

## **TOWN COUNCIL STAFF REPORT**

Subject: Ordinance of the Town Council of the Town of Mammoth Lakes adding Section 15.04.170 to the Town Municipal Code relating to expedited permitting procedures for small residential rooftop solar systems.

Meeting Date: April 20, 2022

Written by: Bailey Thompson, Permit Technician / Plans Examiner  
Tom Perry, Building Official

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### **RECOMMENDATION:**

Waive the first reading and introduce by title only the attached Ordinance which enacts expedited permitting procedures for small residential rooftop solar systems and adding Section 15.04.170 to the Municipal Code.

### **BACKGROUND/ANALYSIS:**

Section 65850.5(a) 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. Section 65850.5(g)(1) of the California Government Code requires that, on or before September 30, 2015, every city, county, or city and county must adopt an ordinance that creates an expedited, streamlined permitting process for small residential rooftop solar energy systems. The streamlined permitting process includes the provision that cities cannot require small residential rooftop solar systems to go through a discretionary permit process (i.e., administrative permit, use permit, etc.).

The Town Council adopted Ordinance 15-10 on November 4, 2015 adding section 15.04.170 pertaining to permitting procedures for small residential rooftop solar systems to the Mammoth Lakes Municipal Code. When the entirety of Chapter 15 was updated in 2016, section 15.04.170 was not included. The Town has continued to expedite permits for small residential rooftop solar systems by not subjecting them to a discretionary permit process, providing a checklist, and accepting such applications electronically via email.

Town staff presented this ordinance to the Board of Appeals/ Building Advisory Committee on February 23, 2022, and the Board recommended approval of the ordinance to the Town Council. Town staff presented this ordinance to the Mammoth Lakes Contractors Association and Mammoth Lakes Fire Protection District on March 4, 2022, and both groups expressed support for the ordinance.

The ordinance codifies the requirements of Section 65850.5(g)(1), such as accepting and approving applications electronically, directing the Town's Building Official to develop a checklist of all requirements, defining the requirements for expedited review, and authorizing the Building Official to administratively approve such applications. Depending on the complexity of the project, the application may or may not be subject to plan check review.

## **OPTIONS ANALYSIS**

Option 1: Waive the first reading and introduce by title only the attached Ordinance which enacts expedited permitting procedures for small residential rooftop solar systems and adding Section 15.04.170 to the Municipal Code.

Option 2: Decline to adopt the attached Ordinance which enacts expedited permitting procedures for small residential rooftop solar systems.

Option 1 would allow the Ordinance to proceed to a second reading by Council on May 4, 2022, and the Ordinance would become effective 30 days after the second reading.

Option 2 would stop the work effort; Council would not need to make findings for denial.

### **STAFFING CONSIDERATIONS:**

There is no anticipated staffing impact as the Town already processes these types of permits in an expedited manner.

### **FINANCIAL CONSIDERATIONS:**

There is no anticipated fiscal impact as the costs would be recovered through existing building permit fees. As noted, the Building Division is currently providing expedited review and electronic submittal of applications for small residential rooftop solar systems.

### **ATTACHMENTS:**

Attachment 1:	Town Council Ordinance 22-__
Attachment 2:	Checklist for Expedited Process of Small Residential Rooftop Solar Energy System Permits