

## Aesthetics & Screening



### Limited Review: Health & Safety

Assembly Bill 1236 (Chiu, 2015) establishes that local ordinances cannot create unreasonable barriers to electric vehicle station installation, including subjecting applications to aesthetic review or other processes that require unnecessarily long timelines. On the contrary, AB 1236 explicitly calls out the legislative intent “to encourage the installation of electric vehicle charging stations,” and a growing number of cities and counties are responding with constructive policies and procedures.

However, some Authorities Having Jurisdiction (AHJs) have subjected projects to design review and asked the permit applicant to make aesthetic changes to the permit application. While design guidelines that implicate health and safety, such as safety related lighting, clearance, and signage are permissible under AB 1236, aesthetic changes without a specific impact on health and safety—such as landscaping and other screening requirements—are not in accordance with state permitting requirements under AB 1236.

Health and safety concerns can lead to the need for project revisions when the building official believes that added EV charging loads may affect existing electrical infrastructure or when the project might create a visual hazard.

It should be noted that a visual hazard is different than a visual impairment. A visual hazard may compromise fire safety, while a visual impairment can be mitigated to not adversely impact safety. The fact that the EV charging station or its equipment is visible from the street or other right of way is not a visual impairment and no mitigation (i.e., screening) should be required.

If an AHJ determines that an application does not satisfy the information requirements in their checklist to be deemed complete and approved, the city or county must issue one complete written correction notice detailing all deficiencies and any additional information needed to be eligible for expedited permit issuance. AHJs should not provide a second round of unrelated comments—unless related to a health and safety issue—which can add preventable expenses and time to a project.

# Electric Vehicle Charging Station Permit Streamlining

## Design Standards

In areas with sensitive design standards, station developers and AHJs are encouraged to collaborate on practical design elements that can be implemented with minimal expense, minimal complication, and without impacting the project timelines set by [Assembly Bill 970 \(McCarty, 2021\)](#).

AHJs may also provide alternative compliance pathways or ministerial flexibility for EV charging stations to meet design standards in their zoning code wherever possible. Staff should have flexibility when reviewing EV charging station sites in areas with sensitive design standards to ensure creative, practical solutions can be developed and approved easily.

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



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