

ORDINANCE NO. 878

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, ESTABLISHING AN EXPEDITED, STREAMLINED PERMITTING PROCESS FOR SMALL RESIDENTIAL ROOFTOP SOLAR SYSTEMS, AND AMENDING TITLE 15 OF THE RANCHO CUCAMONGA MUNICIPAL CODE.

WHEREAS, the City Council of the City of Rancho Cucamonga 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 seeks to further the conservation goals of the City and support the climate action policies set by the State; and

WHEREAS, it is in the best interest of the health, welfare and safety of the people of Rancho Cucamonga to provide an expedited permitting process for the deployment of solar energy systems and technology.

NOW THEREFORE, the City Council of the City of Rancho Cucamonga does ordain as follows:

Section 1. A new Chapter 15.36 is hereby added to Title 15 of the City of Rancho Cucamonga Municipal Code to read as follows:

“CHAPTER 15.36. EXPEDITED PERMITTING OF SMALL RESIDENTIAL ROOFTOP SOLAR ENERGY SYSTEMS

Sec. 15.36.010. Small residential rooftop solar energy system defined. ‘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; and

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 (3) of subdivision (c) of Section 714 of the Civil Code; and

C. A solar energy system that is installed on a single or duplex family dwelling; and

D. A solar panel or module array that does not exceed the maximum legal building height as defined or prescribed in this Code.

E. For purposes of this Section 15.36.010, the term ‘solar energy system’ has the same meaning as 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.

Sec. 15.36.020. Small residential rooftop solar energy system standard plans and permit application checklist.

A. The City shall adopt standard plan(s) and a checklist of all requirements with which small residential rooftop solar energy systems shall comply to be eligible for expedited review. The small residential rooftop solar system standard plan(s) and checklist 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.

B. All documents required for the submission of a small residential rooftop solar energy system permit application, the standard plan(s) and, and checklist shall be made available on the public accessible City website.

C. Electronic submittal of the required permit application and documents by the Internet shall be available to all small rooftop solar energy system permit applicants. An applicant's electronic signature shall be accepted on all forms, applications, and other documents in lieu of a wet signature.

Sec. 15.36.030. Permit application review.

A. An application that satisfies the information in the checklist and standard plan(s) shall be deemed complete.

B. If an application is deemed incomplete, a list of deficiencies will be provided verbally or in written form. A written correction notice detailing all deficiencies in the application and any additional information or documentation required to be eligible for expedited permit issuance shall be sent to the applicant for resubmission.

C. Upon confirmation by the Building Official that the application and supporting documents are complete and meet the requirements of the checklist, this Chapter, and local, state, and federal health and safety requirements, the Building Official shall issue any required permit and authorization to install the small rooftop, solar energy system.

D. The Building Official shall issue the permit and any required authorization as follows: (i) the same day of receipt of an over-the-counter or within one to three (1-3) business days of receipt of a complete application.

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

Sec. 15.36.040 Inspection requirements.

A. Inspection requests may be submitted by the Internet.

B. Only one inspection shall be required for small residential rooftop solar energy systems eligible for expedited review.

C. The inspection shall be done in a timely manner. The Building Official shall strive to schedule an inspection to occur within two (2) business days.

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

Section 2: As required by Rancho Cucamonga Municipal Code Section 15.36.020. A, enacted by this Ordinance, the City hereby adopts the standard plan(s) and checklist with which compliance is required for expedited permitting of small residential rooftop solar energy systems, which standard plans and checklist are on file in the office of the Building and Safety Department. The Building Official may amend and update the standard plan(s) and checklist as needed for consistency with state law or to protect public health and safety.

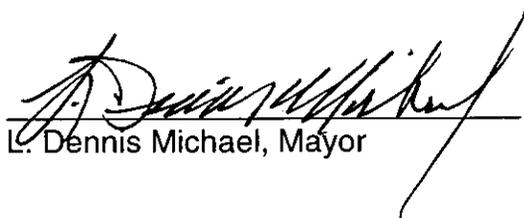
Section 3: CEQA. The City Council finds that the adoption of this Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to the General Rule (14 C.C.R. Section 15061(b)(3)) because the project involves updates and revisions to existing administrative building permit regulations consistent with California law, specifically Government Code section 65850.5 and Civil Code section 714. It can be seen with certainty that the Municipal Code text amendments adopted herein will have no significant negative effect on the environment. Additionally, the adoption of this Ordinance is categorically exempt from further environmental review as a regulatory action taken to protect natural resources and the environment in support of state and local climate action goals pursuant to CEQA Guidelines, 14 C.C.R., Sections 15307 and 15308.

Section 4: Statutory Construction and Severability. If any section, subsection, subdivision, paragraph, sentence, clauses or phrases of this Ordinance or its application to any person or circumstance is for any reason held to be invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining section, subsection, subdivision, paragraph, sentence, clauses or phrases hereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases herein be declared invalid or unenforceable.

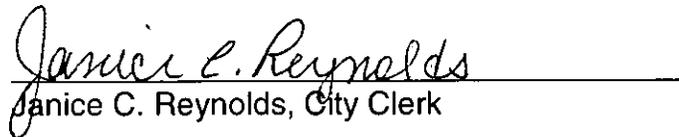
Section 5: The City Clerk shall certify to the adoption of this Ordinance.

PASSED, APPROVED, AND ADOPTED this 2nd day of September 2015.

AYES: Alexander, Kennedy, Michael, Spagnolo, Williams
NOES: None
ABSENT: None
ABSTAINED: None

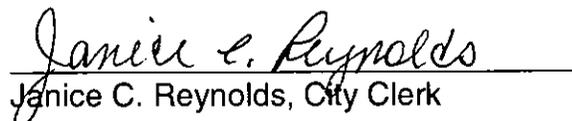

L. Dennis Michael, Mayor

ATTEST:


Janice C. Reynolds, City Clerk

I, JANICE C. REYNOLDS, CITY CLERK of the City of Rancho Cucamonga, California, do hereby certify that the foregoing Ordinance was introduced at a Regular Meeting of the Council of the City of Rancho Cucamonga held on the 19th day of August 2015, and was passed at a Regular Meeting of the City Council of the City of Rancho Cucamonga held on the 2nd day of September 2015.

Executed this 3rd day of September 2015, at Rancho Cucamonga, California.


Janice C. Reynolds, City Clerk