



CITY OF MILPITAS

Office of Building Safety
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Milpitas, CA 95035
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www.milpitas.gov

Policy:	BDP-BLG37
Effective Date:	10/28/14
Proposed by:	BYC
Last Reviewed/ Revised:	2/13/24
Reviewed/ Revised by:	BYC

SOLAR PHOTOVOLTAIC PANELS SUPPORTED BY A STRUCTURE OVER PARKING STALLS

Approved By:
Building Official

CODE REFERENCES:

2022 CBC Section 503.1 Exception 3

ISSUES:

2022 CBC Section 503.1 Exception 3 exempts a structure supporting solar photovoltaic panels over parking stalls from the building area and height limits provided the five conditions listed are met. In addition to the building code requirements, these structures are also subject to other City Departments' requirements. This policy will provide general Building Code and City requirements of these structures. Note that this policy provides only general guidelines, each project condition will be subject to review on a case-by-case basis.

POLICY:

Office of Building Safety Requirements based on 2022 CBC sec. 503.1 exception 3:

1. The area within the perimeter of the photovoltaic array has max. rectangular dimension of 40' x 150'.
2. The distance between solar photovoltaic array structures is a min. of 10' clear.
3. The driveway aisle separating solar photovoltaic array structures has a min. width of 25' clear.
4. Solar photovoltaic array structure is used only for parking purposes with no storage.
5. Completely open on all sides (other than necessary structural supports) with no interior partitions.
6. Solar photovoltaic array less than 10' from adjacent structure on the same lot will be subject to allowable building area and height limit per CBC sec. 503.
7. Solar photovoltaic array meeting CBC sec. 503.1 exception 3 is only exempt from building area and height limit requirements and is not exempt from other building code requirements such as min. distance of projection per CBC Table 705.2 and fire rating requirements per CBC Table 705.5.

Fire Department Requirements:

1. Fire apparatus access roads: Encroachment of any type by the photovoltaic system is not permitted into the designated fire apparatus access road and/or driveway. (2022 CA Fire Code Section 503.4)
2. Fire devices clearance: The photovoltaic system shall not be installed over fire protection devices (hydrants, Fire Department Connection Valves, Post Indicating Valves, etc). Fire protection devices shall not be surrounded by the photovoltaic system on all sides. At least one side shall be open for access to such devices, on the fire access door/driveway, and such access shall be approved by the Fire Department. Provide a minimum of 10 feet

clearance to the photovoltaic system on all sides of the fire protection devices. (2022 CA Fire Code Sections 507.5.4 and 102.9)

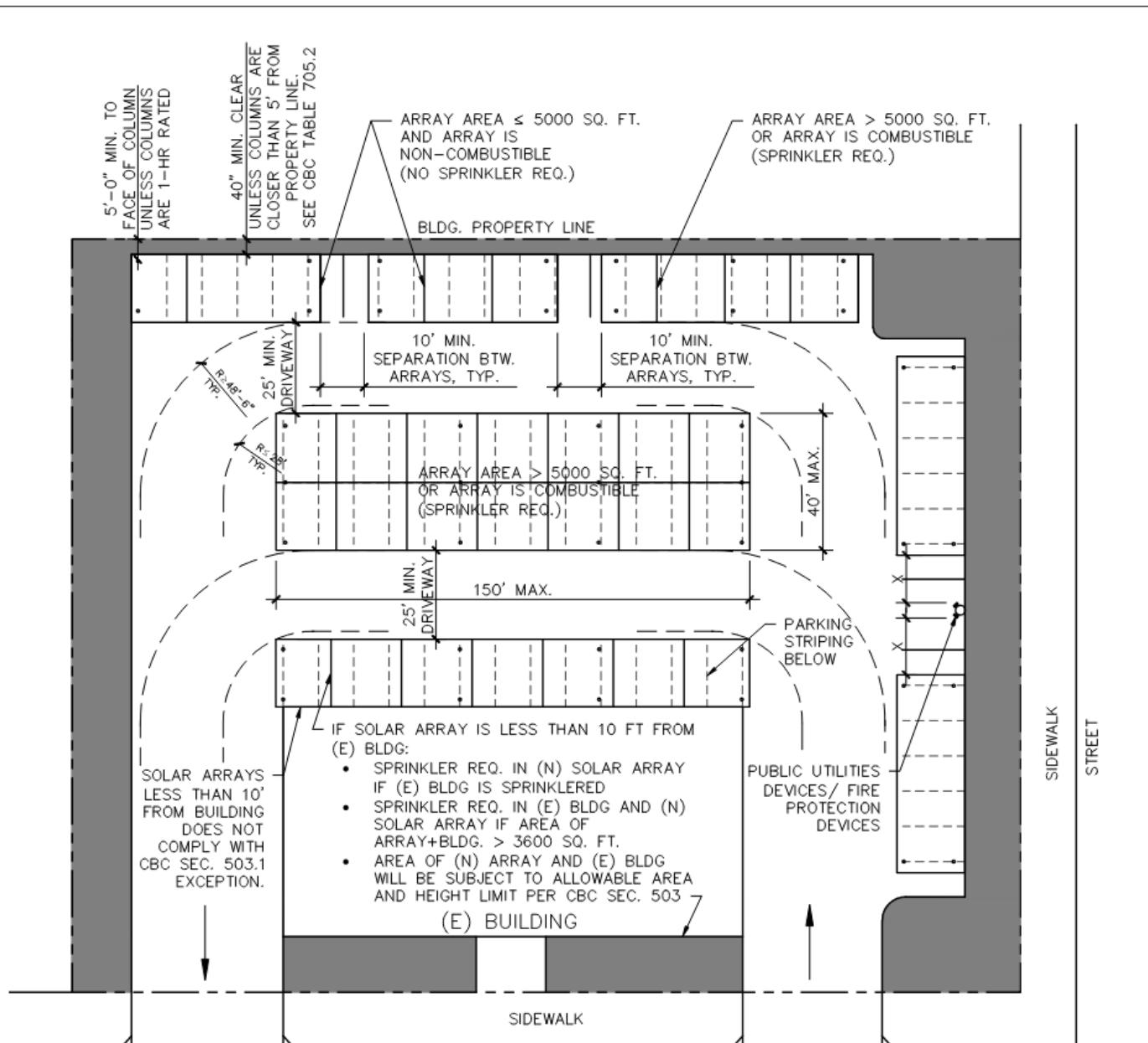
3. Fire Sprinklers and Structure Separation: When the photovoltaic array structures are of non-combustible construction and less than 5,000 sq. ft., and they are not provided with an automatic fire sprinkler system, such structures shall be separated by not less than 10 feet. (2023 Milpitas Municipal Code Section V-300.2.82, 2022 CA Fire Code 903.2 and Section 102.9)
4. Photovoltaic array adjacent to existing structures: When a photovoltaic system is attached to or less than 10 feet from an existing structure that has automatic fire sprinklers, automatic fire sprinkler shall be provided. (NFPA 13) When the photovoltaic system is attached to or less than 10 feet from an existing non-sprinklered structure and the total area of the existing structure and the photovoltaic system exceeds 3600 sq ft, the existing structure and the photovoltaic system shall be provided with automatic fire sprinkler system. (2023 Milpitas Municipal Code Section V-300.2.82, 2022 CA Fire Code 903.2)
5. Fire Truck Access: The photovoltaic system shall allow fire truck access through the driveway with outside turning radius of min. 48'-6" and inside turning radius of max. 28'-0".

Planning Department Requirements:

1. Ground mounted solar photovoltaic systems are considered as accessory buildings and structures, per Milpitas Municipal Code Section XI-10-54.08. Planning Staff provides site and architectural review for the installation of solar photovoltaic systems for compliance with the zoning district development standards for height, setback, and any other applicable zoning regulations.
2. Solar photovoltaic systems shall have a minimum set back of 3' from any side or rear lot line. (Milpitas Municipal Code Section XI-10-54.08.A.3)
3. Solar photovoltaic systems shall be properly sited and designed so that it shall not cause any obstructions to the site circulations, parking spaces, landscaping, or conflict with any clearances for above or underground utilities or other improvements on the ground or building.

Engineering Department Requirements:

1. The solar photovoltaic systems shall not be located within existing easements or over public utilities.
2. The solar photovoltaic systems shall not block the circulation of trash collection vehicles and emergency vehicles. The systems must remain outside the vehicle path represented by the turning template for solid waste vehicle collection for a height of 15'-0".
3. The solar photovoltaic systems shall not prevent access to meters, backflow preventers, etc. A 5' min. clearance shall be maintained from these facilities.
4. The drainage from the solar photovoltaic systems shall be treated like any other impervious surface.



X=10' MIN. TO FIRE PROTECTION DEVICES
X=5' MIN. TO PUBLIC UTILITIES DEVICES

STREET

NOTE: THIS DIAGRAM IS A DIAGRAMATIC ILLUSTRATION OF SOME REQUIREMENTS ON SOLAR PHOTOVOLTAIC SYSTEM OVER PARKING STALLS. NOT ALL REQUIREMENTS ARE SHOWN IN THIS DIAGRAM. SEE POLICY FOR FULL DESCRIPTION OF ALL REQUIREMENTS.

REV.	DATE	BY:	SCALE: N.T.S.
1	9/11/17	BYC	DATE: 02/21/24
2	2/21/24	JL	CREATED BY: BYC
			DRAWN BY: JL
			REV. REVIEWED BY: FIRE, ENG. LD., PLANNING, BLDG.

City of Milpitas
Building Safety Department
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SHEET
3
OF 3 SHEETS