

ATTACHMENT L: ORDINANCE

ORDINANCE NO. _____

AN ORDINANCE AMENDING ARTICLE II, ORGANIZATION AND ENFORCEMENT, OF CHAPTER 10, BUILDING REGULATIONS, OF THE COUNTY CODE, BY AMENDING SECTION 10-2.6, PERMITS, INSPECTIONS AND FEES, TO ADD PROCEDURES FOR THE PROCESSING OF SOLAR USE PERMITS.

Case No. 09ORD-00000-00011

The Board of Supervisors of the County of Santa Barbara, State of California, ordains as follows:

SECTION 1:

Section 10-2.6, Permits, Inspections and Fees, of Article II, Organization and Enforcement, of Chapter 10, Building Regulations, of the Santa Barbara County Code, is amended to add a new Subsection (g), Solar Use Permit, to read as follows:

(g) Solar Use Permit. The Building Official may require the submission of an application for a Solar Use Permit if he has a good faith belief that a proposed solar energy system could have a specific, adverse impact upon the public health and safety.

The decision of the Building Official to require the submission of a Solar Use Permit may be appealed to the County Planning Commission in compliance with Chapter 35.102, Appeals, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code, or to the Montecito Planning Commission in compliance with Chapter 35.492, Appeals, of Section 35-2, the Santa Barbara County Montecito Land Use and Development Code, of Chapter 35, Zoning, of the County Code, as applicable depending on the location of the proposed solar energy system.

An application for a Solar Use Permit shall be submitted and processed in compliance with Section 35.30.160, Solar Energy Systems, of Chapter 35.30, Standards for All Development, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code, or in compliance with Chapter 35.430.160, Solar Energy Systems, of Section 35-2, the Santa Barbara County Montecito Land Use and Development Code, of Chapter 35, Zoning, of the County Code, as applicable depending on the location of the proposed solar energy system.

SECTION 2:

Except as amended by this Ordinance, Chapter 35.2, Chapter 35.3, Chapter 35.10 and Chapter 35.11 of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code, shall remain unchanged and shall continue in full force and effect.

SECTION 3:

This ordinance shall take effect and be in force 30 days from the date of its passage and before the expiration of 15 days after its passage a summary of it shall be published once together with the names of the members of the Board of Supervisors voting for and against the same in the Santa Barbara News-Press, a newspaper of general circulation published in the County of Santa Barbara.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this _____ day of _____, 2009, by the following vote:

AYES:
NOES:
ABSTAINED:
ABSENT:

JOSEPH CENTENO
Chair, Board of Supervisors
County of Santa Barbara

ATTEST:

MICHAEL F. BROWN
Clerk of the Board of Supervisors

By _____
Deputy Clerk

APPROVED AS TO FORM:

DENNIS A. MARSHALL
County Counsel

By _____
Deputy County Counsel