

ORDINANCE NO. 782

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COALINGA ADDING CHAPTER 15 TO TITLE 8 OF THE COALINGA MUNICIPAL CODE PERTAINING TO SMALL RESIDENTIAL ROOFTOP SOLAR ENERGY SYSTEMS

WHEREAS, the City Council of the City of Coalinga seeks to implement AB 2188 (Chapter 521, Statutes 2014) through the creation of an expedited, streamlined permitting process for small residential rooftop solar energy systems; and

WHEREAS, the City Council wishes to advance the use of solar energy by all of its citizens, businesses and industries; and

WHEREAS, the City Council seeks to meet the climate action goals set by the City and the State; and

WHEREAS, solar energy creates local jobs and economic opportunity; and

WHEREAS, the City Council recognizes that rooftop solar energy provides reliable energy and pricing for its residents and businesses; and

WHEREAS, it is in the interest of the health, welfare and safety of the people of the City of Coalinga to provide an expedited permitting process to assure the effective deployment of solar technology.

The City Council of the City of Coalinga does ordain as follows:

Section 1. Chapter 15 of Title 8 of the Coalinga Municipal Code is hereby added to read as follows:

Chapter 15. Small Residential Rooftop Solar Energy Systems

Sec. 8-15.01. Purpose.

The purpose of the chapter is to adopt an expedited, streamlined solar permitting process that complies with the Solar Rights Act and AB 2188 (Chapter 521, Statutes 2014) to achieve timely and cost-effective installations of small residential rooftop solar energy systems. This chapter encourages the use of solar systems by removing unreasonable barriers, minimizing costs to property owners and the City of Coalinga, and expanding the ability of property owners to install solar energy systems. This chapter allows the City of Coalinga to achieve these goals while protecting the public health and safety.

Sec. 8-15.02. Definitions.

For the purposes of this Chapter, the following definitions shall apply:

(a) "Association" means a nonprofit corporation or unincorporated association created for the purpose of managing a common interest development.

(b) "Common interest development" means any of the following:

- (1) A community apartment project.
- (2) A condominium project.
- (3) A planned development.
- (4) A stock cooperative.

(c) "Electronic submittal" means the utilization of one or more of the following:

- (1) Email;
- (2) The Internet;
- (3) Facsimile.

(d) "Reasonable restrictions on a solar energy system" means those restrictions that do not significantly increase the cost of the system or significantly decrease its efficiency or specified performance, or that allow for an alternative system of comparable cost, efficiency, and energy conservation benefits.

(e) "Restrictions that significantly increase the cost of the system or decrease its efficiency or specified performance" means:

(1) For Water Heater Systems or Solar Swimming Pool Heating Systems: an amount exceeding ten percent (10%) of the cost of the system, but in no case more than one thousand dollars (\$1,000), or decreasing the efficiency of the solar energy system by an amount exceeding ten percent (10%), as originally specified and proposed.

(2) For Photovoltaic Systems: an amount not to exceed one thousand dollars (\$1,000) over the system cost as originally specified and proposed, or a decrease in system efficiency of an amount exceeding ten percent (10%) as originally specified and proposed.

(f) "Small residential rooftop solar energy system" means all of the following:

(1) A solar energy system that is no larger than 10 kilowatts alternating current nameplate rating or 30 kilowatts thermal.

(2) A solar energy system that conforms to all applicable state fire, structural, electrical, and other building codes as adopted or amended by the City of Coalinga and all state and City of Coalinga health and safety standards.

(3) A solar energy system that is installed on a single or duplex family dwelling.

(4) A solar panel or module array that does not exceed the maximum legal building height as defined by the City of Coalinga.

(g) "Solar Energy System" means either of the following:

(1) Any solar collector or other solar energy device whose primary purpose is to provide for the collection, storage, and distribution of solar energy for space heating, space cooling, electric generation, or water heating.

(2) Any structural design feature of a building, whose primary purpose is to provide for the collection, storage, and distribution of solar energy for electricity generation, space heating or cooling, or for water heating.

(h) "Specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

Sec. 8-15.03. Applicability.

(a) This chapter applies to the permitting of all small residential rooftop solar energy systems in the City of Coalinga.

(b) Small residential rooftop solar energy systems legally established or permitted prior to the effective date of this chapter are not subject to the requirements of this chapter unless physical modifications or alterations are undertaken that materially change the size, type, or components of a small rooftop energy system in such a way as to require new permitting. Routine operation and maintenance or like-kind replacements shall not require a permit.

Sec. 8-15.04. Solar energy system requirements.

(a) All solar energy systems shall meet applicable health and safety standards and requirements imposed by the state and the City of Coalinga, Building and Fire Departments.

(b) Solar energy systems for heating water in single-family residences and for heating water in commercial or swimming pool applications shall be certified by an accredited listing agency as defined by the California Plumbing and Mechanical Code.

(c) Solar energy systems for producing electricity shall meet all applicable safety and performance standards established by the California Electrical Code, the Institute of Electrical and Electronics Engineers, and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability.

Sec. 8-15.05. Duties of building department and building official.

- a) All documents required for the submission of an expedited solar energy system application shall be made available on the publicly accessible City of Coalinga Website.
- b) When available, electronic submittal of the required permit applications and documents related to small rooftop solar systems shall be permitted as well as acceptance of electronic signatures on all forms, applications and documents.
- c) The City of Coalinga's Building Department shall adopt a standard plan and checklist of all requirements with which small residential rooftop solar energy systems shall comply to be eligible for expedited review.
- d) The small residential rooftop solar system permit process, standard plan(s), and checklist(s) shall substantially conform to recommendations for expedited permitting, including the checklist and standard plans contained in the most current version of the California Solar Permitting Guidebook adopted by the Governor's Office of Planning and Research.
- e) All fees prescribed for the permitting of small residential rooftop solar energy system must comply with Government Code Section 65850.55, Government Code Section 66015, Government Code Section 66016, and State Health and Safety Code Section 17951.

Sec. 8-15.06. Permit review and inspection requirements.

(a) The City of Coalinga Building Department shall adopt an administrative, nondiscretionary review process to expedite approval of small residential rooftop solar energy systems within 30 days of the adoption on this chapter. The Building Department shall issue a permit or other nondiscretionary permit the following business day for over-the-counter applications which are deemed complete or within three (3) business days for electronic applications of receipt of a complete application and meets the requirements of the approved checklist and standard plan. Unless the Building Department operates public counter hours, applications submitted over-the-counter shall be by appointment scheduled with the Building Department. A building official may require an applicant to apply for a use permit if the official finds, based on substantial evidence, that the solar energy system could have a specific, adverse impact upon the public health and safety. Such decisions may be appealed to the City of Coalinga Appeals Board.

(b) Review of the application shall be limited to the building official's review of whether the application meets local, state, and federal health and safety requirements.

(c) If a use permit is required, the building official may deny an application for the use permit if the official makes written findings based upon substantive evidence in the record that the proposed installation would have a specific, adverse impact upon public health or safety and there is no feasible method to satisfactorily mitigate or avoid, as defined, the adverse impact. Such findings shall include the basis for the rejection of the potential feasible alternative for preventing the adverse impact. Such decisions may be appealed to the City of Coalinga Appeals Board.

(d) Any condition imposed on an application shall be designed to mitigate the specific, adverse impact upon health and safety at the lowest possible cost.

(e) A feasible method to satisfactorily mitigate or avoid the specific, adverse impact includes, but is not limited to, any cost-effective method, condition, or mitigation imposed by the City on another similarly situated application in a prior successful application for a permit. The City shall use its best efforts to ensure that the selected method, condition, or mitigation does not significantly increase the cost of the system or decrease its efficiency or specified performance.

(f) The City of Coalinga shall not condition approval of an application on the approval of an association, as defined in Section 4080 of the Civil Code.

(g) If an application is deemed incomplete, a written correction notice detailing all deficiencies in the application and any additional information or documentation required to be eligible for expedited permit issuance and shall be sent to the applicant for resubmission.

(h) Only one inspection shall be required and performed by the Building Department for small residential rooftop solar energy systems eligible for expedited review. A separate fire inspection may be performed if deemed required by the Coalinga Fire Department.

(i) The inspection shall be done in a timely manner and should include consolidated inspections. An inspection will be scheduled within two (2) business days of a request.

(j) If a small residential rooftop solar energy system fails inspection, a subsequent inspection is authorized but need not conform to the requirements of this chapter.

Section 2. This Ordinance shall take effect 30 days after its adoption.

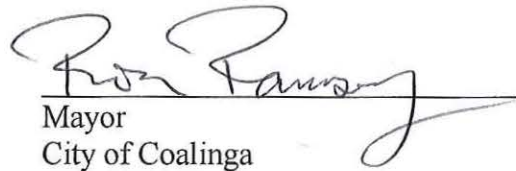
Section 3. The City Clerk is further directed to cause this ordinance or a summary of this ordinance to be published once in a newspaper of general circulation published and circulated within the City of Coalinga, within fifteen (15) days after its adoption. If a summary of the ordinance is published, then the City Clerk shall cause a certified copy of the full text of the proposed ordinance to be posted in the office of the City Clerk at least

five days prior to the Council meeting at which the ordinance is adopted and again after the meeting at which the ordinance is adopted. The summary shall be approved by the City Attorney.


The foregoing Ordinance was introduced by the City Council of the City of Coalinga, California, at a regularly scheduled meeting held on July 16, 2015, and was passed and adopted by the City Council at a regular meeting held on August 6, 2015, by the following vote:

AYES:	Lander, Keough, Raine, Vosburg, Ramsey
NOES:	None
ABSENT:	None
ABSTAIN:	None

APPROVED:


Mayor
City of Coalinga

ATTEST:


City Clerk/Deputy City Clerk
City of Coalinga