

ATTACHMENT F: FINDINGS

CASE NO. 09ORD-00000-00002

In compliance with Section 35.494.060 (Findings Required for Approval of Amendment) of the Santa Barbara County Montecito Land Use and Development Code (Montecito LUDC), the following findings shall be made by the Montecito Planning Commission in order to recommend approval of a text amendment to the Montecito LUDC, and the Board of Supervisors shall adopt the following findings in order to approve a text amendment to the Montecito LUDC:

1. The request is in the interests of the general community welfare.

The proposed ordinance amendment is in the interest of the general community welfare since the amendment provides for a more efficient permitting process for solar energy systems in order to promote more efficient energy generation. The proposed ordinance is also consistent with the stated intent Government Code Section 65850.5 “to promote and encourage the use of solar energy systems and to limit obstacles to their use” and complies with the restrictions on the review and permitting of solar energy systems.

2. The request is consistent with the Comprehensive Plan including the Montecito Community Plan, the requirements of State planning and zoning laws, and the County LUDC.

Adoption of the proposed ordinance amendment will provide a more efficient review process for solar energy systems by shifting the permit requirement for freestanding solar energy systems in the Inland area from a Land Use Permit to being exempt from planning permits while maintaining the existing requirement for a Coastal Development Permit for solar energy systems located in the Coastal Zone to maintain consistency with the Coastal Act. Additionally, the County Building Official may require the submission of any application for a Solar Use Permit if he has a good faith belief that the solar energy system could have a specific adverse impact upon the public health and safety. Solar energy systems which are exempt from planning permits are still required to be established and operated in compliance with all the setback requirements, height limits, and all other applicable standards of the Montecito Land Use and Development Code, including those standards that implement the Comprehensive Plan including the Montecito Community Plan.

These revisions will not result in any inconsistencies with the adopted policies and development standards of the County’s Comprehensive Plan including the Montecito Community Plan. The proposed ordinance amendment is also consistent with the remaining portions of the Montecito LUDC that would not be revised by this amendment. Therefore, this amendment may be found consistent with the Comprehensive Plan including the Montecito Community Plan, the requirements of State Planning and Zoning Laws, and the Montecito LUDC.

3. The request is consistent with good zoning and planning practices.

The proposed amendment is consistent with sound zoning and planning practices in that it implements Government Code Section 65850.5 yet also maintains consistency with the Coastal Act and also allows the County to protect the public health and safety. As discussed above in Finding 2, the amendment is consistent with the Comprehensive Plan including the Montecito Community Plan, and the Montecito LUDC.