall be published on the City's website. Applicants shall pay a permit fee as required by the City Council by resolution.

(b) **Specific, Adverse Impact Verification**. Prior to submitting an application for processing, the applicant shall verify that the installation of an electric vehicle charging station will not have any specific, adverse impact to public health and safety. Verification by the applicant includes but is not limited to: electrical system capacity and loads; electrical system wiring, bonding and overcurrent protection; building infrastructure affected by charging station equipment and associated conduits; and areas of charging station equipment and vehicle parking.

(c) **Permit Application Processing**. Upon confirmation by the Building Official that the permit application and supporting documentation satisfies the requirements in the City's adopted checklist, the Building Official shall deem the permit application complete, and it will be promptly processed in accord with all applicable laws and health and safety standards. The Building Official shall, consistent with Government Code Sections 65850.7 and 65850.71, approve the application and issue all necessary permits. Such approval does not authorize an applicant to energize or utilize the electric vehicle charging station until approval is granted by the City. If the Building Official determines that the permit application is incomplete, the Building Official 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.

(d) **Electronic Submittal and Signature**. Consistent with Government Code Section 65850.7, the Building Official shall allow for electronic submittal of permit applications and shall also accept electronic signatures on all forms, applications, and other documentation in lieu of a wet signature by any applicant.

Section 16.616.04 Discretionary Permitting Process.

(a) **Minor Use Permit Required**. It is the intent of this Ordinance to encourage the installation of electric vehicle charging stations by removing obstacles to permitting such stations so long as the action does not supersede the Building Official's authority to address higher priority life safety situations. If the Director, following the Building Official's findings based on substantial evidence that the electric vehicle charging station would have a specific adverse impact on local, state, or federal public health or safety requirements, the City may require the applicant to apply for a minor use permit in accordance with Section 16.606.

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(b) **Minor Use Permit Conditions**. If the Director issues a minor use permit for an electric vehicle charging station, the permit may include conditions designed by the Building Official to mitigate any specific, adverse impact upon public health and safety at the lowest possible cost. A feasible method to satisfactorily mitigate or avoid the specific, adverse impact includes, but is not limited to, any cost-effective method, condition, or mitigation imposed by the City on another similarly situated application in a prior successful application for a permit.

(c) **Denial of Minor Use Permit**. If a minor use permit for an electric vehicle charging station is required, the Director may only deny an application for the electric vehicle charging station minor use permit if the Building Official makes written findings based upon substantial evidence in the record that the proposed installation would have a specific, adverse impact upon public health or safety and there is no feasible method to satisfactorily mitigate or avoid the adverse impact. The findings shall include the basis for the rejection of the potential feasible alternative for preventing the adverse impact.

(d) **Appeal**. The Director's decision may be appealed to the Planning Commission in accordance with Section 16.606.05.A and Section 16.602.14.

(e) **Prohibition**. In the technical review of an electric vehicle charging station, consistent with Government Code Section 65850.7(h), the City shall not condition the approval for any permit for an electric vehicle charging station on the approval of such a system by an association, as that term is defined by Civil Code Section 4080.

Section 16.616.05 Electric Vehicle Charging Station Installation Requirements.

(a) 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.

(b) 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.

(c) 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.

(d) 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.

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(e) Installation of electric vehicle charging stations shall meet the requirements of the California Building Code related to accessibility by persons with disabilities.

SECTION 6. Severability.

If any section, subsection, sentence, clause, phrase or word of this Ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed and adopted this Ordinance, and each and all provisions hereof, irrespective of the fact one or more provisions may be declared invalid.

SECTION 7. Effective Date.

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

FIRST READ at a regular meeting of the City Council of the City of Vallejo held on July 28, 2026, and finally passed and adopted at an adjourned regular meeting of the City Council held the 8th day of September 2026, by the following vote:

AYES:	Mayor Sorce, Vice Mayor Matulac, Councilmembers Bregenzer, Gordon, Lediju and Matias
NOES:	None
ABSENT:	Councilmember Palmares
ABSTAIN:	None

Signed by:
Andrea Sorce
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ANDREA SORCE, MAYOR

ATTEST:

DocuSigned by:
Dawn G. Abrahamson
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DAWN G. ABRAHAMSON, CITY CLERK