

**ITEM 4 ATTACHMENT 1  
ORDINANCE NO. 2017-357**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA, REVISING CITY OF CALABASAS ORDINANCE 2017-349 - CALABASAS MUNICIPAL CODE ARTICLE 10 SECTION 15.04.600, REVISING THE EXPEDITED PERMITTING PROCEDURES FOR ELECTRICAL VEHICLE CHARGING STATIONS.**

WHEREAS, Citing the desire to foster a “modernized and standardized permitting process” for electrical vehicle charging stations, the State Legislature recently passed AB 1236;

WHEREAS, pursuant to section 17951 (e) of the Health and Safety Code, local regulations necessary to carry out the application of the CBSC that do not establish building standards may be enacted without meeting the requirements of California Health & Safety Code sections 18941.5, 17958, 17598.5 and 17958.7;

WHEREAS, no part of this Ordinance imposes a more restrictive California Code Standard based upon local climatic, geographical or topographical findings and proposed amendments are solely intended to create administrative processes to comply with Section (a) of Section 65850.7 of the California Government Code; and

WHEREAS, Subsection (a) of Section 65850.7 of the California Government Code , declares the implementation of consistent statewide standards to achieve the timely and cost-effective installation of electric vehicle charging stations systems is not a municipal affair, as that term is used in Section 5 of Article XI of the California Constitution, but is instead a matter of statewide concern;

WHEREAS, Subsection (a) of Section 65850.7 of the California Government Code provides that it is the policy of the State to promote and encourage the installation and use of all electrical vehicle charging systems by limiting obstacles to their use and by minimizing the permitting costs of such systems;

WHEREAS, Subdivision (g)(1) of Section 65850.7 of the California Government Code provides that, on or before September 30, 2017, every city, county, or city and county with a population of less than 200,000 people shall adopt an ordinance, consistent with the goals and intent of subdivision (a) of Section 65850.7, that creates an expedited, streamlined permitting process for electrical vehicle charging stations systems;

WHEREAS, The intent of this proposed Ordinance is to comply with Section 65850.7 (a) of the California Government Code in order to implement an expedited, streamlined permitting process for electrical vehicular charging stations;

WHEREAS, the City Council does hereby further find that in accordance with section 15061(b)(3) of the California Code of Regulations, the adoption of these local amendments to the California Building Standards Code, and amendments to the Calabasas Municipal Code are exempt from the provisions of the California Environmental Quality Act because such actions are administrative in nature as the actions create an expedited permitting process for certain small residential rooftop solar energy systems as required by statute and will enhance, and not adversely affect the environment in any manner by promoting the development of small residential rooftop solar energy systems;

WHEREAS, the City Council does hereby further find that in accordance with section 15061(b)(3) of the California Code of Regulations, the adoption of this Ordinance and amendments to the Calabasas Municipal Code are exempt from the provisions of the California Environmental Quality Act because such actions are administrative in nature, are designed to improve and not degrade environmental quality, and the impacts of these local amendments to the building standards code will not adversely affect the environment in any manner that could be significant.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF CALABASAS DOES ORDAIN AS FOLLOWS:**

**SECTION 1.** The title section of Article X of the Calabasas Municipal Code is hereby revised to read as follows:

**Article X Expedited permitting process for:  
Small residential rooftop solar energy systems and  
electrical vehicle charging stations.**

**SECTION 2.** The title section of 15.04.600 PART B is hereby revised to read as follows:

Part B Expedited permitting process for vehicle charging stations.

**SECTION 2. Findings.** The City Council hereby adopts the findings that this amendment to the Building Standards Code was an administrative change for which no findings need be legally made.

**SECTION 3. References in Documents and Continuing Legal Effect.** References to prior versions of any portion of the Building Standards Code, or of the Calabasas Municipal Code that are amended in this Municipal Code, that are cited on notices

issued by the City or other documents of ongoing or continuing legal effect, including resolutions adopting or imposing fees or charges, until converted, are deemed to be references to the Building Standards Code or amended Municipal Code sections for the purposes of notice and enforcement. The provisions adopted hereby shall not in any manner affect deposits, established fees or other matters of record which refer to, or are otherwise connected with, ordinances which are specifically designated by number, code section or otherwise, but such references shall be deemed to apply to the corresponding provisions set forth in the code sections adopted or amended hereby.

**SECTION 4. Continuity.** To the extent the provisions of this Ordinance are substantially the same as previous provisions of the Calabasas Municipal Code, these provisions shall be construed as continuations of those provisions and not as new enactments.

**SECTION 5. No Effect on Enforceability.** The repeal of any sections of the Municipal Code, shall not affect or impair any act done, or right vested or approved, or any proceeding, suit or prosecution had or commenced in any cause before such repeal shall take effect; but every such act, vested right, proceeding, suit, or prosecution shall remain in full force and effect for all purposes as if the applicable provisions of the Municipal Code, or part thereof, had remained in force and effect. No offense committed and no liability, penalty, or forfeiture, either civil or criminal, incurred prior to the repeal or alteration of any applicable provision of the 2016 Code.

**SECTION 6. CEQA.** This Ordinance is exempt from the California Environmental Quality Act pursuant to State Guidelines §15061 (b) (3) as a project that has no potential for causing a significant effect on the environment.

**SECTION 7. Certification.** The City Clerk shall certify to the adoption of this ordinance and shall cause the same to be processed in the manner required by law.

**SECTION 8. Building Standards Commission.** The City Clerk shall file a certified copy of this Ordinance with the California Building Standards Commission.

**SECTION 9. Severability.** Should any section, subsection, clause, or provision of this Ordinance for any reason be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this Ordinance; it being hereby expressly declared that this Ordinance, and each section, subsection, sentence, clause, and phrase hereof would have been adopted irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

**SECTION 10. Publication.** The City Clerk shall cause this Ordinance to be published in accordance with California Government Code Section 36933, shall certify to the adoption of this Ordinance, and shall cause this Ordinance and its certification, together with proof of publication, to be entered in the Book of Ordinances of the City Council.

**PASSED, APPROVED AND ADOPTED** this 11<sup>th</sup> day of October, 2017.

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Mary Sue Maurer, Mayor

ATTEST:

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Maricela Hernandez, MMC  
City Clerk

APPROVED AS TO FORM:

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Scott H. Howard, City Attorney  
Colantuono, Highsmith & Whatley, PC