



STAFF REPORT

AGENDA NO: 9c

MEETING DATE: December 15, 2025

To: Honorable Mayor and City Council

Date: December 15, 2025

From: Jason Orloff, Burlingame Police Department Traffic Division Sergeant
Tamar Burke, Assistant City Attorney

Subject: Second Reading and Adoption of an Ordinance Adding Chapter 13.45 "Electric Vehicle Parking and Charging Spaces", to Title 13 of the Burlingame Municipal Code Regarding Vehicles and Traffic; CEQA Determination: Exempt Pursuant to State CEQA Guidelines Section 15378, 15061(b)(3), and 15301.

RECOMMENDATION

Staff recommends that the City Council adopt the proposed Ordinance adding Chapter 13.45 "Electric Vehicle Parking and Charging Spaces", to Title 13, Vehicles and Traffic, of the Burlingame Municipal Code. Staff recommends the following procedure:

Recommended Procedure and Order of Operations:

- A. By motion, adopt the proposed Ordinance.
- B. Direct the City Clerk to publish a summary of the Ordinance within 15 days of adoption.

BACKGROUND AND DISCUSSION

The State of California has established policies encouraging the use of electric vehicles (EVs) to reduce greenhouse gas emissions and air pollution. The City of Burlingame ("City") has undertaken efforts to meet those policies, including establishing an EV Action Plan, a Burlingame Citywide Public EV Charging Infrastructure Plan, as well as various other policies related to sustainable practices. Consistent with this commitment to sustainability, the City has installed 50 EV charging stations in various public parking lots.

California Vehicle Code (CVC) Sections 22511 and 22511.1 authorize local jurisdictions to regulate parking in spaces designated for EV charging and to enforce restrictions against unauthorized vehicles occupying those spaces. To effectuate these provisions, a local agency must first adopt an ordinance consistent with the CVC and post adequate signage.

The Burlingame Police Department has received complaints that vehicles have been parking in the EV charging station spaces that are not EVs, or at times, EVs are parking in such spaces, but not for engaging in a charging event, thereby obstructing the use of the EV charging stations for their intended use. However, the City has yet to adopt the ordinance contemplated by the California

Vehicle Code, and the Burlingame Police Department lacks authority in the municipal code to address improper use of EV charging station spaces. This gap limits the City's ability to ensure charging spaces remain available for their intended use.

The proposed ordinance, as authorized by CVC Sections 22511 and 22511.1, would provide the Burlingame Police Department with sufficient authority to enforce EV parking regulations. The proposed ordinance will do the following:

1. Create Chapter 13.45 in the Burlingame Municipal Code under Title 13 (Vehicles and Traffic)
2. Authorize the Public Works Director (or designee) to designate and mark EV charging spaces on public streets or within City-controlled off-street public parking facilities, for the restricted use of charging EVs.
3. Require proper signage consistent with California Vehicle Code section 22511 and 22511.1, including warning that violating vehicles may be towed, and a local law enforcement contact number.
4. Prohibit parking of any vehicle in a designated EV charging space unless the vehicle is an EV connected for charging during a charging event.
5. By adopting this Ordinance, the City would be authorized to engage in enforcement, including citation and towing, consistent with CVC Sections 22511 and 22511.1.

Through this Ordinance, the City can designate any number of those spaces for the sole purpose of EV charging events and ensure that those spaces are used for that purpose to further the City's sustainability goals.

At the regular meeting of December 1, 2025, the City Council considered the first reading of the Ordinance. Following public comment and discussion of the item, the City Council unanimously voted to adopt the first reading and bring the Ordinance back for second reading and adoption with no changes.

ENVIRONMENTAL REVIEW

This action is not a project within the meaning of section 15378 of the California Environmental Quality Act (CEQA) Guidelines because it has no potential for resulting in physical change in the environment, either directly or ultimately, as it involves general policy and administrative procedures with no potential to result in a physical change to the environment. In the event that this Ordinance is found to be a project under CEQA, it is subject to the CEQA exemption contained in CEQA Guidelines section 15061(b)(3) because it can be seen with certainty to have no possibility of a significant effect on the environment. In the alternative, the City Council finds, under Title 14 of the California Code of Regulations, Section 15301, that this ordinance is categorically exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) as the designation of parking spaces for exclusive electric vehicle use is a minor alteration of existing facilities involving negligible or no expansion of use beyond that presently existing.

FISCAL IMPACT

The fiscal impact is expected to be minimal. Costs will be limited to installation of required signage and pavement markings and routine enforcement by existing parking or code enforcement staff.

Exhibit:

- Proposed Ordinance