RESOLUTION NO. 24354

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS ESTABLISHING A POLICY FOR THE PROVISION OF SOLAR PHOTOVOLTAIC SYSTEMS AS PART OF DISCRETIONARY APPROVALS FOR NEW RESIDENTIAL DEVELOPMENT.

A. The City of Palm Springs General Plan, adopted by the City Council in October 2007, establishes goals to encourage the use of alternative energy sources, incorporate energy efficiency in building design, and to make the maximum use of solar electric capabilities.

B. The Sustainability Plan, adopted by the City Council in June 2016, establishes goals to increase the provision of energy from renewable sources and to require solar-generated power for new residential buildings.

C. The City Council and the Sustainability Commission held a joint meeting on June 23, 2016, and at that meeting, the City Council directed the Sustainability Commission to initiate research into the costs, incentives, threshold requirements, and impacts of mandatory solar requirements.

D. On December 21, 2016, the Sustainability Commission recommended approval of a draft solar ordinance to the City Council, requiring the provision of solar photovoltaic systems for new and remodeled residential units.

E. On April 26, 2017, the Planning Commission recommended approval of a draft solar ordinance to the City Council.

F. On October 4, 2017, a public hearing on the proposed solar ordinance was held by the City Council in accordance with applicable law, and at that meeting, after consideration of the staff report and all testimony presented in conjunction with the item, the City Council referred the ordinance to subcommittee for further review.

G. On October 12, 2017, the Solar Installation Ordinance Ad Hoc Subcommittee of the City Council met and concluded that a policy for the installation of solar photovoltaic systems would provide flexibility in meeting the goals of the General Plan and the Sustainability Plan, while being mindful of efforts of the State of California to require solar systems for residential construction in the near future.

H. On January 3, 2018, the City Council conducted a public meeting on the issue of a solar policy, at which meeting the Council considered the staff report, supporting documentation, and all testimony offered on the subject.

I. The City Council finds that a solar policy will assist in the implementation of the following goals of the City of Palm Springs General Plan:

Goal RC8.2: *Support and encourage the use of alternative energy sources in the construction of new buildings.*

Goal RC8.3: *Encourage and support the incorporation of energy efficiency and conservation practices in subdivision design and building design.*

Goal RC8.13: *Make the maximum use of solar electric capabilities.*

J. The City Council finds that the solar policy will help achieve the following goals of the Sustainability Plan:

- Reduce energy use and carbon use from new homes and buildings.
- Supply 50% of all energy from renewable sources by 2030.
- Develop strategies to reduce community-wide contributions to greenhouse gas emissions to 1990 levels.

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. That the findings and determinations reflected above are true and correct, and are incorporated by this reference herein as the cause and foundation for the action taken by and through this Resolution.

SECTION 2. The policy regarding the requirement for solar photovoltaic panels as part of discretionary approvals for residential development, as contained in Exhibit A, is hereby approved and shall by implemented by staff, the Planning Commission, and the City Council in the review of discretionary applications for new residential development.

ADOPTED THIS 3rd DAY OF JANUARY, 2018.

David H. Ready, Esq., Ph.D.
City Manager

ATTEST:

Anthony J. Mejia, MMC
City Clerk

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF PALM SPRINGS)

I, ANTHONY J. MEJIA, City Clerk of the City of Palm Springs, hereby certify that Resolution No. 24354 is a full, true and correct copy, and was duly adopted at a regular meeting of the City Council of the City of Palm Springs on 3rd day of January, 2018, by the following vote:

AYES:	Councilmembers Holstege, Kors, Middleton, Mayor Pro Tem Roberts, and Mayor Moon
NOES:	None
ABSENT:	None
ABSTAIN:	None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Palm Springs, California, this 7th day of February, 2018.

Anthony J. Mejia, MMC
City Clerk

City Council Policy Statement
Adopted January 3, 2018

SOLAR PHOTOVOLTAIC SYSTEMS FOR NEW RESIDENTIAL DEVELOPMENT

In order to achieve the City's goals for energy efficiency and greenhouse gas reduction pursuant to the City of Palm Springs General Plan and the adopted Sustainability Plan, solar photovoltaic systems may be required as part of the discretionary review process for new residential development in accordance with the provisions listed below.

1. The Planning Commission and/or the City Council may require the provision of solar photovoltaic systems for new single-family and multifamily residential construction as a condition of approval of any of the following discretionary application types:

   a. Architectural Review application (Major only);

   b. Conditional Use Permit application;

   c. Development Agreement application;

   d. Planned Development District application or a major amendment thereto;

   e. Specific Plan application or amendment; or

   f. Variance application.

2. The wattage of the required solar photovoltaic system shall generally be equivalent to two (2) watts times the total square footage of the residential dwelling unit. The Planning Commission and/or the City Council may reduce the required wattage or eliminate the requirement for the solar photovoltaic system altogether due to site conditions, environmental factors, or to meet housing affordability goals.

3. This policy shall not be applicable to the following:

   a. Low-income residential housing, as defined in Section 2852(a)(3) of the California Public Utilities Code if the cost of installation of the system is not fully funded without recourse to the residents;

b. Factory-built housing, as defined by Section 19971 of the California Health and Safety Code;

c. Accessory dwelling units, when constructed on the same parcel as an existing single-family residential dwelling;

d. Housing developments which were fully entitled prior to the date of adoption of this policy; and

e. Housing which is compliant to the development standards of the zoning district in which it is located and which may be approved as a ministerial action.