

CHAPTER 2.5

DESIGN FOR SOLAR ACCESS

322.5-1. FINDINGS.

(a) The use of natural heating opportunities present on a new building site is a cost effective method of reducing consumption of nonrenewable energy sources for heating over the lifetime of a structure.

(b) Proper orientation of buildings is required to fully use available solar energy.

(c) These measures will benefit the citizens of Humboldt County by reducing dependence on nonrenewable energy sources. (Ord. 1552, § 1, 9/21/82)

322.5-2. ENABLING LEGISLATION.

The Subdivision Map Act (Government Code § 66473.1) requires that the design of a subdivision provide, to the extent feasible for future passive or natural heating and cooling. (Ord. 1552, § 1, 9/21/82)

322.5-3. PURPOSE AND INTENT.

It is the purpose and intent of this chapter that, for developments to which this chapter applies, natural heating and cooling opportunities be included with all other design considerations and be pursued whenever the benefits in terms of energy conservation and the potential for solar energy development are greater than the associated negative impacts. It is not intended that the requirements of this chapter reduce the densities or the percentage of buildable lot area allowed at the time a tentative map or use permit is filed, or cause the unnecessary destruction of trees. (Ord. 1552, § 1, 9/21/82)

322.5-4. DEFINITIONS.

For purposes of this section:

(a) "Adequate solar access" means that sunlight reaches 80 percent (80%) of the south side of the primary building, measured from the highest roof ridge to the ground, between the hours of 10:00 a.m. and 2:00 p.m. on December 21.

(b) "Feasible" means capable of being accomplished in a successful manner in a reasonable amount of time taking into account economic, environmental, social and technological factors and views. (Source: Government Code § 66473.1).

(c) "Primary Building" means the dwelling house on a lot or a dwelling unit in a planned unit development. A dwelling has cooking, bathing and sanitary facilities.

(d) "View" means a scenic vista which is a unique asset to a building site and which has aesthetically significant value. (Ord. 1552, § 1, 9/21/82)

322.5-5. DESIGN FOR SOLAR ACCESS REQUIRED.

The design and layout of a planned unit development or a subdivision which proposes to create five (5) or more new parcels shall provide, to the extent feasible, for adequate solar access. This chapter does not apply to a condominium project which divides the airspace in an existing building when no new structure is added. (Government Code § 66475.3) (Ord. 1552, § 1, 9/21/82)

322.5-6. ADEQUATE SOLAR ACCESS.

A development described in § 322.5-5 has adequate solar access when:

(a) The lot size and configuration allows at least 80 percent (80%) of the primary buildings to have their short axes aligned between 15 degrees (15°) east of south and 30 degrees (30°) west of south.

(b) The south side of the primary building has adequate solar access.

(c) A lot for which adequate solar access is not feasible provides as much solar access as possible.

(d) The lot size and configuration insures that no additional shadows will be case on the south side of an existing building between the hours of 10:00 a.m. and 2:00 p.m. on December 21.

(e) To the extent feasible the streets are oriented within fifteen degrees (15°) east - west. (Ord. 1552, § 1, 9/21/82)

322.5-7. APPLICATION.

(a) Preliminary Data. For a development described in § 322.5-5, the Planning Department may require an appropriate shade projection map which shows, for the purposed development and abutting property, shadows cast by existing buildings and plants more than ten feet (10') high and by proposed buildings between the hours of 10:00 a.m. and 2:00 p.m. on December 21.

(b) Additional Data. If the shade projection map indicates that a shadow is cast on a primary building, specific detailed elevations of the south side of the building shall be submitted to show compliance with this chapter. (Ord. 1552, § 1, 9/21/82)

322.5-8. EXEMPTION PROCEDURE.

(a) An applicant may apply to the Planning Director for an exemption from this chapter. The application for an exemption shall be accompanied by such information as the Planning Department requires and by a fee established by the Board of Supervisors.

(b) The Planning Director shall give written notice of his decision to the applicant and shall give public notice of his decision by publishing it once in a newspaper of general circulation.

(c) Any person aggrieved by the decision of the Planning Director may appeal to the Environmental Appeals Board. The appeal shall be filed with the Planning Department within ten (10) days of the day the notice is published and shall be accompanied by a written statement of the reasons why the decision was in error and by a fee established by the Board of Supervisors.

(d) The Environmental Appeals Board shall convene and decide the appeals at the earliest possible date. The decision of the Environmental Appeals Board is final and binding. (Ord. 1552, § 1, 9/21/82)

322.5-9. CAUSE FOR EXEMPTION.

An exemption from the requirements of this chapter may be granted upon a finding that:

(a) Compliance would reduce densities below those allowed by the zoning at the time the application is submitted; or

(b) Compliance is not feasible; or

(c) Compliance would preclude orienting the primary building to the best available view; or

(d) All lots in the proposed development are one (1) acre or larger in size and lot configuration does not constrain solar access. (Ord. 1552, § 1, 9/21/82)