



Date: February 11, 2025

To: Honorable Mayor and Members of the City Council

From: Rebecca Poirier, City Clerk

By: Crystal Cammarota, Deputy City Clerk III | [CCammarota@TorranceCA.gov](mailto:CCammarota@TorranceCA.gov)

Subject: SECOND AND FINAL READING OF **ORDINANCE NO. 3944**

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## RECOMMENDATION

Second and Final Reading of **ORDINANCE NO. 3944** amending Chapter 2 of Division 9 by adding a new Section 92.2.12, Amending Chapter 2 of Division 9 by adding a new Section 92.2.13, pertaining to Solar Energy Systems and expedited permitting process for Electric Vehicle Supply Equipment (Evse) Citywide.

## FUNDING

None required.

## DISCUSSION

At the regular meeting of the City Council held on the 28th of January, 2025 this Ordinance was discussed, introduced, and approved for its first reading by the following roll call vote:

AYES:	COUNCILMEMBERS	Gerson, Kaji, Kalani, Lewis, Mattucci, Sheikh and Mayor Chen.
NOES:	COUNCILMEMBERS	None.
ABSTAIN:	COUNCILMEMBERS	None.
ABSENT:	COUNCILMEMBERS	None.

## ATTACHMENTS

1. Ordinance No. 3944
2. Ordinance Summary (Material Available)

**ORDINANCE NO. 3944****AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, AMENDING CHAPTER 2 OF DIVISION 9 BY ADDING A NEW SECTION 92.2.12, AMENDING CHAPTER 2 OF DIVISION 9 BY ADDING A NEW SECTION 92.2.13, PERTAINING TO SOLAR ENERGY SYSTEMS AND EXPEDITED PERMITTING PROCESS FOR ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE) CITYWIDE**

**WHEREAS**, the Torrance Municipal Code currently does not expressly permit ground mounted solar energy systems in the City of Torrance; and

**WHEREAS**, the regulation solar energy systems will further the goals of the City of Torrance General Plan Land Use Objectives to promote compatible land use patterns and high quality, attractive, residential neighborhoods; and

**WHEREAS**, solar energy systems further the goals of the City of Torrance Strategic Plan as Torrance is committed to increasing the adoption of solar energy systems within the City; and

**WHEREAS**, on October 8, 2015, the State of California adopted Assembly Bill 1236 (AB 1236), which requires local agencies to adopt an ordinance that creates an expedited, streamlined permitting process for electric vehicle charging stations; and

**WHEREAS**, an expedited, streamlined permitting process for electric vehicle charging stations facilitates infrastructure for charging of electric vehicles and supports the City's carbon reduction goals;

**WHEREAS**, an expedited, streamlined permitting process for electric vehicle charging stations supports the State's (or City's) carbon reduction goals by fast-tracking charging infrastructure installations that the public needs to observe physically in place to motivate further investment in EVs; and

**WHEREAS**, prior to the adoption of this Ordinance, the City of Torrance processed electrical vehicle charging station permits pursuant to procedures implemented by the Community Development Department; and

**WHEREAS**, the City Council of the city of Torrance has held publicly advertised hearings on the matter; and

**THE CITY COUNCIL OF THE CITY OF TORRANCE DOES HEAREBY ORDAIN AS FOLLOWS:****SECTION 1**

That Section 92.2.12 of Chapter 2 of Division 9 is added to the Torrance Municipal Code to read in its entirety as follows:

## “SECTION 92.2.12 SOLAR ENERGY SYSTEMS

### a) PURPOSE

1) The purpose of the solar energy system standards is to encourage investment in solar energy systems on all parcels in the City, both residential and nonresidential, while providing guidelines for the installation of those systems that are consistent with the architectural and building standards of the City. All solar energy systems shall comply with all applicable provisions of the City of Torrance Codes and the standards of this chapter.

### b) DEFINITIONS

- 1) "Solar energy system" has the same meaning as set forth in paragraphs (1) and (2) of subdivision (a) of Section 801.5 of the California Civil Code.
- 2) Roof-mounted solar energy system. A solar energy system that is structurally mounted to the roof of a structure.
- 3) Ground-mounted Energy Systems. A solar energy system that is structurally mounted to the ground and is not roof mounted. A solar carport or canopy shall be considered a ground-mounted solar energy system.

### c) STANDARDS FOR ROOF-MOUNTED SOLAR ENERGY COLLECTORS

Roof-mounted solar energy collectors shall be installed and maintained in accordance with the following requirements:

- 1) Roof-mounted solar energy collectors shall comply with the height and setback requirements in the zoning district where such property is located.
- 2) All solar energy system appurtenances such as, but not limited to, plumbing, water tanks, and support equipment shall be screened to the maximum extent possible without compromising the effectiveness of the solar collectors and shall be painted a color similar to the color of the surface upon which they are mounted. If panels are used as screening, they shall contain a finish and color consistent with the building's exterior walls. Solar collectors are exempt from the screening and color provisions of this subsection; solar inverter boxes and A/C disconnect boxes are exempt from the color provision of this subsection.

### d) STANDARDS FOR GROUND-MOUNTED SOLAR ENERGY COLLECTORS

Ground-mounted solar energy collectors shall be installed and maintained in accordance with the following requirements:

- 1) Location. Ground-mounted solar energy collectors are permitted in all zoning districts, provided that such installation is in compliance with any setback requirements in the zoning district where such property is located.
- 2) Height. The maximum height of a ground-mounted solar energy collector system shall comply with the height requirements in the zoning district where such property is located.
- 3) Parking. Solar carports and canopy energy systems shall not result in a net loss of any required parking.

e) PERMITTING

- 1) Roof-Mounted Energy Systems. Roof-Mounted energy systems that comply with the height and setback requirements of the zoning district where such property is located shall be reviewed and approved through the City's Building Permit process.
- 2) Ground – Mounted Energy Systems. Ground mounted systems less than three feet above grade shall be permitted by the of the Community Development Director through the Administrative Planning Permit approval process. Ground mounted energy systems exceeding three feet in height shall be reviewed and approved based on the standards of the zoning district where such property is located.

f) EXCEPTION

Notwithstanding anything set forth herein, the regulations set forth in this article shall not preclude the establishment of solar energy systems proposed in accordance with state or federal law."

## **SECTION 2**

That Section 92.2.13 of Chapter 2 of Division 9 is added to the Torrance Municipal Code to read in its entirety as follows:

### **"SECTION 92.2.13 EXPEDITED PERMITTING PROCESS FOR ELECTRIC VEHICLE CHARGING EQUIPMENT**

a) Purpose

The intent and purpose of this article is to adopt an expedited, streamlined permitting process for electric vehicle charging stations that complies with Government Code Section 6580.71, to achieve timely and cost-effective installations. This article is designed to encourage the use of electric vehicles by removing what the State Legislature considers to be unreasonable barriers, thus minimizing costs to property owners and the city, and expanding the ability of property owners to install electric vehicle charging systems and electric vehicle charging spaces. This article allows the City to achieve these goals while protecting the public health and safety.

b) Definitions.

For purposes of this chapter, the following words and phrases shall have the following meanings:

- 1) Approved, Deemed, (for the purposes of this Article) means the Building and Safety Division determined each item within the application contained all requested and relevant information pursuant to the review procedures set forth in this Article and the application is prepared for permit issuance.
- 2) Complete, Deemed, (for the purposes of this Article) means an applicant has submitted all items listed on the Application Checklist used upon the date the application is received, including all required plans and full payment of all required fees, and the Building and Safety Division has determined each item contains all requested and relevant information pursuant to the review procedures set forth in this Article. The specific review period begins with either the initial or each resubmission of an application.
- 3) "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 article and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle.

- I. Level 1 (L1) equipment provides charging through a 120-volt (V) alternating current (AC) plug, is standard on vehicles, can be portable and does not require the installation of charging equipment. L1 charging generally takes eight (8) to 12 hours to completely charge a fully depleted battery. L1 charging is typically used in residential settings.
  - II. Level 2 (L2) equipment provides charging through a 240-V AC plug and requires installation of charging equipment. L2 charging equipment is compatible with all electric vehicles and plug-in electric hybrid vehicles. L2 charging generally takes four (4) to six (6) hours to completely charge a fully depleted battery. L2 charging is commonly found in residential settings, parking areas, places of employment and commercial settings.
  - III. Level 3 (L3) or direct current fast charging (DCFC) equipment is not compatible with all vehicles, and the charge itself is not accepted by all vehicles. L3 charging can provide half-a-charge in approximately 20 minutes. They are typically used in commercial settings, and providers often charge a fee.
- 4) "Electric vehicle (EV) capable space" means a vehicle space which is provided with a branch circuit, any necessary raceways, both underground and/or surface mounted, to accommodate EV charging, terminating in a receptacle or a charger.
  - 5) "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 similar permit.
  - 6) "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.
  - 7) "Electronic submittal" means the utilization of one or more of the following:
    - I. Electronic mail or email.
    - II. Facsimile.
    - III. The internet.
  - 8) "Administrative Planning Permit" means an approval from the city's planning department, as allowed in the Torrance Municipal Code, by verifying the proposed use, structure and/or equipment complies with the city's land use requirements.

#### c) Applicability

This article 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 article are not subject to its requirements 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. Routine operation and maintenance or like for like replacements with no structural alterations shall not require a permit.

## d) Technical review

- 1) In the technical review of a charging station permit application, consistent with Government Code Section 65850.7, the Building Official shall not condition the approval for any such permit on the approval of such system by an association, as that term is defined by Civil Code Section 4080.
- 2) 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: 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 and vehicle parking.
- 3) 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.
- 4) CAL Green Standards. When the requirements of this Article differ from those of the California Green Building Standards Code, the stricter of the two shall apply.

## e) Development Standards

- 1) Landscaping. Any displaced landscaping must be restored or replaced and follow the applicable landscaping standards of the zoning district or overlay.
- 2) Setback. Charging Stations within manufacturing zoning districts, commercial zoning districts or overlays shall be set back at least 10 feet from a street frontage, and 10 feet from any property line that is adjacent to a residential use or district. When possible, the equipment must be located either away from public view, within landscaped areas, or use innovative camouflaging techniques for equipment.
- 3) Charging Stations pedestals within commercial, manufacturing, or multifamily shall be designed a manner to protect the visual character of the city through careful design, siting, landscaping and innovative camouflaging techniques for electrical charging station equipment. Charging Stations are encouraged to be embedded or co-locate with other features such as functional parking lot lighting, bollards, information signs, planter lighting, etc.
- 4) Charging stations shall be designed to minimize potential damage by accidents, vandalism, and to be safe for use in inclement weather.
- 5) Charging Stations shall be a minimum of 24" clear from the face of a curb, parking curb, or wheel stop.
- 6) Cords shall be retractable or have a place to hang the connector and cord sufficiently above grade. Any cords connecting the charger to a vehicle shall be configured so that it does not cross a driveway, sidewalk, passenger unloading, or create a trip/fall hazard.

- 7) Enclosure of Equipment. Equipment must be enclosed with all equipment and conduit shall be screened on all sides with solid material architecturally compatible with the main structure.
- 8) Existing parking lots. Shall comply with EV charging space requirements if the entire parking lot is being reconstructed based on the total number of parking spaces. If only a portion of the parking lot is being reconstructed, the EV charging space requirements shall be based only on the number of spaces being reconstructed.
- 9) Conversion of existing parking area to charging spaces. If a portion or an existing parking area is proposed to convert existing spaces to charging spaces, (or accessible charging spaces), a reduction of required parking may be permissible if the applicant cannot place the supplemental equipment elsewhere on the property due to site specific constraints. The equipment may be placed within the parking area, however, the applicant shall select a mixture of on-menu mitigation measures that are available to offset the reduction of existing parking spaces. This is not intended to reduce required parking for a proposed change in use that increases parking demand.

On-Menu Reduction of Parking Spaces	
Mitigation Measure	Ratios
Short-term Bicycle parking spaces	4 Short-term Bicycle spaces: 1 Parking space
Long-term Bicycle parking spaces	2 Short-term Bicycle spaces: 1 Parking space
Landscape Planters	150 sq. ft. of Landscape: 1 Parking space
Open Space (i.e. park, picnic area, botanic garden, play area, etc.)	120 sq. ft. of Open Space: 1 Parking space
Motorcycle Parking	Motorcycle parking may substitute for up to five percent of the required parking spaces. Each motorcycle space must be at least four feet wide and seven feet deep, and can accommodate two-wheeled motorized vehicles, including scooters, mopeds, and similar vehicles.

On-menu mitigation measures can be added, changed, altered, or removed at the discretion of the Community Development Director. Other mitigation measures not identified, can be reviewed and determined if the mitigation measure is permissible and the reduction value by the Community Development Director.

- 10) Other Development Standards. For all other development standards not specified in this Section, the development standards of the underlying zoning district shall apply.
- f) Duties of Building and Safety Division and Building Official
- 1) The Building Official shall implement an expedited, streamlined permitting process and adopt a checklist of all requirements which electric vehicle charging stations shall comply with in order to be eligible for expedited review.

- 2) Electric vehicle charging stations shall be eligible for expedited review as provided in this chapter.
  - 3) All documents required for submission of an expedited electric vehicle charging station system shall be made available on the city's publicly accessible website.
  - 4) Electronic submittal of the required permit application and documents via email, the city's website, or facsimile shall be made available to all electric vehicle charging station permit applicants.
  - 5) The Building and Safety Division shall adopt a standard plan and checklist of all requirements with which electric vehicle charging stations shall comply to be eligible for expedited review.
  - 6) The electric vehicle charging station permit process, standard plans, and checklist shall substantially conform to the recommendations for expedited permitting, including the checklist and standard contained in the most current version of the *"Plug-in Electric Vehicle Infrastructure Permitting Checklist" of the Zero-Emission Vehicles in California: Community Readiness Guidebook* published by the Governor's Office of Planning and Research.
  - 7) All fees prescribed for the permitting of electrical vehicle charging stations shall comply with Government Code Section 17556.
  - 8) Appeals. Decisions of the Building Official may be appealed to the City Council.
- g) Expedited review and inspection requirements
- 1) For an application for electric vehicle charging stations that meets the requirements of the approved checklist and standard plan, the Building and Safety Division shall review an application for completeness within five (5) business days ((for review of 1 – 25 EV Chargers) and ten (10) business days (for review of 26 or more charging stations). Once an application is deemed complete, the Building and Safety Division will review the application and issue a building permit or other non-discretionary permit within 20 business days (for review of 1 – 25 EV Chargers) and 40 business days (for review of 26 or more charging stations), as shown in the following chart:

Review Times		
# of Charging Stations Under Review	Business Days to be deemed "Complete"	Business Days to be deemed "Approved"
1 - 25	5	20
26 or more	10	40

The Building and Safety Division shall issue a building permit or other non-discretionary permit within three (3) business days following the receipt of an application be deemed approved. The expedited, streamlined permitting process and checklist refers to the recommendations contained in the most current version of the "Plug-In Electric Vehicle



Infrastructure Permitting Checklist" of the *Zero-Emission Vehicles in California: Community Readiness Guidebook* as published by the Governor's Office of Planning and Research. The checklist adopted by the city shall be published on the city's website. The Building Official may require the applicant to apply for an electric vehicle charging station use permit only if the official finds, based on substantial evidence, the electric vehicle charging station could have a specific, adverse impact upon the public health and safety. Such decisions may be appealed to the planning commission by filing a written appeal pursuant to Article 5, Chapter 1, Division 1 of this Code, commencing at 11.5.1.

- 2) Review of the application for a permit for an electric vehicle charging station shall be limited to the Building Official's review of local, state and federal building health and safety requirements. 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.
- 3) If a planning administrative action is required pursuant to subsection (h) of this section, the Building Official may deny the application if the Building Official makes written findings based upon substantive 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 specific, adverse impact. Such written findings shall include the basis for the rejection of the potential feasible alternative for preventing adverse impact. Such decisions may be appealed to the planning commission as provided in this chapter.
- 4) Any condition imposed on an application shall be designed to mitigate the specific, any potential adverse impact upon the health or safety at the lowest possible cost. The city shall use its best efforts to ensure the selected method, condition, or mitigation to meet the intent of AB 1236, AB 970, AB 1100 and any other applicable laws.
- 5) If an application for an electric vehicle charging station is deemed incomplete, a written correction notice detailing all deficiencies in the application and any additional information or documentation required to be eligible for expedited permitting shall be sent to the applicant within the applicable review times identified in subsection (g) of this article.
- 6) The Building Official shall allow for electronic submittal of permit applications covered by this article and associated supporting documentation. In accepting such permit applications, the Building Official shall also accept electronic signatures on all forms, applications, and other documentation in lieu of a wet signature by any applicant.
- 7) A permit application that satisfies the information requirements in the City's adopted checklist shall be deemed complete and be promptly processed. Upon confirmation by the Building Official that the permit application and supporting documents meets the requirements of the city's adopted checklist and is consistent with all applicable laws and health and safety standards, the Building Official shall 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 it passes final inspection by the City.
- 8) Only one inspection shall be required, and it shall be performed by the Building and Safety Division for electric vehicle charging stations eligible for expedited review.

- 9) The inspection shall be done in a timely manner and should combine inspections of multiple trades if feasible. An inspection shall be scheduled within two business days of a request.
- 10) If an electric vehicle charging station fails inspection, a subsequent inspection is authorized but need not conform to the requirements of this chapter.

#### h) Electric Vehicle Charging Station Administrative Permit and Appeals

- 1) If the Building Official determines, based on substantial evidence, that the electric vehicle charging station could have a specific, adverse impact upon the public health or safety, the Building Official shall make written findings to support this determination and shall require the applicant to apply for an administrative planning permit.
- 2) If the Building Official requires an administrative planning permit, the Community Development Director shall approve an application for an administrative planning permit to install an electric vehicle charging station, provided that the Community Development Director is able to make the findings set forth in Torrance Municipal Code Section 95.1.6.
- 3) Appeals. Decisions of the Community Development Director may be appealed to the Planning Commission pursuant to the provisions of Torrance Municipal Code Section 92.30.11. The decision of the Planning Commission may be appealed to the City Council pursuant to the provisions of Article 5, Chapter 1, Division 1 of this Code, commencing at Section 11.5.1.

#### i) 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.

#### j) Administrative Planning Permit Review

- 1) An Administrative Planning Permit shall be required if, based on substantial evidence, a finding is made that the charging station would have a specific, adverse impact upon the public health, safety and general welfare.
- 2) Any conditions on a Planning Administrative Approval shall be solely imposed in order to mitigate the specific, adverse impact upon the public health or safety and shall do so at the lowest cost possible.

- 3) New and proposed electric charging stations shall be subject to the applicable City of Torrance residential and non-residential development standards, and design guidelines.
- 4) New and proposed electric charging stations shall be designed in a manner to protect the visual character of the city through careful design, siting, landscaping and innovative camouflaging techniques for electrical charging station equipment.”

### **SECTION 3**

Any provisions of the Torrance Municipal Code or its appendices, or any other ordinances of the City inconsistent with this ordinance to the extent of the inconsistencies and no further, are repealed.

### **SECTION 4**

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason deemed or held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Torrance hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or other portions might subsequently be declared invalid or unconstitutional.

### **SECTION 5**

Any person violating any of the provisions of this Ordinance will be guilty of an infraction, and upon conviction will be subject to a fine as provided for in Section 36900 of the California Government Code.

### **SECTION 6**

This Ordinance shall take effect thirty (30) days after the date of its adoption. Within fifteen (15) days following adoption, this Ordinance or a summary of this ordinance if authorized by the City Council, will be published at least once in the Daily Breeze, a newspaper of general circulation, published and circulated in the City of Torrance.

**INTRODUCED** and **APPROVED** this 28<sup>th</sup> day of January 2025.

**ADOPTED** and **PASSED** this 11<sup>th</sup> day of February 2025.

\_\_\_\_\_  
Mayor George Chen

APPROVED AS TO FORM:  
PATRICK Q. SULLIVAN, City Attorney

ATTEST:

By: \_\_\_\_\_  
Tatia Y. Strader, Assistant City Attorney

\_\_\_\_\_  
Rebecca Poirier, City Clerk

**TORRANCE CITY COUNCIL ORDINANCE NO. 3944**

STATE OF CALIFORNIA                    )  
COUNTY OF LOS ANGELES            )     ss  
CITY OF TORRANCE                     )

I, Rebecca Poirier, City Clerk of the City of Torrance, California, do hereby certify that the foregoing Ordinance was duly introduced and approved by the City Council of the City of Torrance at a regular meeting held on the 28th day of January 2025 and adopted and passed by said Council at a regular meeting held on 11th day of February 2025 by the following roll call vote:

AYES:	COUNCILMEMBERS	Gerson, Kaji, Kalani, Lewis, Mattucci, Sheikh and Mayor Chen.
NOES:	COUNCILMEMBERS	None.
ABSTAIN:	COUNCILMEMBERS	None.
RECUSED:	COUNCILMEMBERS	None.
ABSENT:	COUNCILMEMBERS	None.

Date: \_\_\_\_\_

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Rebecca Poirier, MMC  
City Clerk of the City of Torrance

**ITEM 8B**

**ATTACHMENT 2**

**ORDINANCE SUMMARY  
(MATERIAL AVAILABLE)**

**ATTACHMENT WILL BE POSTED PRIOR TO THE CITY COUNCIL  
MEETING**