

REVISED LEGISLATIVE DIGEST
(Amended in Committee, 3/11/2019)

[Building Code - Installation of Solar Energy Systems]

Ordinance amending the Building Code to enact an expedited and streamlined permit process for solar energy systems; affirming the Planning Department's determination under the California Environmental Quality Act; and directing the Clerk to forward this ordinance to the California Building Standards Commission upon final passage.

Existing Law

There are no existing Code provisions being amended.

Amendments to Current Law

Section 106A.1.15 is added to the Building Code to codify the existing administrative process for streamlining and expediting the review and approval of applications for a permit to install an on-site renewable energy system (such as solar photovoltaic, solar hot water, cogeneration, wind turbine generators, or other renewable energy features). City departments currently process these applications in accordance with the Priority Permit Processing Guidelines in the Department of Building Inspection's Administrative Bulletin 004 in order to comply with City and State policy and mandates.

An electrical permit is always required to install the system; a plumbing permit is also required if a solar hot water system is being installed. The permit for a small system is issued over the counter if the application meets all requirements and a public health and safety issue has not been identified. A building permit is only required if the system proposes installation on a building that is a designated landmark, or a contributory resource in a designated historic district, on the National Register or State Register, or is deemed eligible for listing on those Registers, in which case the permit application is referred to the Planning Department to ensure compliance with Article 10 of the Planning Code and, if required, referral to the Historic Preservation Commission. The provisions in the ordinance that limit permit conditions or denial are requirements imposed by Government Code Section 65850.5.

Background Information

In September 2014, the Legislature amended Government Code Section 65850.5 to require that all local jurisdictions adopt an ordinance to expedite and streamline the permitting process for small residential rooftop solar energy systems. In numerous statutes enacted previously (including the 1978 California Solar Rights Act, Civil Code Sections 714 to 714.1), the Legislature has declared that it is State policy to prioritize the widespread adoption of solar power as a renewable energy resource and that the timely and cost-effective installation of solar energy systems is a matter of statewide concern.

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