



What does AB 2188 (Muratsuchi) do to Streamline Rooftop Solar Permitting in California?

AB 2188 requires local governments to adopt a solar ordinance by September 30, 2015 creating a streamlined permitting process that conforms to best practices for expeditious and efficient permitting of small residential rooftop solar systems.

By improving the efficiency of solar permitting statewide, AB 2188 will help lower the cost of solar installations and further expand the accessibility of solar to more California homeowners who want to control their electricity bills and generate their own clean energy. In addition, making solar energy more affordable will help the state reach its renewable energy and greenhouse gas reduction goals, and create more local jobs.

Minimum Eligibility Criteria for Expedited Permitting

- A solar energy system no larger than 10 kW ac or 30 kW thermal.
- A solar energy system installed on a single or duplex family dwelling.
- A solar panel or module array does not exceed the maximum legal building height.

Expedited Permitting Ordinance

- The ordinance must be adopted on, or before, September 30, 2015 by every city and county in California.
- The ordinance must create an expedited, streamlined permitting process for solar PV and solar thermal systems consistent with the goals and intent of the California Solar Rights Act and must “substantially conform” with the recommendations, standard plans, and checklists found in the most updated [draft version](#) (bottom of page) of the Office of Planning and Research’s Solar Permitting Guidebook (“the Guidebook”).

- The local fire departments or districts and the municipal utility director, if appropriate, shall have opportunity to consult with the city or county in developing the ordinance.
- The expedited permitting process includes the permit paperwork and review process as well as the inspection.

Improving the Permitting Process

- The city or county must adopt a checklist of all requirements with which small rooftop solar energy systems shall comply to be eligible for expedited review, as well as a standard plan and submittal documents necessary for expedited permit review. AB 2188 points cities and counties toward the checklists and plans found in the Guidebook and requires that they “substantially conform” with the guidebook while allowing for modifications “due to unique climactic, geological, seismological, or topographical conditions”.
- AB 2188 stipulates that, once the city or county confirms that the application and supporting documents are

complete and meet the requirements of the checklist, all required permits or authorizations be issued. Best practices dictate this review process take less than 24 hours and not more than three days.

- AB 2188 DOES NOT require permits be processed online, though the use of online permitting is a best practice. AB 2188 DOES require that the checklist and permitting documentation be published on a publically accessible Web site (assuming the city or county has a Web site), and that the city or county allows for electronic submittal (Web, email, or fax) of a permit application and associated documentation.
- AB 2188 requires that cities and counties allow for electronic signatures on all forms, applications, and other documentation in lieu of a wet signature, unless they are unable to accept electronic signatures in which case they must state the reasons for the inability in the ordinance.

Improving the Inspection Process

- AB 2188 mandates that only one inspection be required for installations eligible for expedited review. AB 2188 thereby prohibits pre-inspections or rough inspections.
- Fire departments or districts are encouraged to sign MOUs with their

local cities and counties but retain the right to perform their own safety inspection of solar systems if there is no signed MOU.

- Inspections are to be done in a timely manner and according to best practices, which include scheduling an inspection within 24 hours of request, or no later than five days.

Changes to HOA Approval Process

Separate from the permitting process for cities and counties, AB 2188 also provides for some tightening of the Homeowner Association (HOA) approval process.

- AB 2188 reduces the ability for HOAs to increase the cost of a solar system or decrease the system's efficiency with the following changes:
 - Lowers HOA allowable impact on the cost of solar hot water system from 20% to 10%, or not more than \$1,000, and the efficiency of a system from 20% to 10%.
 - Lowers HOA impact on solar PV systems from \$2,000 to \$1,000 or a decrease in efficiency from 20% to 10%.
- Shortens the number of days, from 60 to 45, that an applicant, seeking HOA approval, must wait for a written denial of a proposed p

For more information about AB 2188, contact CALSEIA at 916-228-4567 or info@calseia.org