

ORDINANCE NO. 829

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SONORA Solar Ordinance – Expedited Permitting

Adding Section 15.10.141 to the Sonora Municipal Code relating to expedited permitting procedures for small residential rooftop solar systems.

The City Council of the City of Sonora does hereby ordain as follows:

SECTION ONE: Add Section 15.10.141 as follows:

Chapter 15.10

BUILDING PERMITS

Sections:

15.10.010	Required.
15.10.020	Work Exempt from Permit.
15.10.020.1	Mechanical.
15.10.020.2	Electrical.
15.10.020.3	Radio and Television Transmitting Stations.
15.10.020.4	Gas.
15.10.020.5	Plumbing.
15.10.030	Emergency Repairs.
15.10.040	Repairs.
15.10.050	Public Service Agencies.
15.10.060	Application for Permit.
15.10.070	Action on Application.
15.10.080	Time Limitation of Application.
15.10.090	Validity of Permit.
15.10.100	Expiration.
15.10.110	Suspension or Revocation.
15.10.120	Submittal Documents.
15.10.120.1	Exception.
15.10.120.2	Information on Construction Documents.
15.10.120.3	Fire Protection System Shop Drawings.
15.10.120.4	Means of Egress.
15.10.120.5	Exterior Wall Envelope.
15.10.120.6	Site Plan.
15.10.120.7	Examination of Documents.
15.10.120.8	Approval of Construction Documents.
15.10.120.9	Previous Approvals.
15.10.120.10	Phased Approval.
15.10.120.11	Design Professional in Responsible Charge.

15.10.120.12	Amended Construction Documents.
15.10.130	Fees.
15.10.131	Permit Fees.
15.10.140	Work Commencing Before Permit Issuance.
15.10.141	Small Residential Rooftop Solar Energy System Review Process

15.10.141 Small Residential Rooftop Solar Energy System Review Process

A. The following words and phrases as used in this section are defined as follows:

- 1) "Electronic submittal" means the utilization of one or more of the following:
 - a. e-mail
 - b. the internet
 - c. facsimile

- 2) "Small residential rooftop solar energy system" means all of the following:
 - a. A solar energy system that is no larger than 10 kilowatts alternating current nameplate rating or 30 kilowatts thermal.
 - b. A solar energy system that conforms to all applicable state fire, structural, electrical, and other building codes as adopted or amended by the City and paragraph (iii) of subdivision (c) of Section 714 of the Civil Code, as such section or subdivision may be amended, renumbered, or redesignated from time to time.
 - c. A solar energy system that is installed on a single or duplex family dwelling.
 - d. A solar panel or module array that does not exceed the maximum legal building height as defined by Title 17 of the Sonora Municipal Code.

- 3) "Solar energy system" has the same meaning set forth in paragraphs (1) and (2) of subdivision (a) of Section 801.5 of the Civil Code, as such section or subdivision may be amended, renumbered, or redesignated from time to time.

- 4) "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.

- 5) "A feasible method to satisfactorily mitigate or avoid the specific, adverse impact" includes, but is not limited to, any cost-effective method, conditions, or mitigation imposed by the City on a similarly situated application in a prior successful application for a permit. The City shall use its best effort to ensure that the selected method, condition, or mitigation meets the conditions of subparagraphs (A) and (B) of paragraph (1) of subdivision (d) of Section 714 of the Civil Code.

B. The City Building Official and/or City Building Inspector shall develop, adopt and maintain a checklist of all requirements with which small rooftop solar energy systems shall comply to be eligible for expedited review. The checklist shall be published on the City's internet website.

- C. The applicant may submit the permit application and associated documentation to the City's Community Development Department by personal, mailed, or electronic submittal together with any required permit processing and inspection fees. In the case of electronic submittal, the electronic signature of the applicant on all forms, applications and other documentation may be used in lieu of a wet signature.
- D. Prior to submitting an application, the applicant shall:
- 1) Verify to the applicant's reasonable satisfaction through the use of standard engineering evaluation techniques that the support structure for the small residential rooftop solar energy system is stable and adequate to transfer all wind, seismic, and dead and live loads associated with the system to the building foundation; and
 - 2) At the applicant's cost, verify to the applicant's reasonable satisfaction using standard electrical inspection techniques that the existing electrical system including existing line, load, ground and bonding wiring as well as main panel and subpanel sizes are adequately sized, based on the existing electrical system's current use, to carry all new photovoltaic electrical loads.
- E. An application that satisfies the information requirements in the checklist, as determined by the City Building Official and/or City Building Inspector, shall be deemed complete. Upon receipt of an incomplete application, the City Building Official and/or City Building Inspector shall issue a written correction notice detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance.
- F. Upon confirmation by the City Building Official and/or City Building Inspector of the application and supporting documentation being complete and meeting the requirements of the checklist, the City Building Official and/or City Building Inspector shall administratively approve the application and issue all required permits or authorizations. Such approval does not authorize an applicant to connect the small residential rooftop energy system to the local utility provider's electricity grid. The applicant is responsible for obtaining such approval or permission from the local utility provider.
- G. For a small residential rooftop solar energy system eligible for expedited review, only one inspection shall be required, which shall be done in a timely manner and may include a consolidated inspection by the City Building Official and/or City Building Inspector and the fire inspector. If a small residential rooftop solar energy system fails inspection, a subsequent inspection is authorized; however the subsequent inspection need not conform to the requirements of this subsection.
- H. The City Building Official and/or City Building Inspector may make a finding, based on substantial evidence, that the solar energy system could have a specific, adverse impact upon the public health and safety and require the applicant to apply for a Conditional Use Permit. This finding will be provided to the applicant in writing. Such decision may be appealed to the Sonora Planning Commission. The applicant will be required to submit a Conditional Use Permit application, along with applicable fees, to the Community Development

Department. The Conditional Use Permit shall be processed as provided for under Chapter 17.62 of the Sonora Municipal Code.

- I. The City may not deny an application for a Conditional Use Permit to install a solar energy system, as defined in this Section, unless it makes written findings, based upon substantial evidence in the record, that the proposed installation would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact. The findings shall include the basis for the rejection of potential feasible alternatives of preventing the adverse impact.
- J. Any conditions imposed on an application to install a solar energy system, as defined in this Section, shall be designed to mitigate the specific adverse impact upon the public health and safety at the lowest cost possible.

This Ordinance shall take effect thirty (30) days after its passage and shall be published within (15) days after its final passage as required by law.

Said Ordinance was introduced at a regular meeting of the City Council of the City of Sonora held on June 15, 2015, and passed and adopted as an Ordinance of said City at a regular meeting of said Council held on July 6, 2015, by the following vote:

AYES: Ron Stearn, Connie Williams, Bill Canning,
George Segarini, Jim Garaventa

NOES: None

ABSENT OR ABSTAIN: None

Ron Stearn
Ron Stearn, Mayor

ATTEST: Marijane Cassinotto
Marijane Cassinotto, City Clerk

APPROVED AS TO FORM:
Byron C. Smith
Byron C. Smith, City Attorney

Publish: The Union Democrat, Sonora
July 14, 2015