

ATTACHMENT C

SOLAR PERMITTING GUIDE

[Article 11: Energy and Telecommunications Development Standards \(amlegal.com\)](#)

Ministerial Permitting (Building Permit Only)

- **Small Accessory Use Ground-Mounted and Roof-Mounted Solar Energy Systems** (*systems up to but no greater than 10kW*)
 - Permitted over the counter with a building permit. These are very small systems that qualify for streamlined permitting under the Solar Rights Act.
- **Accessory Solar Energy Systems** (*greater than 10kW and up to 2.5 acres*)
 - Small systems that are permitted by-right and do not require a separate Planning application review.
 - Planner reviews the building permit to ensure it meets code requirements and does not need any further zoning review.

Ministerial Permitting Requiring Administrative Planning Review

- **Accessory Solar Energy Systems** (*greater than 2.5 acres and up to 7.5 acres*)
 - Onsite serving uses only, i.e., these systems do not feed the grid for offsite consumption.
 - Accessory systems require an administrative (non-discretionary) Site Plan Review by Planning before building permit submittal.
 - Planning ensures the system meets the zoning requirements in the ordinance; if not, a discretionary Use Permit may be required.
- **Medium-Sized Solar Energy Systems** (*greater than 7.5 acres and up to 30 acres or produces up to 1 MW for offsite consumption*)
 - Administrative Site Plan Review is allowed if the system **is not** located on prime farmland or Williamson Act contracted land and will not remove Swainson's hawk foraging habitat.
 - At the discretion of the Director, a Use Permit may be required.

Discretionary Review Requiring Use Permit and Agricultural Mitigation

- **Medium-Sized Solar Energy Systems** (*greater than 7.5 acres and up to 30 acres or produces up to 1 MW for offsite consumption*)
 - Discretionary Minor Use Permit is required if the medium-sized system will be located on prime farmland or land enrolled in the Williamson Act, or if it will remove more than 2.5 acres of Swainson's hawk foraging habitat.
 - Medium-sized systems that generate energy solely to offset agricultural operational demands are not subject to agricultural mitigation.
 - Systems that feed the grid for offsite consumption are required to mitigate for the permanent loss of agricultural lands and are subject to the Agricultural Conservation and Mitigation Program Ordinance: [Sec. 8-2.404. Agricultural Conservation and Mitigation Program. \(amlegal.com\)](#)
- **Large-Scale Solar Energy Systems** (*greater than 30 acres*)
 - Large-scale (utility) systems are subject to a discretionary Major Use Permit and require agricultural mitigation under the Agricultural Conservation and Mitigation Program.
 - Large-scale systems no greater than 120 acres in size can be approved by the Planning Commission.
 - Systems greater than 120 acres require approval from the Board upon a recommendation from the Commission.