

ORDINANCE NO. 1231

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAUSALITO ADDING
CHAPTER 10.70 TO THE SAUSALITO MUNICIPAL CODE TO PROVIDE AN
EXPEDITED, STREAMLINED PERMITTING PROCESS FOR SMALL RESIDENTIAL
ROOFTOP SOLAR SYSTEMS**

WHEREAS, the City Council of the City of Sausalito seeks to implement Assembly Bill 2188, by creating 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 and businesses; and

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

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

WHEREAS, the City Council recognizes that small residential rooftop solar energy will provide reliable energy for the City's residents and businesses; and

WHEREAS, the City will develop, and make available to the public, a standard plan and checklist containing all the requirements an applicant should follow to ensure that a small residential rooftop solar energy system is eligible for expedited review; and

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

WHEREAS, The Planning Commission at its July 29, 2015 meeting held a duly noticed public hearing on the zoning ordinance amendment and adopted Planning Commission Resolution No. 2015-19 recommending that the City Council adopt the zoning ordinance amendment.

NOW, THEREFORE, the City Council of the City of Sausalito does hereby amend the Sausalito Municipal Code to add Chapter 10.70 to read as follows:

Section 1: The Sausalito Municipal Code is hereby amended to add:

CHAPTER 10.70

PROCESS FOR SMALL RESIDENTIAL ROOFTOP SOLAR ENERGY SYSTEMS

1. PURPOSE

The purpose of the Ordinance 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. The Ordinance encourages the use of small residential rooftop solar energy systems by removing unreasonable barriers, minimizing costs to property owners and the City and expanding the ability of property owners to install solar energy systems. The Ordinance allows the City to achieve these goals while protecting the public health and safety.

2. APPLICABILITY

- a. This Ordinance applies to the permitting of all small residential rooftop solar energy systems in the City.
- b. Small residential rooftop solar energy systems legally established or permitted prior to the effective date of this Ordinance are not subject to the requirements of this Ordinance 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 are not covered under this Ordinance.

3. DEFINITIONS

- a. A “solar energy system” means either of the following:
 - i. 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.
 - ii. 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.
- b. A “small residential rooftop solar energy system” means all of the following:
 - i. A solar energy system that is no larger than 10 kilowatts alternating current nameplate rating or 30 kilowatts thermal.
 - ii. 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 all state and County of Marin health and safety standards.
 - iii. A solar energy system that is installed on a single or duplex family dwelling.
 - iv. A solar panel or module array that does not exceed the maximum legal building height as defined by the City.
- c. “Electronic submittal” means the utilization of one or more of the following:
 - i. Email;
 - ii. The Internet;
 - iii. Facsimile.

- d. An “association” means a nonprofit corporation or unincorporated association created for the purpose of managing a common interest development.
- e. “City” means the City of Sausalito.
- f. A “common interest development” means any of the following:
 - i. A community apartment project.
 - ii. A condominium project.
 - iii. A planned development.
 - iv. A stock cooperative.
- g. “Specific, adverse impact” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and/or written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.
- h. “Reasonable restrictions” on a small residential rooftop solar energy system are 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.
- i. “Restrictions that do not significantly increase the cost of the system or decrease its efficiency or specified performance” means:
 - i. For Water Heater Systems or Solar Swimming Pool Heating Systems: an amount exceeding 10 percent of the cost of the system, but in no case more than one thousand dollars (\$1,000), or decreasing the efficiency of the small residential rooftop solar energy system by an amount exceeding 10 percent, as originally specified and proposed.
 - ii. 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 10 percent as originally specified and proposed.

4. SMALL RESIDENTIAL ROOFTOP SOLAR ENERGY SYSTEM REQUIREMENTS

- a. All small residential rooftop solar energy systems shall meet applicable health and safety standards and requirements imposed by the state and the City, local fire department, and all other applicable laws and regulations.
- b. Small residential rooftop 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. Small residential rooftop solar energy systems for producing electricity shall meet all applicable safety and performance standards established by the California Electrical Code, the Institute of
- d. 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.

5. DUTIES OF BUILDING DEPARTMENT AND BUILDING OFFICIAL

- a. All documents required for the submission of an expedited small residential rooftop solar energy system application shall be made available on the publicly accessible City Website.
- b. Electronic submittal of the required permit application and documents by email and/or facsimile shall be made available to all small residential rooftop solar energy system permit applicants.
- c. An applicant's electronic signature shall be accepted on all forms, applications, and other documents in lieu of a wet signature.
- d. The City'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.
- e. The small residential rooftop solar energy system permit process, standard plan, 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, as may be amended from time to time.
- f. All fees prescribed for the permitting of small residential rooftop solar energy system must comply with Government Code sections 65850.55, 66015, and 66016, and Health and Safety Code section 17951.

6. PERMIT REVIEW AND INSPECTION REQUIREMENTS

- a. The City Building Department shall adopt an administrative, nondiscretionary review process to expedite approval of small residential rooftop solar energy systems on or before September 30, 2015. Upon receipt of a complete application that satisfies the requirements of the approved checklist and standard plan, the Building Department shall issue a building permit or other nondiscretionary permit the same day for over-the-counter applications, and within one to three (1-3) business days for electronic applications. A building official may require an applicant to apply for a use permit if the official finds, based on substantial evidence, that the small residential rooftop solar energy system could have a specific, adverse impact upon the public health and safety. Such decisions may be appealed to the City Planning Commission, and subsequently to the City Council as applicable.
- b. Review of an application and/or appeal of a use permit pursuant to this Section shall be limited to a review of whether the application meets local, state, and federal health and safety requirements.
- c. If a use permit is required, a 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 Planning Commission, and subsequently to the City Council as applicable.

- d. Any condition imposed on the approval of an application shall be designed to mitigate the specific, adverse impact upon health and safety at the lowest reasonable cost.
- e. "A feasible method to satisfactorily mitigate or avoid the specific, adverse impact" as used in this Section 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 meets the conditions Civil Code section 714(d)(1)(A)-(B) defining restrictions that do not significantly increase the cost of the system or decrease its efficiency or specified performance.
- f. A City shall not condition approval of an application on the approval of an association, as defined in Civil Code section 4080.
- 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 shall be sent to the applicant for resubmission.
- h. Only one inspection shall be required and performed by the City Building Department for small residential rooftop solar energy systems eligible for expedited review. A separate fire inspection may be performed by the Sausalito Fire Department.
- i. The inspection shall be done in a timely manner and include consolidated inspections where feasible. An inspection shall be scheduled within two (2) business days of a request and provide a two (2) hour inspection window.
- j. If a small residential rooftop solar energy system fails inspection, a subsequent inspection may be performed, but need not conform to the requirements of this Ordinance.

Section 2: If any section or portion of this ordinance is for any reason held to be invalid and/or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 3: This ordinance shall be and is hereby declared to be in full force and effect as of thirty (30) days from and after the date of its passage. Before the expiration of fifteen (15) days after passage by the City Council this Ordinance shall be published once in a newspaper of general circulation published in the City of Sausalito.

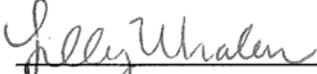
THE FOREGOING ORDINANCE was read at a regular meeting of the Sausalito City Council on the 1st day of September, 2015, and was adopted at a regular meeting of the City Council on the 15th day of September, 2015, by the following vote:

AYES: Councilmember: Weiner, Pfeifer, Withy, Hoffman and Mayor Theodores
NOES: Councilmember: None
ABSENT: Councilmember: None
ABSTAIN: Councilmember: None



THOMAS THEODORES
MAYOR OF THE CITY OF SAUSALITO

ATTEST:



LILLY WHALEN
DEPUTY CITY CLERK

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ORDER TO SHOW CAUSE FOR CHANGE OF NAME (JOSE IGNACIO KALMANSON)
CIV 1503348
TO ALL INTERESTED PERSONS: Petitioner: JOSE IGNACIO KALMANSON filed a petition with this court for decree changing names as follows:

Present Name, JOSE IGNACIO KALMANSON
Proposed Name, JOSE IGNACIO RAMIREZ MARTINEZ

THE COURT ORDERS that all persons interested in this matter shall appear before this court at the hearing indicated below to show cause, if any, why the petition for change of name should not be granted. Any person objecting to the name changes described above must file a written objection that includes the reasons for the objection at least two court days before the matter is scheduled to be heard and must appear at the hearing to show cause why the petition should not be granted. If no written objection is timely filed, the court may grant the petition without a hearing. **NOTICE OF HEARING Date: NOV. 09, 2015. Time: 8:30 a.m. Dept.: B Room: -.** The address of the court: Superior Court of California, County of Marin, Civil Filings 3501 Civic Center Drive, P.O. Box 4988, San Rafael, CA 94903-4988. A copy of this Order to Show Cause shall be published at least once each week for four successive weeks prior to the date set for hearing on the petition in the following newspaper of general circulation, printed in this county: Marin County. Roy O. Chernus, Judge of the Superior Court, Kim Turner, Court Executive Officer, Marin County Superior Court.

By: J. Chen, Deputy. Filed: SEPT. 11, 2015. Attorney for Petitioner: N/A. Paper: SAUSALITO MARIN SCOPE
Dates Published: SEPT. 30, OCT. 07, 14, 21, 2015 #25517

ORDINANCE NO. 1231 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAUSALITO ADDING CHAPTER 10.70 TO THE SAUSALITO MUNICIPAL CODE TO PROVIDE AN EXPEDITED, STREAMLINED PERMITTING PROCESS FOR SMALL RESIDENTIAL ROOFTOP SOLAR SYSTEMS

WHEREAS, the City Council of the City of Sausalito seeks to implement Assembly Bill 2188, by creating 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 and businesses; and WHEREAS, the City Council seeks to meet the climate action goals set by the State; and WHEREAS, solar energy creates local jobs and economic opportunity; and WHEREAS, the City Council recognizes that small residential rooftop solar energy will provide reliable energy for the City's residents and businesses; and WHEREAS, the City will develop, and make available to the public, a standard plan and checklist containing all the requirements an applicant should follow to ensure that a small residential rooftop solar energy system is eligible for expedited review; and WHEREAS, it is in the interest of the health, welfare,

and safety of the people of the City of Sausalito to provide an expedited permitting process to assure the effective deployment of solar technology; and

WHEREAS, The Planning Commission at its July 29, 2015 meeting held a duly noticed public hearing on the zoning ordinance amendment and adopted Planning Commission Resolution No. 2015-19 recommending that the City Council adopt the zoning ordinance amendment.

NOW, THEREFORE, the City Council of the City of Sausalito does hereby amend the Sausalito Municipal Code to add Chapter 10.70 to read as follows:

Section 1: The Sausalito Municipal Code is hereby amended to add: OR CHAPTER 10.70 PROCESS FOR SMALL RESIDENTIAL ROOFTOP SOLAR ENERGY SYSTEMS 1. PURPOSE

The purpose of the Ordinance 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. The Ordinance encourages the use of small residential rooftop solar energy systems by removing unreasonable barriers, minimizing costs to property owners and the City and expanding the ability of property owners to install solar energy systems. The Ordinance allows the City to achieve these goals while protecting the public health and safety.

2. APPLICABILITY

a. This Ordinance applies to the permitting of all small residential rooftop solar energy systems in the City.
b. Small residential rooftop solar energy systems legally established or permitted prior to the effective date of this Ordinance are not subject to the requirements of this Ordinance 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 are not covered under this Ordinance.

3. DEFINITIONS

a. A "energy system" means either of the following:
i. 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.
ii. 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.
b. A "residential rooftop solar energy system" means all of the following:
i. A solar energy system that is no larger than 10 kilowatts alternating current nameplate rating or 30 kilowatts thermal.
ii. 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 all state and County of Marin health and safety standards.
iii. A solar energy system that is installed on a single or duplex family dwelling.
iv. A solar panel or module array that does not exceed the maximum legal building height as defined by the City.
c. "submittal" means the utilization of one or more of the following:
i. Email;
ii. The Internet;
iii. Facsimile.
d. An "means a nonprofit corporation or unincorporated association created for the purpose of managing a common interest development.
e. "means the City of Sausalito.
f. A "interest development" means any of the following:
i. A community apartment project.
ii. A condominium project.
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g. "adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and/or written

public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

h. "restrictions" on a small residential rooftop solar energy system are 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.
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4. SMALL RESIDENTIAL ROOFTOP SOLAR ENERGY SYSTEM REQUIREMENTS
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b. Small residential rooftop 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.
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dards established by the California Electrical Institute of Engineers, and testing laboratories as Underwriters Laboratories, and where the rules of the Public Commission Safety and reliability.
5. DUTIES OF THE PLUMBING DEPARTMENT BUILDING OFFICER
a. All documents for the submission of expedited small residential rooftop solar energy system applications shall be made available to the public on the Website.
b. Electronic submission of the required application and documents shall be made available to all small residential rooftop solar energy system applicants.
c. An applicant's signature shall be on all forms, applications, and other documents in lieu of a wet signature.
d. The City's Building Department shall standard plan and list of all requirements with which small residential rooftop solar energy systems shall conform to be eligible for expedited review.
e. The small residential rooftop solar energy system permit shall conform to the standard plan and list of all requirements for permitting, including checklist and plans contained in the most current version of the California Solar Panel Guidebook adopted by the Governor's Office of Planning and Research and be amended from time to time.
f. All fees prescribed for the permitting of small residential rooftop solar energy systems shall comply with Government Code sections 66015, and 66016, and 66017, and Health and Safety Code section 17951.
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d. The City's Building Department shall standard plan and list of all requirements with which small residential rooftop solar energy systems shall be eligible for review.
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a. The City Building Department shall, in an administrative, discretionary review to expedite app-