

**MARCH 7, 2023, MINUTES
CITY OF WHEATLAND
REGULAR PLANNING COMMISSION MEETING
WHEATLAND COMMUNITY CENTER
101 C STREET, WHEATLAND, CA
6:00 – 6:20 P.M.**

PLANNING COMMISSIONERS PRESENT G. Hart, D. Panteloglow, D. Pesenti. K. Thomason, W. Tinsley

OTHER OFFICIALS PRESENT K. Valente, Senior Planner
L. Thomason, Secretary
J. Johnson, Account Clerk

PLEDGE OF ALLEGIANCE

Planning Commissioner Vice Chair led the pledge of allegiance.

PUBLIC COMMENT

None.

CONSENT

Motion was made by Planning Commissioner D. Panteloglow, Seconded by Planning Commissioner K. Thomason to **approve minutes from the regular meeting on January 17, 2023**. Vote called – AYES: All. Motion carried.

PUBLIC HEARING

Senior Planner, Kevin Valente presented the staff report for Consideration to recommend City Council approval of the proposed ordinance to amend the Wheatland Municipal Code to establish a streamlined permitting process for electric vehicle charging stations (EVCS) in compliance with Assembly Bill (AB) 1236 and AB 970. On November 22, 2022, staff received direction from the Wheatland City Council to prepare an ordinance to amend the Wheatland Municipal Code in order to comply with AB 1236 and AB 970. AB 1236, codified in Government Code (GC) Section 65850.7, requires all California cities and counties to develop an expedited, streamlined permitting process for EVCS. Specifically, AB 1236 requires that the Chief Building Director: administratively approve EV charging station applications that satisfy submittal requirements in an adopted checklist; adopt and publish an application checklist that would be available on the city's website; and accept electronic application submittals and electronic signatures. The law was developed to further the availability of charging infrastructure to help drive the deployment of zero emission vehicles. In order to become a "Streamlined Jurisdiction," the Chief Building Director of the City of Wheatland is required to adopt a

Streamlining Ordinance and a Permitting Checklist. Application submittals that are consistent with the Permitting Checklist will be eligible for a streamlined permitting, which limits the Building Director's review of public health and safety concerns. If the chief building official finds, based on substantial evidence, that an electric vehicle charging station could have a specific adverse impact upon the public health or safety, the city may require the applicant to apply for a conditional use permit. AB 970, codified in GC Section 65850.71, builds on AB 1236. Jurisdictions are required by AB 1236 to limit EVCS project review to health and safety requirements. AB 970 adds specific binding timelines to that review period based on the size of the project and clarifies parking requirements. AB 970 also clarifies that cities and counties shall reduce the number of required parking spaces by the amount necessary to accommodate the EVCS if the EVCS and associated equipment interferes with, reduces, eliminates, or in any way impacts the required parking spaces for existing uses. AB 1236 and AB 970 apply to all charging station installations and essential components and infrastructure necessary for charging station function. All cities in California are required to comply with AB 1236 and AS 970, and for cities with fewer than 200,000 residents, AB 970 shall become effective by January 1, 2023. The proposed ordinance is determined to be exempt from the provisions of the California Environmental Quality Act (CEQA) under Public Resources Code Section 21065 and CEQA Guidelines Section 15378, this action is not a "project" under the CEQA because it has no potential to cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment as the City is required to allow accessible parking and electric vehicle charging stations pursuant to current California law. AB 1236 and AB 970 are mandated by the State; however, the State has not made available grant funding for the processing of these mandates. This proposed ordinance is being processed using general fund dollars under the existing Raney Planning and Management contract services. Staff recommends that the Wheatland Planning Commission approve the resolution, recommending City Council approve the Ordinance included as Exhibit A, therefore amending the Wheatland Municipal Code to establish a streamlined permitting process for EVCS in compliance with AS 1236 and AB 970.

PUBLIC COMMENT

None.

Motion was made by Planning Commissioner K. Thomason, Seconded by D. Pesenti to approve **Resolution No. 2023-02 recommending the Wheatland City Council approve the proposed ordinance establishing the streamlined permitting process for EVCS in compliance with AB 1236 and AB 970.**

REPORTS

None.

With no other business before the Commissioners, the meeting adjourned at 6:20 p.m.

Respectfully submitted,
Kevin Valente, Senior Planner