

Electric Vehicle Charging Station Permit Streamlining Fact Sheet



Zoning Issues

PRIMARY vs. ACCESSORY USE

Local jurisdictions often have different permitting and planning procedures based on project use types. Permitting of accessory use electric vehicle charging station (EVCS) projects for existing building sites may be more streamlined than permitting of primary use, new construction projects. [Assembly Bill 1236](#) (Chiu, 2015) requires permit streamlining for all charger installation projects, regardless of whether projects are primary or accessory use.

However, because primary use projects may have different or expanded impacts on matters of health and safety, it is reasonable to implement a different, but still streamlined permitting process for these types of installations. For example, the streamlined permitting process for a primary use charger installation project may require more consideration of health and safety components than a charging station that is accessory use (e.g., due to increased vehicle usage of the site).

EVCS AS FUELING STATIONS

Some Authorities Having Jurisdiction (AHJs) have deemed larger EVCS installations to be fueling stations, as opposed to site accessories, and expressed concern over their compliance with zoning codes. Similarly, some cities and counties have communicated that a direct current fast charging (DCFC) depot application could be streamlined in a location zoned for fueling but not if the DCFC depot is to be constructed in a commercial zone or retail setting.

This approach runs contrary to AB 1236, and AHJs are encouraged to develop strategies to enable streamlined permitting for all charging installations, including DCFC depots, in as many site types as possible. AHJs may consider making EVCS its own permitted, primary use to the widest extent feasible.

Importantly, a charging station that is the primary use of a site should not be required to complete a conditional use permit process. To meet the requirements of AB 1236 and [Assembly Bill 970](#) (McCarty, 2021), an AHJ should aim to align its streamlined permitting process for a charging station that is accessory use as close as possible for a charging station that is primary use.

PLANNING FOR GROWTH

AHJs can experiment with innovative ways to use zoning codes to further promote and streamline charger development. For example, an AHJ could formally define an EVCS as a permitted accessory and primary use, and further codify the permitting process as part of the zoning code.

Local planners and other leaders can incorporate charging within their planning tools, both binding and nonbinding. In addition to meeting and exceeding state permit streamlining requirements, ZEV charging and fueling should be considered and included within general plans, capital improvement plans, climate action plans, transportation plans, design guidelines, and zoning codes as applicable. Incorporating a jurisdiction's plans for charging across all applicable documents helps communities plan and develop charging.

Please review the [Electric Vehicle Charging Station Permitting Guidebook](#), which this guide is modeled after, for more comprehensive information.