



COUNTY OF MENDOCINO

DEPARTMENT OF PLANNING AND BUILDING SERVICES

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FACT SHEET

EXEMPTIONS RELATED TO REPLACEMENT ROOFS & ROOF-MOUNTED SOLAR ENERGY SYSTEMS

ORDINANCE NO. 4530

On December 19, 2023, the Mendocino County Board of Supervisors adopted Ordinance No. 4530 exempting like-for-like replacement roofs and roof-mounted solar energy systems from all discretionary review that may be required in the Coastal Zone (specifically Division II and Division III of Mendocino County Code). The following fact sheet provides guidance to property owners seeking to utilize Ordinance No. 4530.

Important definitions as provided in Ordinance No. 4530:

“Replacement Roof” means complete or partial removal of the existing roof covering, repairing or replacing any damaged sheeting, and installing a new roof covering of the same material and color as the existing roof covering.

“Solar Energy System” means all equipment, parts and materials that enable the generation and use of solar electricity or solar-heated water, including any monitoring and control, safety, conversion, and emergency responder equipment necessary to connect to electrical service or plumbing and any equipment, as well as any equipment necessary to connect the energy generated to the electrical grid, whether that connection is onsite or on an adjacent parcel of the building and separated only by an improved right-of-way. A Solar Energy System does not include a substation.

“Eligible Solar Energy System” means a roof-mounted Solar Energy System on an existing, legally constructed, building that does not require any of the following permits:

1. An individual federal permit pursuant to Section 401 or 404 of the federal Clean Water Act (33 U.S.C. Sec. 1341 or 1344) or waste discharge requirements pursuant to the Porter-Cologne Water Quality Control Act (Division 7 (commencing with Section 13000) of the Water Code).
2. An individual take permit for species protected under the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.) or the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code).
3. A streambed alteration permit pursuant to Chapter 6 (commencing with Section 1600) of Division 2 of the Fish and Game Code.

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- If your property has past permitting issued by the California Coastal Commission, the provisions of Ordinance No. 4530 may not apply to you. Properties developed prior to 1992 may have a permit issued by the California Coastal Commission. It is recommended that if you have a prior permit issued by the California Coastal Commission that you contact their office at (707) 826-8950 to ensure no amendments to any issued permits with their office are required.
 - Eligible Solar Energy Systems and Replacement Roofs are exempt from discretionary permit requirements of Division II and Division III of Mendocino County Code and from review by the Planning Division.
 - Eligible Solar Energy Systems and Replacement Roofs shall comply with the maximum height limit standards for the zoning district in which the property is located.
 - Eligible Solar Energy Systems and Replacement Roofs require a building permit issued pursuant to Title 18 of Mendocino County Code and shall comply with all applicable federal, state and local laws and regulations.
 - All construction materials associated with an Eligible Solar Energy System or Replacement Roof shall be stored in already disturbed areas of a property including parking areas or decks.
 - Ground disturbance for an Eligible Solar Energy System shall be limited to the minimum necessary to trench to any electrical meter or panel. No new ground disturbance is permissible for a Replacement Roof.