



Kate Harrison
Vice Mayor, District 4

REVISED AGENDA MATERIAL

Meeting Date: October 19, 2022

Item Number: 38

Item Description: Resolution and Referral Supporting Local Implementation of SB 379: Online Instant Solar Permitting Process For Residential Solar And Solar-Plus-Storage Energy Systems

Submitted by: Vice Mayor Harrison

Revised item to:

- note CM Hahn's co-sponsorship;
- add non-substantive clarifications regarding NREL, the applicability of SB-379, and additional details about available CEC grants.



Kate Harrison
Vice Mayor, District 4

CONSENT CALENDAR
November 3, 2022

To: Honorable Mayor and Members of the City Council
From: Vice Mayor Harrison [and Councilmember Hahn](#)
Subject: Resolution and Referral Supporting Local Implementation of SB 379: Online Instant Solar Permitting Process For Residential Solar And Solar-Plus-Storage Energy Systems

RECOMMENDATION

1. Adopt resolution supporting local implementation of SB 379 requiring cities to adopt online instant solar permitting process for residential solar and solar-plus-storage energy systems; and
2. Refer to the City Manager and Planning Department, consistent with SB 379 and climate goals, to explore and move swiftly to apply for applicable grants and implement automated solar permitting platforms to reduce permit review time for solar energy and battery storage systems.

CURRENT SITUATION, EFFECTS, AND RATIONALE FOR RECOMMENDATION

Consistent with prior state law, the City of Berkeley approves administratively within one day applications to install solar energy systems through the issuance of low-cost building permits or similar non-discretionary permits for small residential rooftop solar energy systems. However, the new SB 379 law requires permits to be approved instantly by next year using an online and automated permitting platform that verifies code compliance and issues permits in real time. Non-competitive state grant monies are now available to help Berkeley with the transition, and it is in the public interest to apply for these grants and swiftly comply with the new law consistent with the City's ambitious climate goals.

BACKGROUND

Berkeley is committed as part of its Climate Action Plan and related policies to reduce greenhouse emissions, including through deploying renewable electric technology locally. Local clean and reliable energy is key to a more resilient electric grid in the face of increasing power shutoffs and electricity shortages. Berkeley's electric load is expected to increase significantly as a result of vehicle and building electrification policies and trends.

California State Senate Bill (SB) No. 379, signed into law on September 16, 2022, requires [every city, most cities and counties in California](#) to implement an online, automated permitting platform that verifies code compliance and issues permits in real

time for a solar energy system that is no larger than 38.4 kilowatts alternating current nameplate rating and an energy storage system paired with a solar energy system that is no larger than 38.4 kilowatts alternating current nameplate rating.

The goal of the law is to decrease approval times for residential solar and solar-plus-storage systems, cut permitting costs for local governments and homeowners, and help California meet its greenhouse gas emission reduction goals.

The law prescribes a compliance schedule for satisfying these requirements, with cities with populations greater than 50,000 required to satisfy the requirements by September 30, 2023. The law also requires cities to report to the California Energy Commission (CEC) when it is in compliance with specified requirements, and to self-certify their compliance with the law's provisions when applying for certain funds from the CEC.

In 2020, the National Renewable Energy Laboratory (NREL), ~~a division of a~~ [federal research center sponsored by](#) the U.S. Department of Energy, released free software called SolarAPP+ that cities and counties can adopt to process permits for residential solar energy systems. In addition, the CEC is operating a program as part of the [Senate Bill 129 \(Skinner, Budget Act of 2021\)](#) ~~June~~ budget to deploy \$20 million in non-competitive grants to help cities and counties adopt and integrate online automated permitting systems such as SolarAPP+ into existing Berkeley permitting systems like Accela, thereby streamlining compliance and recordkeeping. [Funding is intended to help local governments in California recover the cost of establishing an eligible automated, online solar permitting platform. In most cases, most of the funding will be used to reimburse staff or consultant time associated with implementing the software.](#)

[Berkeley is eligible for a maximum funding award of \\$80,000 based on its population size. The application deadline is May 1, 2023.](#)

Jurisdictions such as Pleasant Hill, San Ramon, Sonoma County, Stockton, and Benicia have successfully deployed SolarAPP+ and San Jose, Los Angeles, Alameda County and Vacaville have adopted similar automated permitting software and reduced permit review time.

It is in the public interest to move swiftly to apply for applicable grants and implement automated solar permitting platforms to reduce permit review time for solar energy and battery storage systems consistent with SB 379. This item includes a resolution in support of this objective and a referral to staff to apply for non-competitive grants as appropriate.

FISCAL IMPACTS OF RECOMMENDATION

Staff time will be needed to complete the referral, but costs may be offset by non-competitive CEC grants.

ENVIRONMENTAL SUSTAINABILITY

Supporting expeditious permitting of local renewable energy is key to achieving the City's greenhouse gas reduction goals.

CONTACT PERSON

Vice Mayor Kate Harrison, (510) 981-7140

RESOLUTION NO. ##,###-N.S.

SUPPORTING LOCAL IMPLEMENTATION OF SENATE BILL NO. 379, ONLINE INSTANT SOLAR PERMITTING PROCESS FOR RESIDENTIAL SOLAR AND SOLAR-PLUS-STORAGE ENERGY SYSTEMS

WHEREAS, Berkeley is committed as part of its Climate Action Plan and related policies to reduce greenhouse emissions, including through deploying renewable electric technology locally; and

WHEREAS, local clean and reliable energy is key to a more resilient electric grid in the face of increasing electric shutoffs and electricity shortages; and

WHEREAS, Berkeley's electric load is expected to increase significantly as a result of vehicle and building electrification policies and trends; and

WHEREAS, state law requires cities to approve administratively applications to install solar energy systems through the issuance of low-cost building permits or similar non-discretionary permit and develop a streamlined permitting process for the installation of small residential rooftop solar energy system; and

WHEREAS, California State Senate Bill (SB) No. 379, signed into law on September 16, 2022, requires [most cities and counties in California every city](#) to implement an online, automated permitting platform that verifies code compliance and issues permits in real time for a solar energy system, as defined, that is no larger than 38.4 kilowatts alternating current nameplate rating and an energy storage system, as defined, paired with a solar energy system that is no larger than 38.4 kilowatts alternating current nameplate rating; and

WHEREAS, the law prescribes a compliance schedule for satisfying these requirements, with cities with populations greater than 50,000 required to satisfy the requirements by September 30, 2023; and

WHEREAS, the law requires cities to report to the California Energy Commission (CEC) when it is in compliance with specified requirements, and to self-certify their compliance with the law's provisions when applying for specified funds from the CEC, as specified; and

WHEREAS, In 2020, the National Renewable Energy Laboratory (NREL), [a division of a federal research center sponsored by](#) the U.S. Department of Energy, released free software called SolarAPP+ that cities and counties can adopt to process permits for residential solar energy systems; and

WHEREAS, the CEC is operating a program to deploy \$20 million in non-competitive grants to help cities and counties adopt and integrate online automated permitting systems such as SolarAPP+ into existing Berkeley permitting systems like Accela,

thereby streamlining compliance and recordkeeping; and

WHEREAS, jurisdictions such as Pleasant Hill, San Ramon, Sonoma County, Stockton, and Benicia have successfully deployed SolarAPP+ and San Jose, Los Angeles, Alameda County and Vacaville have adopted similar automated permitting software and reduced permit review time; and

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Berkeley that it hereby refers to the City Manager and Planning Department to move swiftly to apply for applicable grants and implement automated solar permitting platforms to reduce permit review time for solar energy and battery storage systems consistent with SB 379.