



2021-2022 Legislative Session Webinar

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2021-2022
Bills of
Interest

SB 379

AB 1124

AB 970

AB 2234

SB 897

SB 1194



SB 379 Solar PV Permitting Systems

Mandates every local jurisdiction within specified counties to adopt an automated permitting system for residential solar energy systems based on the following timelines:

A population of 50K or lower located in a county of 150K+ must comply by September 30, 2024.

A jurisdiction with a population of 50K or more within a county of 150K+ must comply by September 30, 2023

SB 379: Specifics

- The system must verify code compliance and issue permits in real time for residential solar energy systems and residential energy storage systems no larger than 38.4 kilowatts.
- All jurisdictions must report compliance with the California Energy Commission.
- All jurisdictions within 1 year of adopting the system, must annually report to the CEC the number of permits issued with the new technology until 2034.
- When applying for funds to the CEC jurisdictions must report compliance after timelines are officially passed.



SB 379 Exemptions

A jurisdiction with a population of 5,000 or lower is exempt

A jurisdiction within a county of 150,000 or fewer

The automated permitting system does not have to be used if at the time of application, the system is not capable of reviewing an energy storage system.



California Automated Permit Processing Program - CalAPP

SB 379 Funding

- Solar App+ is a free software that is available to local jurisdictions to help with these permitting efforts. The grant program was established to help jurisdictions implement this program.
- CALBO advocated to get as much funding as possible for jurisdictions to comply with this bill if it became law.
- The California Energy Commission has established a \$20M grant program to make up to \$40,000 based on population size.
- Funding can go to: Training, software upgrades, subscription costs, and numerous others.
- Apply here: <https://www.energy.ca.gov/programs-and-topics/programs/california-automated-permit-processing-program-calapp>

AB 1124 Solar Permit Fees

- Redefines a solar energy system to include solar racking, mounting, elevated solar support structure, solar carports, shade structure, awnings, canopies, and shade structure regardless of if it is either on the ground or building.
- Adds new permit fee caps for residential and commercial solar systems.
- Residential = \$450 and Commercial= \$1000
- Fees can be increased if a city, county, city and county, or charter city makes a written finding and an adopted resolution or ordinance provides substantial evidence of the reasonable cost to issue the permit.



AB 1124 Permit Cap Specifics

Residential Solar Energy System Fees

PV: \$450 permit fee + \$15 per kilowatt above 15kwh

Thermal: \$450 permit fee + \$15 per kilowatt thermal for each kilowatt thermal above 10kwTH

Commercial Solar Energy System Fees:

PV Systems: \$1000 permit fee + \$7 per kW between 51 kW and 250kW, + \$5 per kW for each kilowatt above 250kW.

Thermal Systems: \$1000 permit fee + \$7 per kilowatt thermal between 30kWth and 260 kWth, + \$5 per kilowatt thermal over 260kWth

AB 970 Electric Vehicle Charging Stations

- Establishes new permit review timelines for Electric Vehicle Charging Station Applications based on project size.

25 stations or fewer:

- 5 business days after application submittal the application will be deemed completed
- 20 business days after an application is ruled complete it will be deemed approved

26 units or more:

- 10 business days after application submittal the application will be deemed complete
- 40 business days after completion, the application will be deemed approved



AB 970 Compliance

- Jurisdictions within a population of 200K or more will have to comply with this January 1, 2022
- Jurisdictions with a population of 200K or less will have to comply with this January 1, 2023



AB 970 Exemptions

Administrative approval has occurred

A finding based on substantial evidence shows there could be an adverse impact to public health and safety

The permit has been denied previously

An appeal has been made to the planning commission

AB 2234: Post-Entitlement Phase Permits

- Requires all local agencies to post an example of a complete, approved application and example online of a complete set of the following post entitlement phase permits: ADU, duplex, multifamily, mixed use, and town home
- These must be posted by January 1, 2024
- Establishes time limits for review of post entitlement phase permits: 30 Business Days for a 25 unit or fewer development project and 60 Business Days for 26 units or more.
- Sets specific timelines for online permitting systems to update applicants over the internet about the status of their application.



AB 2234 Compliance Timelines

For the online post entitlement phase permit systems the following timelines are established:

- A local agency in a county with a population of 1.1 million or more or a local agency with a population of 75,000 or greater in any county must comply by January 1, 2024
- A local agency with a population of fewer than 75,000 in a county with a population of less than 1.1 million may extend the time period by up to 5 years if the legislative body of the local agency makes a written finding that adopting a permitting system online by January 1, 2028 would substantially increase permitting fees.



AB 2234 Exemptions

Time limits shall not apply if local jurisdictions make a written finding within the time limits that more time is needed to review the permit due to the application having a specific adverse impact to public health and safety.

Time limits are frozen while an outside entity is reviewing a permit until the review is returned to the local agency.

Instead of an online permitting system, jurisdictions may establish a process on its website that allows the acceptance of postentitlement phase permits by email instead. It will require updates to occur on email if this process is used.

SB 897: Accessory Dwelling Units

- This bill establishes new regulations on Accessory Dwelling Units (ADUs) including height limits, occupancy changes, and permitting.



SB 897 Specifics

- Requires objective standards for ADUs
- Requires local agencies to review and issue a demolition permit for a detached garage to be replaced by an ADU at the same time it reviews and issues the permit for the ADU
- Increases the maximum height limit to 18 feet if the ADU is within 0.5 miles of a major transit stop or high-quality transit corridor. It can be 25 feet if the ADU is attached to the primary dwelling (if it is not a two-story ADU).
- Specifies that an ADU can not have a Group R occupancy change under the local building code unless the local enforcement agency makes a finding that this is necessary to protect public health and safety.
- States that nothing shall be interpreted to prevent a local agency from changing the occupancy code of a space that was uninhabitable or only permitted for nonresidential use and was subsequently converted to a residential unit.



SB 897 Specifics (Cont'd)

- Prohibits parking standards on ADUs to create a new single-family or multifamily dwelling unit on the same lot.
- Deems approved a permit application for an ADU if it is not approved or denied within 60 days it was received.
- Specifies that enclosed uses within the proposed or existing single-family residence such as an attached garage are considered part of the proposed or existing residence.
- Prohibits a local agency from denying a permit for an unpermitted ADU constructed before January 1, 2018, if it is in violation of building standards unless there is a finding that correcting the violation is necessary to protect the health and safety of the public or occupants of the structure.



DETAILS

SB 1194 Gender-Neutral Restrooms

- Authorizes a city, county, or city and county may require new or renovated public toilet facilities to be designed, constructed, and identified for use by all genders instead of the design standards for separate facilities for men and women.
- These regulations must be adopted by ordinance or resolution and becomes inoperative and repealed when the California Building Code adopts standards that address all-gender, multiuser facilities take effect.



SB 1194 Specific Requirements

Signs in compliance with Title 24 of the California Code of Regulations shall identify the restrooms for use by all genders.

Single-user toilet facilities must comply with Part 5, Title 24 of the California Code of Regulations.

Multiuser toilet facilities must have lavatories located either in toilet rooms or grouped in an immediately adjacent common use area accessible to all users.

Questions?

*Please note this is not official legal advice, talk with your city attorneys more about specific law if further clarification is needed

