"We are a welcoming, active and business-friendly rural foothill community built on California's rich gold rush history."

Planning Commission Staff Report

Meeting Date: November 17, 2026
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PROJECT INFORMATION SUMMARY

Case File: Ordinance Amendment (ZOA) 26-09 – AB 1738

Request: Consideration of a request to amend the Placerville Municipal Code via Ordinance Amendment (ZOA) 26-09, proposing to add Section 11 to Title 4, Chapter 1 (4-1-11: Remote Virtual Inspections) to implement state-mandated remote inspection options for qualifying residential projects required by Assembly Bill 1738 (AB 1738); and a determination that the amendment is exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Section Section 15061(b)(3).

Summary Recommendation:

Recommend that the City Council determine the project is exempt from CEQA under Guidelines Section 15061(b)(3) "Common Sense Exemption", and adopt the ordinance to add Title 4, Chapter 1, Section 11 to integrate the remote inspection framework, ensuring strict municipal compliance with California Health and Safety Code Section 17970.9.

PURPOSE

On September 18, 2026, the California Legislature enacted Assembly Bill 1738 (AB 1738), adding Section 17970.9 to the Health and Safety Code. This statute requires local building enforcement agencies to provide homeowners and licensed contractors with the option to utilize Remote Virtual Inspections (RVIs) for minor, lower-risk residential construction and clean energy installations. The goal of this legislation is to accelerate housing permit finalizations, reduce municipal vehicle travel, and optimize department inspection resources. Full compliance is mandated by January 1, 2028.

While Title 4 traditionally covers construction and building regulations, processing this update through Ordinance Amendment (ZOA) 26-09 establishes the formal legal link between the city's broader development standards and its streamlined housing goals. This creates a brand-new section—4-1-11: Remote Virtual Inspections—to explicitly outline eligible project scopes, preserve inspector field discretion, and protect municipal enforcement rights.

PROJECT ELIGIBILITY & WORK SCOPE

Per Health and Safety Code Section 17970.9, remote inspections under ZOA 26-09 are capped at lower-risk residential upgrades:

Mandated RVI Eligible Projects	Explicit Exclusions & Carve-outs
• Heat pump water heaters & supporting electrical • Heat pump HVAC systems • Residential reroofs • Solar PV (≤ 15 kW AC) & energy storage • Smoke & Carbon Monoxide (CO) detectors	• New or upgraded main electrical services • High-risk utility expansions • Multi-family buildings (3+ units) • Commercial or industrial properties

KEY ORDINANCE PROVISIONS & SAFETY CONTROLS

To balance state-mandated streamlining with community safety, ZOA 26-09 embeds strict operational guardrails:

- Inspector Autonomy & Conversion: The building department retains full discretion over whether to utilize live videoconferencing or review submitted media. Crucially, an inspector can convert any remote inspection to an in-person visit if they determine full sensory, on-site evaluation is needed.
- Onsite Verification Audits: To deter fraud or corner-cutting, the Building Official is authorized to conduct random onsite audits to cross-check work approved through RVIs.
- Enforcement Penalties: Homeowners or contractors caught willfully misrepresenting work during a remote inspection will face a temporary ban from the RVI program and standard code enforcement citations.
- Cost and Schedule Equity: Remote options must be delivered at no greater cost and with no greater processing delay than a traditional in-person inspection.
- Statutory Liability Protection: The ordinance mirrors state law by ensuring that all municipal immunities (Government Code Sections 818.4 and 818.6) extend seamlessly to remote inspection methods.

BACKGROUND & LOCAL PRECEDENT

The City of Placerville is uniquely positioned to adopt this state mandate, as the Development Services Department has successfully utilized virtual inspection workflows in the recent past. Most notably, the City continues to successfully conduct its Certificate of Lateral Compliance verification process virtually.

Building upon this established local precedent and technical infrastructure, ZOA 26-09 expands the City's existing virtual protocols to encompass the specific residential and clean energy improvements mandated by the state. This codification transitions the City's remote capabilities

from localized specialty programs into a permanent, standardized option within the municipal building regulations.

ENVIRONMENTAL REVIEW

The City has determined that ZOA 26-09 is exempt from environmental review under CEQA Guidelines §15061(b)(3) (Common Sense Exemption), as it consists solely of administrative and procedural code updates without authorizing new physical development or altering land-use densities.

RECOMMENDED PLANNING COMMISSION ACTION

Hold a public meeting; and,

The Planning Commission may take one of the following actions based on the analysis provided:

1. Find that Ordinance Amendment (ZOA) 26-09 is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3), because it can be seen with certainty that there is no possibility that the adoption of these administrative water conservation regulations will have a significant effect on the environment, and direct staff to file a Notice of Exemption (NOE) following City Council adoption.
    a. Forward a recommendation of approval to the City Council to add Title 4, Chapter 1, Section 11 of the Placerville Municipal Code to implement state-mandated remote inspection options for qualifying residential projects required by Assembly Bill 1738 (AB 1738); or,
    b. Forward a Resolution recommending approval with modifications to the City Council; or,

2. Forward a Resolution recommending of denial to the City Council

If adopted, the Code additions of Title 4, Chapter 1, Section 11 of the Placerville Municipal Code become effective 30 days post-adoption by City Council per Government Code §36937. This aligns with state mandates and there are no General Plan conflicts.

ATTACHMENTS

A. Assembly Bill (AB) 1738
B. Draft Ordinance
C. Draft Resolution
D. Proof of Publication

INCORPORATED BY REFERENCE

City of Placerville General Plan
City of Placerville Zoning Ordinance
Contents of City of Placerville Planning Department Project File for Ordinance Amendment ZOA 26-09