



Department of Development Services

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AGENDA REPORT

DATE: August 10, 2017
TO: Butte County Planning Commission
FROM: Dan Breedon, AICP, Principal Planner
RE: **Final Recommendation on the Draft Butte County Utility-Scale Solar Guide (Sustainable Communities Planning Grant)**

I. RECOMMENDATION

1. Adopt a Resolution recommending to the Board of Supervisors the approval of the Butte Utility-Scale Solar Guide and related Mapping Tool (**Attachment A**).

II. BACKGROUND

Introduction

Development Services staff requests that the Planning Commission review the *Draft Butte Utility-Scale Solar Guide* ("Draft Guide"), provide any further direction to staff, and forward a recommendation to the Board of Supervisors. The Draft Guide is a component of the PowerButte initiative and is a resource for anyone interested in learning more about utility-scale solar facilities within unincorporated Butte County, including landowners, developers, community members, County staff, and decision-makers. The Draft Guide also provides general information about solar energy and sets a framework for the consideration of utility-scale solar facilities in Butte County. The project also includes a Mapping Tool that provides a variety of mapping information to assist the user in determining parcel suitability for utility-scale solar facilities. The Draft Guide and related Mapping Tool is the culmination of a multi-year process funded through the Sustainable Communities Planning Grant and Incentives Program and administered by the Department of Conservation.

Sustainable Communities Planning Grant and Incentives Program

On February 11, 2014 the Board of Supervisors unanimously adopted Resolution No. 14-013 approving an application for grant funds under the Sustainable Communities Planning Grant and Incentives Program (Proposition 84) administered by the Department of Conservation. The grant funds would be used to develop a Renewable Energy Overlay in support of the Butte County Climate Action Plan. This Grant Application was awarded by Strategic Growth Council on June 3, 2014.

Public Outreach

Over the ensuing months, Development Services staff, working with PlaceWorks consulting, followed a process for developing this project in accordance with the awarded grant. This included a substantial public outreach effort, the development of the power.buttecounty.net website and a variety of other work products. This process was intended to build upon the existing framework for renewable energy development established by the County's General Plan and Climate Action Plan. This began with outreach to local stakeholders, the community, and County decision-makers to engage, educate, and learn more about the context for, and tradeoffs with, large-scale solar energy facilities in Butte County.

As part of this outreach, the County met several times with a group of expert local stakeholders representing a wide variety of interests, and hosted a series of five community workshops held between June 2015 and May 2016, to craft a shared vision for Butte County's future with respect to utility-scale solar facilities, as well as a set of guiding principles, for implementation of that vision. The Planning Commission and Board of Supervisors then reviewed, refined, and accepted the vision statement and guiding principles at meetings held on July 30, and August 25, 2015.

Draft Butte Utility-Scale Solar Guide Process

While this project was originally conceived as a solar overlay zone to streamline the development of utility-scale solar facilities in Butte County, the input received during the process suggested that a case-by-case evaluation of facilities through a conditional use permit is more appropriate, especially given significant concerns about impacts to grazing lands and agricultural resources (refer to Section III. –Agricultural Resources, below). Changes to the current requirements in the Zoning Ordinance were no longer considered a necessary part of the project.

The project was subsequently re-conceptualized as the *Butte Utility-Scale Solar Guide*, which compiles the vision, guiding principles, research, mapping, and analysis that had been completed in the project's first phase into a user-friendly document that informs the community, property owners, solar developers, County staff, and decision-makers about the regulatory, technical, siting and design contexts for large-scale solar facilities. The revised project was supported by the Planning Commission at a public hearing held on November 10, 2016, and directed by the Board of Supervisors at a public hearing held on December 6, 2017.

Butte County General Plan and Climate Action Plan Support

The County's General Plan contains a strong commitment to sustainability, and incorporates those principles into land use decisions. At the same time, the preparation of the County's first Climate Action Plan (CAP), adopted February 25, 2014, has shown that increasing alternative energy production in the County can achieve substantial Greenhouse Gas (GHG) emissions reductions.

The CAP establishes measures and implementation actions that serve as the County's strategy to reduce GHG emissions. The CAP is an implementation tool of the County General Plan, serving as the County's mitigation strategy to address climate change consistent with the California Environmental Quality Act (CEQA) Guidelines criteria for a Qualified GHG Reduction Strategy. Reduction targets in the CAP call for a 15% reduction below baseline 2006 GHG emissions levels by 2020 consistent with state guidelines, and a 42% reduction below baseline 2006 levels by 2030, which is the General Plan horizon year.

The Draft Guide and related Mapping Tool, while not directly responsible for the reduction of GHG in Butte County, plays a supportive role in the County's and State's GHG reduction strategies and goals, providing high quality localized information and education regarding the subject of utility-scale solar siting and development.

III. ANALYSIS

Organized as a guide, this document is intended to provide constructive information to support the responsible development of utility-scale solar facilities in Butte County, which is sensitive to local contexts, settings, and the environment. The Draft Guide does not authorize any development or guarantee that any site can ultimately be permitted to develop. All utility-scale solar facilities will continue to be subject to a Conditional Use Permit in accordance with the Butte County Zoning Ordinance.

The overarching Vision Statement developed through public outreach and Board of Supervisors direction for this project states the following:

Butte County is a place for clean, abundant, and renewable energy supported by technological innovation. Energy generated within the County contributes to economic development, environmental protection, reduced dependence on fossil fuels, and lower greenhouse gas emissions. Locally-produced clean energy also supports an affordable and reliable power network for local residences, businesses, and agricultural operations as well as throughout the state. Utility-scale solar facility development complements the County's scenic qualities, avoids impacts to agricultural resources, and is sited and designed in harmony with Butte County's communities, residential neighborhoods, and cities.

In accordance with the Vision Statement, Guiding Principles were also developed with extensive community and decision-maker input to ensure the process stayed on track and was developed with strong ties to community needs and desires. The Guiding Principles are provided in their entirety under Chapter 1 of the Guide.

Butte Utility-Scale Solar Guide Organization

The Draft Guide has been written and organized to address many types of users, including landowners, developers, staff, decision-makers and the general public. The Draft Guide strives to be clearly organized and efficient in providing guidance and information to the reader. The Draft Guide is written to enable those with little knowledge about this subject to become more educated, and to provide greater resources for the expert to become more knowledgeable about Butte County's approach to utility-scale solar development, and is organized into the following six chapters:

Chapter 1 –Welcome

This chapter sets the stage for the Draft Guide by introducing the PowerButte initiative and describing the county's physical and economic context with respect to utility-scale solar development. This chapter also includes the vision and guiding principles that serve as a framework for this Guide.

Chapter 2 –State and Local Context

This chapter discusses the current and projected future status of renewable energy statewide and in Butte County and also looks at the current State and local regulations that govern renewable energy facilities.

Chapter 3 –Development and Design Guidelines

This chapter provides guidance on appropriate locations for siting utility-scale solar facilities and guidelines for facility design, development, and decommissioning. The guidelines cover a range of topics and serve as a resource for anyone preparing an application for a utility-scale solar facility. The guidelines do not establish any new requirements or regulations; rather, they suggest ways to develop facilities to minimize impacts and encourage high-quality design.

Chapter 4 –Permitting process

This chapter outlines the County’s permitting process for utility-scale solar facilities to guide the public through the application and review process. This includes the necessary steps, recommended application materials, additional requirements, the environmental review process, and general guidance on the permitting process at the State and federal levels.

Chapter 5 –Community Benefits

This chapter provides examples of how other cities and counties have incentivized or required “community benefits” as a part of solar facility development. While community benefits are not currently required or formally incentivized in Butte County, this chapter serves as a resource to help facilitate discussion about potential future changes to address this topic.

Chapter 6 –Future Trends & Creative Approaches

This chapter provides County staff, residents, and stakeholders a taste of the new technologies and concepts that will allow for more widespread and effective solar energy systems, and how these innovations may affect utility-scale solar systems in Butte County.

Mapping Tool

An important component to this project and the Draft Guide includes the Utility-Scale Solar Mapping Tool. This tool uses Geographic Information Systems (GIS) technology to display spatial data. The Mapping Tool was developed to assemble various opportunities and constraints to the development of utility-scale solar development and present them in a web-application that is simple to understand and use.

This tool can be used by landowners, developers, planning staff, and decision-makers to learn more about the County as a whole, and to review specific sites that may be suitable for utility-scale solar development throughout the unincorporated County. The Mapping Tool is discussed in the Draft Guide, and is available for the public’s use on

the PowerButte website, power.buttecounty.net. Development Services staff will provide a demonstration of the Mapping Tool at the Planning Commission's hearing.

Suitability Model

The suitability model is another important component included in the Mapping Tool, and discussed in the Draft Guide. This "weighted raster" model takes into account seven "layers" of mapping data that are combined for the user and that display all areas of the County in terms of its suitability for Utility-Scale Solar development. The model also shows areas of the County that are unsuitable for development. The seven layers include:

1. **Unsuitable Areas.** Prime Farmlands, Sensitive Biological Areas, Residential Zones
2. **Farmland Categories.** Grazing Lands are weighted as highly constrained.
3. **Constrained Areas.** Wetlands, Oak Woodlands, Migratory Deer Range, Natural Hazards, Land Use Compatibility.
4. **Constrained Buffers.** Proximity to Residential and Scenic Highway General Plan Designations.
5. **Parcel Size.** Parcels greater than 20 acres are considered most feasible.
6. **Opportunity Areas.** Contaminated Sites, Urban Permit Areas, Neal Road Recycling, Energy, and Waste Facility Overlay Zone, Large Rural Parcels.
7. **Opportunity Buffers.** Proximity to transmission lines and substations.

Agricultural Resources

The Butte County Zoning Ordinance divides Agriculture zones into two categories with respect to Utility-Scale Solar permitting, 1) Prime, Farmlands of Statewide Importance or Unique Farmlands and, 2) Grazing and Other lands. The Butte County Zoning Ordinance does not allow utility-scale solar facilities on agriculturally zoned lands identified as Prime Agricultural Lands, Farmlands of Statewide Significance, or Unique Farmlands by the State Department of Conservation. Agriculturally zoned lands identified as Grazing Lands or Other Lands may be considered for utility-scale solar facilities through a conditional use permit.

During the public outreach process for this project, ranchers and other agricultural groups voiced concerns regarding the potential for loss of grazing lands in Butte County posed by utility-scale solar facility development. Their view is that the economic benefit of the County's valuable winter grazing lands outweigh the benefits of utility scale solar

to ranchers and the County. These groups maintain that utility-scale solar facilities limit rangeland production and groundwater recharge. They do support accessory solar, such as that needed to power a well pump, or an on-site processing facility. Accessory solar differs from utility-scale solar in that accessory solar provides most of the power generated to an on-site agricultural use. Utility-scale solar provides all power directly to the electrical grid, via a local utility, with no power directed to on-site uses.

Situations may nevertheless arise where a property owner with grazing lands may wish to pursue utility-scale solar. The Zoning Ordinance allows consideration on a case-by-case basis under a conditional use permit. In these instances, the Draft Guide encourages that efforts should be made to present the very least amount of impact to existing grazing operations and lands. It is for this reason that Grazing and Other Lands are weighted as highly constrained under the Mapping Tool component of the Draft Guide. This does not alter the ability of any landowner to apply for a conditional use permit. However, it does provide constructive information that will help with the decision making and planning process.

CEQA Review

Because the Butte Utility Scale Solar Guide will not be authorizing any development, no review is required under the California Environmental Quality Act (CEQA).

IV. NEXT STEPS

The Draft Butte Utility Scale Solar Guide will be scheduled for a public hearing at the Board of Supervisors. The Board will be provided with the Planning Commission's recommendations and will be asked to consider the adoption of a Resolution approving the Butte Utility-Scale Solar Guide at a meeting tentatively scheduled for September 12, 2017.

Resolution No. PC _____

RECOMMENDING APPROVAL OF THE BUTTE COUNTY UTILITY-SCALE SOLAR GUIDE AND RELATED MAPPING TOOL TO THE BOARD OF SUPERVISORS, IN ACCORDANCE WITH THE SUSTAINABLE COMMUNITIES PLANNING GRANT AND INCENTIVES PROGRAM ADMINISTERED BY THE DEPARTMENT OF CONSERVATION

WHEREAS, the Board of Supervisors unanimously adopted Resolution No. 14-013 on February 11, 2014 approving the filing of an application for the Renewable Energy Overlay Zone project under the 2014 Sustainable Communities Planning Grant and Incentives Program administered by the Department of Conservation; and,

WHEREAS, this grant application (#3014-608) was awarded through the Strategic Growth Council to Butte County on June 3, 2014; and,

WHEREAS, as part of its PowerButte initiative, Butte County began a process to investigate the development of utility-scale solar facilities in 2015. This process is intended to build upon the framework for renewable energy development established by the County's General Plan and Climate Action Plan; and,

WHEREAS, over the ensuing months, Development Services staff, working with PlaceWorks consulting, followed a process for developing this project in accordance with the awarded grant, which included a substantial public outreach effort, the development of the **power.buttecounty.net** website and a variety of other work products; and,

WHEREAS, as part of this project's outreach, the County met three times with a group of expert local stakeholders representing a wide variety of interests, and hosted a series of five community workshops held between June 2015 and May 2016, to craft a shared vision for Butte County's future with respect to utility-scale solar facilities, as well as a set of guiding principles, for implementation of that vision; and,

WHEREAS, The Board of Supervisors and the Planning Commission reviewed, refined, and accepted the vision statement and guiding principles at meetings held in July and August of 2015; and,

WHEREAS, during extensive public outreach proceedings, agricultural interests, farmers and ranchers voiced concerns about the potential loss of grazing lands from utility-scale solar

development, indicating that the economic benefits of the County’s valuable winter grazing lands outweigh the benefits of solar development, and that utility-scale solar facilities limit rangeland production and groundwater recharge; and,

WHEREAS, the project was subsequently re-conceptualized as the Butte Utility-Scale Solar Guide, which compiles the vision, guiding principles, research, mapping, and analysis that had been completed in the project’s first phase into a user-friendly document that informs the public about the regulatory and technical context for large-scale solar facilities, how these facilities can be developed in ways to minimize impacts, and in consideration of site opportunities, constraints, the permitting process, and possible future approaches and trends; and,

WHEREAS, the project includes a mapping tool accessible to the public online, which helps to identify optimal sites for the development of utility scale solar development. The mapping tool displays many different geographic factors that can affect the suitability of a site for solar facility development. The tool provides information on constraints, limitations, and opportunities for solar facility development in Butte County; and,

WHEREAS, the Utility-Scale Solar Guide is a component of the PowerButte initiative and is a resource to anyone interested in utility-scale solar facilities within unincorporated Butte County, including landowners, developers, community members, and County staff and decision-makers. This Guide also provides general information about solar energy and sets a framework for the consideration of utility-scale solar facilities in Butte County.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission recommends to the Board of Supervisors the approval of the Butte Utility Scale Solar Guide and related Mapping Tool as included in the August 10, 2017 Planning Commission Staff Report.

DULY PASSED AND ADOPTED this 10th day of August, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Philip John, Chair
Planning Commission
County of Butte, State of California

ATTEST:

Tim Snellings, Secretary
Planning Commission
County of Butte, State of California