



1           **A FEASIBLE METHOD TO SATISFACTORILY MITIGATE OR AVOID THE**  
2 **SPECIFIC, ADVERSE IMPACT.** A method that includes, but is not limited to, any cost-  
3 effective method, condition, or mitigation imposed by the Town on another similarly  
4 situated application in a prior successful application for a permit. The Town shall use its  
5 best efforts to ensure that the selected method, condition, or mitigation meets the  
6 conditions of subparagraphs (A) and (B) of paragraph (1) of subdivision (d) of Section  
7 714 of the Civil Code.

8           **SOLAR ENERGY SYSTEM.** A solar energy system as defined in California Code  
9 of Regulations, Title 24.

10           **SMALL RESIDENTIAL ROOFTOP SOLAR ENERGY SYSTEM.** A solar energy  
11 system which meets all of the following:

12           i.       A solar energy system that is no larger than 10 kilowatts alternating current  
13 nameplate rating or 30 kilowatts thermal.

14           ii.       A solar energy system that (1) conforms to all applicable state fire,  
15 structural, electrical, and other building codes as adopted or amended by the Town; (2)  
16 all state, local health and safety standards; and (3) all applicable safety and performance  
17 standards established by the California Electrical Code, the Institute of Electrical and  
18 Electronics Engineers, and accredited testing laboratories such as Underwriters  
19 Laboratories and, where applicable, rules of the Public Utilities Commission regarding  
20 safety and reliability.

21           iii.       A solar energy system that is installed on a single or duplex family dwelling.

22           iv.       A solar panel or module array that does not exceed the maximum legal  
23 building height as defined by the Town of Yucca Valley Development Code.

24           **SPECIFIC, ADVERSE IMPACT.** A significant, quantifiable, direct, and  
25 unavoidable impact, based on objective, identified, and written public health or safety  
26 standards, policies, or conditions as they existed on the date the application was deemed  
27 complete.

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1 **8.05.030 Small Residential Rooftop Solar System Requirements.**

2 (a) All small residential rooftop solar energy systems shall comply with the applicable  
3 standards and requirements for solar energy systems as set forth in the California Code  
4 of Regulations, Title 24.

5 (b) The small residential rooftop solar system permit process, standard plan(s), and  
6 checklist(s), shall substantially conform to the recommendations for expedited permitting,  
7 including the checklists and standard plans, contained in the most current version of the  
8 California Solar Permitting Guidebook adopted by the Governor's Office of Planning and  
9 Research.

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11 **8.05.040 Application Review.**

12 (a) Upon confirmation that the application is complete, staff shall review the  
13 application to ensure that the small residential rooftop solar energy system meets local,  
14 state, and federal health and safety requirements. The Building Official may require an  
15 applicant to apply for a use permit pursuant to the Town Development Code, if the  
16 Building Official finds, based on substantial evidence, that the small residential rooftop  
17 solar energy system could have a specific, adverse impact upon the public health and  
18 safety.

19 (b) Staff shall issue a building permit or other nondiscretionary permit within a  
20 reasonable time following receipt of a complete application that meets the requirements  
21 of the approved checklist, standard plan and this Article.

22 (c) Staff's approval of an application shall not be based or conditioned on the approval  
23 of an association, as defined in California Civil Code § 4080.

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25 **8.05.050 Electronic Access to Permit Information and Submittals.**

26 (a) The Building Official shall make the checklist and all permitting documentation  
27 required for a small residential rooftop solar energy system available on a publicly  
28 accessible website.

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**8.05.060 Inspection.**

- (a) One inspection shall be required and performed by staff for small residential rooftop solar energy systems eligible for expedited review.
- (b) The inspection shall be done in a timely manner.
- (c) 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. The Town Council of the Town of Yucca Valley declares that it would have adopted this ordinance and each section, sentence, clause, phrase, or portion of it irrespective of the fact that any one or more sections, subsections, clauses, phrases or portions of it be declared invalid or unconstitutional. If for any reason any portion of this ordinance is declared invalid or unconstitutional, then all other provisions of it shall remain valid and enforceable.

SECTION 3. This ordinance shall take effect the 30<sup>th</sup> day of September as required by Assembly Bill 2188.

1 PASSED AND ADOPTED this                    day of                    2015.

2 AYES:  
3 NOES:  
4 ABSENT:

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MAYOR

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8 ATTEST:  
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TOWN CLERK

DRAFT

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