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Title: Staff Report for an Ordinance Adding San Leandro Municipal Code Chapter 7-5 Article 2 “Expedited Streamlined Permitting Process for Small Residential Rooftop Solar Systems” to Provide an Expedited, Streamlined Permitting Process for Small Residential Rooftop Solar Systems

Sponsors: Rich Pio Roda

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Staff Report for an Ordinance Adding San Leandro Municipal Code Chapter 7-5 Article 2 “Expedited Streamlined Permitting Process for Small Residential Rooftop Solar Systems” to Provide an Expedited, Streamlined Permitting Process for Small Residential Rooftop Solar Systems

RECOMMENDATIONS

Staff recommends that the City Council adopt the proposed Ordinance adding San Leandro Municipal Code Chapter 7-5 Article 2 “Expedited Streamlined Permitting Process for Small Residential Rooftop Solar Systems” to provide an expedited, streamlined permitting process for small residential rooftop solar systems.

BACKGROUND AND SUMMARY

In 2014, the State of California enacted AB 2188, requiring cities to adopt an ordinance to establish an expedited, streamlined process for permitting small residential rooftop solar energy systems. State law defines small residential rooftop solar energy systems as solar energy systems that: 1) are no larger than 10 kilowatts alternating current nameplate rating (Photovoltaic - PV) or 30 kilowatts thermal (Water Heating); 2) conform to all applicable state fire, structural, electrical and other building codes adopted by the local authority; 3) are installed on a single-family or duplex family dwelling; and 4) do not exceed the maximum legal building height as defined by the local authority.

The proposed ordinance satisfies State law requirements. The ordinance codifies State law requirements, which include: accepting and approving applications electronically; directing the City’s Chief Building Official to develop a checklist of all requirements for small rooftop solar energy systems to be eligible for expedited review; and authorizing the City’s Chief Building Official to administratively approve eligible applications that meet all necessary requirements including

applicable health and safety standards.

The Building and Safety Services staff already provides a process for expedited over-the-counter reviews of applications for small residential rooftop solar systems. Provided all the submitted information is complete, staff reviews the application and plans, and then issues the permit over-the-counter. The City's quick review process exceeds the timing requirements set by the State for expediting these applications. After the installation of the system is complete, a single, final inspection is scheduled to verify the system has been installed according to the approved plans.

State law also mandates that the City accept some form of electronic submission of small residential rooftop solar permit applications. In order to satisfy this mandate, Staff has developed a method that will allow for the acceptance and review of such applications through facsimile. Thus, this ordinance simply codifies actions that the City is already taking related to small residential rooftop solar systems pursuant to State law.

Legal Analysis

The City Attorney's Office drafted the ordinance so that it is in accordance with State law. Although staff is already practicing the State requirements, adoption of the ordinance puts the City in full compliance with State law.

Fiscal Analysis

There is no foreseeable change to the budget necessary for the adoption and implementation of this ordinance. Staff is already processing applications in compliance with State law at the current staffing levels.

ATTACHMENT

None.

PREPARED BY: Richard D. Pio Roda, City Attorney

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