

Local Adoption and State Approval Process



This section provides a step-by-step guide to local adoption of the ordinance and submittal of the necessary documentation to the state for approval.

Step 1: Engage Stakeholders

Working with internal and external stakeholders early in the process can help gather support and identify and mitigate potential barriers to adopting the ordinance. The Toolkit contains *Outreach for the Bay Area Solar PV Ordinance* which includes a variety of outreach tools, including commonly asked questions, and a PowerPoint slide deck that describes benefits of the ordinance. The presentation, as well as the other materials, can be easily adapted for workshop presentations to stakeholders.

External stakeholders might include building developers, including affordable housing developers, general contractors, solar companies and community groups. A quick scan of permit applications can help identify additional important stakeholders in the local solar market. Other potential contacts can be found through the [California Solar Energy Industry Association](#), [Building Industry Association](#) and the [Non Profit Housing Association of Northern California](#).

Toolkit materials are also appropriate to share with internal stakeholders such as staff from the planning, building, code enforcement, legal, city manager and other pertinent offices.

Step 2: Customize the Ordinance Template

Local government staff will need to modify the model ordinance to reflect local conditions and conform with their city or county ordinance format. To make this process easier, the Toolkit contains an editable version of the Bay Area Solar PV Ordinance that also includes placeholders for necessary modifications, including identification of the appropriate climate zone (see *Elements of the Ordinance* in the Toolkit for more information). Staff should also consider optional provisions

with special attention given to the findings, alternative compliance strategies and reporting provisions.

A city or county attorney should review a draft of the model ordinance well in advance of a final review to ensure consistency in formatting, terminology, etc. with other local ordinances.

Step 3: Customize the Staff Report Template

The Toolkit provides a staff report template to streamline the preparation of the ordinance for presentation to the local governing body. The template includes staff recommendations, background information, a summary of the ordinance requirements, impacts and a CEQA compliance statement. The Word template can be downloaded for easy editing.

Step 4: Present the Ordinance for Local Adoption

The Toolkit includes all the materials necessary to present the model ordinance to the local governing body for adoption. These materials include the ordinance and cost-effectiveness study, staff report and slide presentation. An ordinance can be submitted to the California Energy Commission (CEC) after the first reading at a public council or board hearing so that CEC staff can begin its review. However, the local jurisdiction must have a second and final reading and submit any revisions to the ordinance before the CEC can post it for public comment.

Step 5: Submit the State Application and Filings for State Approval

Before reach codes are enforceable, they must be approved by the California Energy Commission and filed with the California Building Standards Commission. The following documentation must be submitted to the CEC for approval:

- ◆ adopted ordinance with the date of passage and vote officially recorded.
- ◆ findings, as approved by the local governing body, not otherwise included in the ordinance.
- ◆ statement of code compliance by the jurisdiction's Chief Building Official (or other local government representative) that local energy standards will require new buildings to consume no more energy than permitted, and that the city will continue to enforce Title 24, Part 6 along with the proposed Ordinance.
- ◆ copy of the cost-effectiveness study (See *Cost-Effectiveness Study* in Toolkit).

The application will be reviewed by California Energy Commission staff, and if found to be complete, included on the agenda of the Energy Commission for approval after a 60-day public comment period. Agencies should anticipate that approval may take up to 90 days from the submission date. Submissions for reach code approval should be submitted by email or regular mail to:

Ingrid Neumann
California Energy Commission
1516 9th Street, MS-37
Sacramento, CA 95814
Ingrid.Neumann@energy.ca.gov

Upon approval, the same packet, along with a copy of the CEC resolution, must be submitted to the Building Standards Commission at:

California Building Standards Commission
ATTN: Ordinance Filing
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833
ordinancefilings@dgs.ca.gov