



OFFICE OF THE CITY ATTORNEY
Long Beach, California

ORD-37

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August 11, 2015

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Declare ordinance amending the Long Beach Municipal Code relating to an expedited permitting process for small rooftop solar energy systems read the first time and laid over to the next regular meeting of the City Council for final reading; and approve Categorical Exemption CE-15048. (Citywide)

DISCUSSION:

Pursuant to your request on July 21, 2015, this ordinance has been prepared and is submitted for your consideration.

SUGGESTED ACTION:

Approve recommendation.

Very truly yours,

CHARLES PARKIN, City Attorney

By


MICHAEL J. MAIS
Assistant City Attorney

MJM:kjm
Attach.

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CITY of LONG BEACH NOTICE of EXEMPTION

DEPARTMENT OF DEVELOPMENT SERVICES | PLANNING BUREAU
333 W. OCEAN BLVD., 5TH FLOOR, LONG BEACH, CA 90802
(562) 570-6194 FAX: (562) 570-6068
lbs.longbeach.gov

TO: ☐ Office of Planning & Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

FROM: Department of Development Services
333 W. Ocean Blvd, 5th Floor
Long Beach, CA 90802

☒ L.A. County Clerk
Environmental Fillings
12400 E. Imperial Hwy. 2nd Floor, Room 2001
Norwalk, CA 90650

Categorical Exemption CE-15048__

Project Location/Address: Citywide__

Project/Activity Description: Modification of development regulations to comply with state law. Permit streamlining for small solar installations._____

Public Agency Approving Project: **City of Long Beach, Los Angeles County, California**

Applicant Name: City of Long Beach, Development Services Department_____

Mailing Address: 333 West Ocean Boulevard, 5th Floor_____

Phone Number: (562) 570-6288_____Applicant Signature: _____

BELOW THIS LINE FOR STAFF USE ONLY

Application Number: 15-048_____Planner's Initials: CK_____

Required Permits: Code Amendment_____

THE ABOVE PROJECT HAS BEEN FOUND TO BE EXEMPT FROM CEQA IN ACCORDANCE WITH
STATE GUIDELINES SECTION 15301(e) additions to existing structures; 15303(d) utility extensions____

Statement of support for this finding: The addition of solar power generating equipment on existing structures represents a minor alteration to existing structures. No reasonably foreseeable significant impacts are anticipated._____

Contact Person: Christopher Koontz_____

Contact Phone: (562) 570-6288_____

Signature: _____

Date: _____

6/10/15

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH AMENDING THE LONG BEACH
MUNICIPAL CODE BY AMENDING SUBSECTIONS
18.06.010.A AND 18.06.020.A; AND BY ADDING CHAPTER
18.77, RELATING TO AN EXPEDITED PERMITTING
PROCESS AND FEES FOR SMALL ROOFTOP SOLAR
ENERGY SYSTEMS

WHEREAS, Subsection (a) of Section 65850.5 of the California
Government Code provides that it is the policy of the State to promote and encourage the
installation and use of solar energy systems by limiting obstacles to their use and by
minimizing the permitting costs of such systems;

WHEREAS, Subsection (g)(1) of Section 65850.5 of the California
Government Code provides that, on or before September 30, 2015, every city, county, or
city and county shall adopt an ordinance, consistent with the goals and intent of
Subdivision (a) of Section 65850.5, that creates an expedited, streamlined permitting
process for small residential rooftop solar energy systems; and

WHEREAS, Section 66015 of the California Government Code provides
that permit fees for rooftop solar energy systems shall not exceed the estimated
reasonable cost of providing the service for which the fee is charged, not to exceed those
amounts set forth in Section 66015, unless the City Council makes and adopts certain
findings related to said fees.

NOW, THEREFORE, the City Council of the City of Long Beach ordains as
follows:

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3 In addition to the above, rooftop solar energy projects regulated in
4 accordance with Government Code Section 66015 shall pay a fee as
5 established by resolution of the City Council, but in no event shall pay an
6 amount greater than that authorized by Government Code Section 66015.

8 Section 2. Subsection 18.06.020.A of the Long Beach Municipal Code is
9 amended by adding a paragraph to read as follows:

In addition to the above, rooftop solar energy projects regulated in accordance with Government Code Section 66015 shall pay a fee as established by resolution of the City Council, but in no event shall pay an amount greater than that authorized by Government Code Section 66015.

5 Section 3. Chapter 18.77 is added to the Long Beach Municipal Code to
6 read as follows:

CHAPTER 18.77

EXPEDITED PERMITTING PROCESS FOR SMALL RESIDENTIAL ROOFTOP SOLAR ENERGY SYSTEMS

18.77.010 – General.

A. Purpose. The purpose of this Chapter is to promote and encourage the installation and use of small residential rooftop solar energy systems by limiting obstacles to their use and minimizing the permitting costs of such systems. Consistent with Subdivision (a) of Section 65850.5 of the California Government Code, this Chapter creates an expedited permitting process for small residential rooftop solar energy systems.

1 B. Permits required. Small residential rooftop solar energy
2 systems shall not be installed or used without first having obtained a permit
3 as required by Section 18.04.010.

4 C. Submittal documents. Submittal documents shall be
5 governed by Chapter 18.05, except as provided in Section 18.77.030.

6 D. Fee. Fees for small residential rooftop solar energy systems
7 shall be governed by Subsections 18.06.010.A or 18.06.020.A in
8 accordance with Section 66015 of the California Government Code.

9 E. Inspection. Inspections shall be governed by Chapter 18.07,
10 except as provided in Section 18.77.040.

11 F. Effective date. This Chapter shall apply to projects for small
12 residential rooftop solar energy systems submitted on or after September
13 30, 2015.

14 18.77.020 – Definitions.

15 Unless otherwise expressly stated, the following words and terms
16 shall, for the purpose of this Chapter, have the meanings shown in this
17 Section. Where the words or terms are not defined in this Section, Chapter
18 18.02 shall apply.

19 “Electronic submittal” means the utilization of one or more of the
20 following:

- 21 1. E-mail;
- 22 2. Internet; or
- 23 3. Facsimile.

24 “Small residential rooftop solar energy system” means all of the
25 following:

- 26 1. A solar energy system that is no larger than 10 kilowatts
27 alternating current nameplate rating or 30 kilowatts thermal;
- 28 2. A solar energy system that conforms to all applicable fire,

1 structural, electrical, and other building codes as adopted or amended in
2 Chapters 18.40 thru 18.48 and Paragraph (iii) of Subdivision (c) of Section
3 714 of the California Civil Code;

4 3. A solar energy system that is installed on a single or two-
5 family dwelling; and

6 4. A solar panel or module array that does not exceed the
7 maximum legal building height as defined by Title 21 of the Long Beach
8 Municipal Code;

9 "Solar energy system" has the same meaning as set forth in
10 Paragraphs (1) and (2) of Subdivision (a) of Section 801.5 of the California
11 Civil Code.

12 18.77.030 – Permit application and submittal.

13 A. Application for permit. An application for a permit shall be
14 governed by Section 18.04.030.

15 B. Submittal. Application for a permit and supporting documents
16 may be submitted to the Building Official in person, by mail, or by electronic
17 submittal together with all required fees.

18 C. Electronic signature. The Building Official is authorized to
19 accept an electronic signature on all forms, applications, and other
20 documents in lieu of a wet signature by an applicant.

21 D. Action on application. An application for a permit and
22 supporting documents that satisfies the information requirements in the
23 checklist and standard plan, as determined by the Building Official, shall be
24 deemed complete.

25 Upon confirmation by the Building Official of the application for a
26 permit and supporting documents being complete and meeting the
27 requirements of the checklist and standard plan, and consistent with this
28 Chapter, the Building Official shall administratively approve the application

1 for a permit and supporting documents and issue the required permit.

2 Upon receipt of an incomplete application for a permit or supporting
3 documents, the Building Official shall issue a written correction notice
4 detailing all deficiencies in the application for a permit or supporting
5 documents and any additional information required to be eligible for
6 expedited permitting in this Chapter.

7 E. Validity of permit. The validity of permit shall be governed by
8 Section 18.04.050. Such permit does not authorize an applicant to connect
9 the small residential rooftop solar energy system to the local utility
10 provider's electricity grid. The applicant is responsible for obtaining such
11 approval or permission from the local utility provider.

12 18.77.040 – Inspection.

13 A. Number of inspections. Notwithstanding Chapter 18.07 to the
14 contrary, small residential rooftop solar energy systems eligible for
15 expedited permitting in this Chapter shall only be required to have one
16 inspection by the Building Official and/or Fire Code Official. If a small
17 residential rooftop solar energy system fails inspection, a subsequent
18 inspection by the Building Official and/or Fire Code Official is authorized
19 and shall conform to the requirements of Chapter 18.07.

20 B. Consolidated inspection. A consolidated inspection by the
21 Building Official and Fire Code Official may be performed at their
22 discretion.

23 18.74.050 – Permitting documentation.

24 A. Checklist and standard plan. The Building Official is hereby
25 authorized and directed to develop and adopt a checklist and standard plan
26 of all requirements with which small residential rooftop solar energy
27 systems shall comply to be eligible for expedited permitting in this Chapter.
28 The checklist and standard plan shall substantially conform, as deemed

1 necessary and appropriate by the Building Official, to the checklists and
2 standard plans contained in the most current version of the California Solar
3 Permitting Guidebook as adopted by the Governor's Office of Planning and
4 Research ("Guidebook"). The Building Official is authorized to modify the
5 checklist and standard plan found in the Guidebook due to unique
6 climactic, geological, seismological, or topographical conditions.

7 B. Other documents. The Building Official shall prepare,
8 maintain, and update, as deemed necessary and appropriate, in
9 cooperation with other City departments and stakeholders, informational
10 bulletins, training manuals and educational materials to assist in the
11 implementation of this chapter.

12 C. Publically accessible. The Building Official shall publish the
13 checklist, standard plan, and other documents on a publically accessible
14 internet website, where possible, or other publically accessible location.
15

16 Section 4. The City Clerk shall certify to the passage of this ordinance by
17 the City Council and cause it to be posted in three (3) conspicuous places in the City of
18 Long Beach, and it shall take effect on September 30, 2015 or the thirty-first (31st) day
19 after it is approved by the Mayor, whichever comes first.

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I hereby certify that the foregoing ordinance was adopted by the City Council of
the City of Long Beach at its meeting of _____, 20__ by the
following vote:

Ayes:	Councilmembers:	_____

Noes:	Councilmembers:	_____

Absent:	Councilmembers:	_____

City Clerk