PLP16-0055 County Zoning Ordinance Use Permit Criteria Analysis

Renewable Energy Systems and Facilities Development Standards

Sec. 26-88-200.

(a) [*omitted as not applicable*]

(b) Commercial Renewable Energy Facilities. *The following siting criteria and development standards apply to all commercial (nonaccessory) renewable energy facilities which provide energy for off-site use, unless otherwise exempt, in addition to the applicable special use standards for the specific type of facility:*

(1) Siting Criteria.

(i) Aesthetics. Renewable energy facilities shall be sited to minimize view impacts from public roads and adjacent residential areas, and shall require administrative design review as set forth in 26.82.050 (Design Review). Proposed facilities located within Scenic or Historic Resource combining zones shall also require design review of materials, colors, landscape, fencing and lighting plans. Any lighting shall be fully shielded, downward casting and not wash out onto structures, other properties or the night sky. The operator shall maintain the facility, including all required landscaping, in compliance with the approved design plans.

The Project would be consistent with this subsection. The undeveloped project site and surrounding parcels are in the Land Extensive Agriculture (LEA) zoning district. Surrounding land uses include rural residential lands to the north, grazing land and undeveloped terrain to the south, and grazing land, a local residence and agricultural buildings to the south. Undeveloped agricultural land is located to the east of the project site.

Dudek (Consultants) prepared a Visual Impact Assessment for the Project in March 2017. The Visual Impact Assessment is included as Attachment A to the MND. As part of the Visual Impact Assessment, consultants inventoried and described the existing environment setting and existing views to the project site, identified relevant state and local regulations and policies, and assessed the proposed project's visual and aesthetic impacts from publicly accessible locations in the vicinity of the project site. In addition and as further discussed in Attachment A, the analysis describes the visual characteristics of the site from publically accessible locations, determines the sensitivity level of the site, studies photo-simulations that illustrate the post-project appearance of the proposed project to help assess the project's visual dominance within its setting, and determines the significance of visual impacts.

As noted in Attachment A, no scenic vistas are designated or identified in either the Sonoma County General Plan or the Petaluma Dairy Belt Area Plan. Further, scenic vistas are not identified in the Sonoma County General Plan 2020 General Plan Update Environmental Impact Report (Sonoma County 2006). However, Bodega Avenue is a County-designated scenic corridor and the County's stated intent (per General Plan policies) to preserve landscapes adjacent to scenic corridors and for purposes of the visual impact assessment, views from Bodega Avenue through the project area were considered scenic vistas.

Alteration of the project site resulting from vegetation removal and installation of dark solar photovoltaic (PV) panels via piers (from adjacent ground level to top of panel at 45-degree tilt, solar panels would be approximately 9 feet, 6 inches high) would be detectable in viewpoints from westbound Bodega Avenue viewpoints but would not be visually prominent. The entire south-facing slope of the project site is obscured from the view of westbound Bodega Avenue motorists, and solar PV panels installed on the north-facing slope would be routinely obstructed from view by off-site hilly terrain and mature trees. Given the presence of existing screening features in the landscape, the comparatively low profile of solar panels in the context of stands of tall trees, and the location of the project site, which is set back from Bodega Avenue and both reduces the visibility of the proposed project and the apparent scale of project features, the proposed project would not substantially affect existing views from westbound Bodega Avenue in the project area. See Attachment A for additional detail. As such, scenic vista impacts along westbound Bodega Avenue would be less than significant.

Near the project site, eastbound Bodega Avenue motorist's views to east and south tend to be broader and less enclosed in nature than those from westbound Bodega Avenue, and the presence of several creeks in the area contributes rows of dense trees along these drainage courses. While the proposed project would create visible color contrast on the slope through the introduction of dark solar panels and removal of vegetation, the broad nature of the view would not be affected, and characteristic landscape elements of the project area (see Attachment A for additional detail). Due to the distance between eastbound Bodega Avenue motorists and the solar farm and the limited duration of available views to proposed solar arrays, project elements would appear somewhat diminished in the visual environment and would not be visually prominent. Therefore, the proposed project would not substantially affect existing views from eastbound Bodega Avenue in the project area, and scenic vista impacts would be less than significant.

Furthermore, the Project site is not located within Scenic or Historic Resource combining zones.

In addition, all lighting installed on site would be directed downward and shielded to focus illumination on the desired areas only and to minimize light trespass onto adjacent properties. If lighting at individual PV modules or other equipment were needed for night maintenance or during emergencies, personnel would use portable lighting.

> *(ii) Air Safety. Renewable energy facilities shall not be located within the approach zone (outer or inner safety zones) or the inner turning zones for any public use airport. Renewable energy facilities shall be sited and operated to avoid hazards to air navigation; sites located within a public use airport traffic zone will be required to provide an analysis documenting compliance with this standard. The owner/operator of a facility approved within a public airport's traffic zone shall be required to record an avigation easement and may be required to mark or light the facility for air traffic safety. The operator shall notify the FAA and California Division of Aeronautics of any structures in an airport traffic zone that are more than 200 feet above the ground elevation or that exceed airport imaginary surfaces as defined in Federal Aviation Regulations Part 77. If located on airport lands, the facility must meet the building setback approved on the Airport Layout Plan.*

The Project would be consistent with this subsection. The Project site is not within an airport land use plan as designated by Sonoma County. The project site is located approximately 5.8 miles outside of the approach zones of the nearest public airport, Petaluma Municipal Airport, which is located approximately

6.8 miles to the east of the project site. Accordingly, the provisions in the Air Transportation Element of the Sonoma County General Plan 2020 do not apply.

> *(iii) Biotic Resources. Renewable energy facilities shall be sited to avoid or minimize impacts to sensitive biotic habitats including woodlands, wetlands, streams, and habitat connectivity corridors as identified in the General Plan, Area Plan, Specific Plan or a Biotic Resource combining zone. Projects located within or adjacent to these areas will require a biotic study at the time of use permit application to demonstrate that the facility avoids sensitive species to the maximum extent feasible and provides adequate mitigation of potential impacts.*

The Project would be consistent with this subsection. According to the Open Space Map for Planning Area 3 of the General Plan, the project site does not occur within a BR (Biotic Resource) combining district. This means that there are not designated riparian corridors or critical habitat areas within the project site. While the project site contains a riparian corridor overlay zoning designation requiring a 50 foot setback from the top of stream bank, the stream occurs on the adjacent parcel to the east, with the top of bank over 400 feet from the property line. Also, the project site is not located in a designated CTS (California Tiger Salamander) area and the nearest suitable breeding habitat is located approximately 850 feet to the west of the western property boundary within a pond.

Juniper Energy LLC hired consultants to evaluate the project site for environmental constraints. This evaluation included a literature search, field survey, and wetland delineation. The consultants prepared a Biological Resources Constraints Evaluation (Attachment B to the MND). The consultants identified special status biological resources present or potentially present through a literature search using the following sources:

- United States Fish and Wildlife (USFWS) Information for Planning and Consultation Trust Resource Report;
- California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNNDDB);
- The California Native Plant Society (CNPS) online inventory of Rare and Endangered Vascular Plants; and
- Historical aerial photography to determine potential jurisdictional waters of the U.S. and State.

The consultants conducted a field survey to determine the habitat suitability of the site for special status plant and wildlife species. The dominant habitat type for the site is ruderal annual grasslands. The study found no sensitive habitat communities in the study area. The Coast Range to Marin Coast Bay Area Critical Linkage occurs directly north and east of the study area, with a small portion overlaying the northeastern section of the proposed development area.

> *(iv) Cultural and Historic Resources. Renewable energy facilities shall be sited to avoid or mitigate impacts to significant cultural and historic resources. Projects located within a Historic District shall be subject to review by the Landmarks Commission, unless otherwise exempt. Projects involving grading more than 18-inches in depth may require a cultural resources survey at the time of use permit application.*

The Project would be consistent with this subsection. A consultant evaluated the Project site for archaeological and paleontological constraints associated with development of the site. The consultants prepared a Cultural Resources Inventory Report, which is attached to the MND, for the Project site. All cultural resource fieldwork and reporting for this project has been conducted by archaeologists meeting the Secretary of the Interior's Professional Qualifications Standards. In addition to a California Historical Resources Information System (CHRIS) records search of the site and the surrounding 0.5-mile radius completed by staff at the Northwest Information Center (NWIC), an intensive pedestrian surveys of the project site was conducted by consultants. Further, consultants requested a Native American Heritage Commission (NAHC) search of their Sacred Lands File (SLF) on January 26, 2018 for the proposed project area.

As part of the records search conducted by NWIC, two (2) previous cultural resources technical investigations have been conducted within a 0.5-mile radius of the proposed Project site. Additionally, NWIC records indicate that eighteen (18) previous cultural resources technical investigations have been conducted within a 0.5-mile radius of the proposed Project site, but are comprised of little to no field work or missing maps. No studies are known to have directly included any portion of the proposed Project site. Also, no cultural resources have been previously identified within the proposed Project site and no cultural resources have been previously identified within the surrounding 0.5-mile records search area. Based on the reviewed information, and in consideration of the lack of identified cultural resources by previous technical studies in the surrounding area, the Project is considered to have a low potential to encounter unanticipated prehistoric cultural resources.

> *(v) Farmland Protection. Where a commercial renewable energy facility is sited within an Agricultural Zone, the primary use of the parcel shall remain in agriculture pursuant to General Plan Policy AR-4a. A Right to Farm Declaration and Agricultural Use Easement shall be recorded to minimize conflicts with agricultural operations. A renewable energy facility shall not take mapped Important Farmlands out of agricultural production by removing permanent crops.*
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> *If the facility is located on a site under a Land Conservation Act (Williamson Act) contract, the facility must be listed as an agricultural or compatible use in the Agricultural Preserve Rules and allowed by the type of contract. The total site area for all compatible uses including renewable energy facilities shall not be greater than 15 percent of the parcel or 5 acres, whichever is less, unless determined by the Board of Supervisors that a larger site area is consistent with the principles of compatibility.*

The Project would be consistent with this subsection. The State of California Department of Farmland Mapping and Monitoring Program (FMMP) produces maps and statistical data used for analyzing impacts on California's agricultural resources. Agricultural land is rated according to soil quality and irrigation status; the best quality land is called Prime Farmland. Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance are also designated by the Department of Conservation.

According to the Sonoma County Important Farmland Map 2016, the project site is mapped as Farmland of Local Importance (State of California Department of Conservation 2018). This designation includes all of the Two Rock area, because the area is capable of producing locally important crops such as grapes, corn, etc. but may not be planted at the present time (State of California Department of Conservation 2018). Sheep currently graze the parcel, and there is no indication that there have been planted crops. A

recommended Use Permit Condition of Approval requires the owner to make the majority of the site available for sheep or similar livestock to graze on a seasonal basis, with the inclusion of a gating to allow livestock access to the land covered by the solar photovoltaic arrays. The project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use.

(vi) Proximity to Utility Transmission Lines and Utility Notification. For renewable energy facilities interconnected to transmission lines greater than 6kV, the location of new transmission lines, poles, and utility sub-stations shall be identified on the site plans. If high voltage (100kV) or private transmission lines are proposed, they shall be considered as part of the use permit process for the renewable energy facility. No building permit for a renewable energy facility shall be issued until 1) evidence has been provided to the department that the proposed interconnection is acceptable to the utility; 2) the Planning Commission has reviewed and made a recommendation regarding the proposed transmission line route; and, 3) the California Public Utilities Commission has approved the location of any new utility-owned transmission lines.

This Subsection is Not Applicable. No new utility transmission or distribution lines are required to serve the Project.

(vii) Grading and Access. Renewable energy facilities shall be sited to maintain natural grades and use existing roads for access to the extent practical. Construction of new roads shall be avoided as much as possible. Following use of temporary access roads, construction staging areas, or field office sites used during construction, all natural grades shall be restored and revegetated. The operator shall maintain an all-weather access road for maintenance and emergency vehicles.

The Project would be consistent with this subsection. As proposed, the solar farm would be constructed on approximately 15 acres of the 25-acre project site. Approximately 7,366 solar panels would be installed on the project site. The solar panels would be seven (7) to nine (9) feet in height and arrays would generally follow the contours of the site. Earthwork would be required across the 15 acre solar farm site to soften terrain and provide a level surface for the proposed access site. As indicated on the Preliminary Site Earthwork Map prepared for the project by Kimley Horn (Kimley Horn 2018), approximately 36,000 cubic yards (CY) of cut and fill would be required and as such, estimated earthwork onsite would be balanced. No export or import of cut or fill material is proposed. The applicant intends to apply a 'Light on Land' method for construction, which strives to minimize construction impacts.

While construction and installation would require vegetation removal within necessary areas of disturbance, all disturbed areas would be revegetated. To enhance success of revegetation efforts, topsoil (the top 3 inches of soil) would be retained and stockpiled on site during the grading phase of construction. While construction impacts are anticipated to be minimal across the site, the southern slope area of the site would need some grading to create a more consistent slope of the hillside to maintain design tolerance for installation and operation of the arrays. During construction, the site would be stabilized to minimize wind and storm water erosion and protect topsoil and nearby drainages. In addition, watering and other approved measures would be used to control dust onsite. Following grading and installation of project components, stockpiled topsoil would be redistributed across the site for revegetation efforts and other needs. For example, some soil in the northern quadrant to keep the slope within two percent. Following redistribution of soil, an appropriate seed mix would be applied to achieve a vegetative coverage similar to that of existing conditions.

The existing access road will be improved to ensure that it meets the standards of an all-weather access road suitable for site for maintenance and emergency vehicles.

(viii) Land Use. Renewable energy accessory systems and commercial facilities shall be located within existing built or developed areas, on or within existing legally established structures or over parking areas to the extent practicable.

This Subsection is Not Applicable. No legally established structures or parking areas are present at the Project site.

(2) Development Standards.

(i) Air Quality. During site preparation, grading and construction, the operator must implement best management practices to minimize dust and wind erosion including, regularly water roads and construction staging areas as necessary. Paved roads shall be swept as needed to remove any soil that has been carried onto them from the project site.

The Project would be consistent with this subsection. Air quality emissions associated with the Project would be generated during construction and during operations, maintenance activities would generate a minor amount of dust due to vehicle travel on the site. As described in the Project Description in the MND, construction equipment to be used onsite include scrapers, motor graders, backhoe/loaders, excavators, dozers, smooth drum compactors, vibratory hammers, water trucks, pile driving machines, and lightweight trucks. Due to the low number of total construction equipment that would operate during construction, the temporary nature of construction emissions, and the minor amount of operational emissions generated by the proposed solar farm, the project would not violate an air quality standard or contribute substantially to an existing or projected air quality violation. Construction activities are not anticipate to exceed BAAQMD daily average emissions for ROG (54 lb/day), NOx (54 lb/day), PM10 (82 lb/day), and PM2.5 (54 lb/day).

Furthermore, best management practices would be implemented during construction so as to minimize dust and other particulate matter. During construction, the site would be stabilized to minimize wind and storm water erosion and protect topsoil and nearby drainages. In addition, watering and other approved measures would be used to control dust onsite.

Once operational, it is anticipated that the project would have a positive effect on air quality.

(ii) Erosion and Sediment Control. The operator must have a stormwater management permit and an erosion and sediment control plan approved prior to beginning grading or construction. The plan must include best management practices for erosion control during and after construction and permanent drainage and erosion control measures to prevent damage to local roads or adjacent areas and to minimize sediment run-off into waterways.

The Project would be consistent with this subsection. The County adopted grading ordinances and standards and related conditions of approval, which enforce them are specific, and also require compliance with all standards and regulations adopted by the State and Regional Water Quality Control

Board, such as the Standard Urban Stormwater Mitigation Plan (SUSMP) requirements, Low Impact Development (LID) and any other adopted best management practices.

The project site and access road are not subject to flooding during a 100-year occurrence. Therefore, under the requirements for the proposed project development under the Standard Urban Stormwater Mitigation Plan (SUSMP) requirements and Low Impact Development (LID) and any other adopted best management practices. The project contractor would be responsible for installing and maintaining adequate drainage and minimizing soil erosion at the site during construction in accordance with all legal requirements, including, without limitation, state and local sediment and erosion control rules, regulations and ordinances. Further, the project applicant would comply with all conditions of approval placed on the project by the grading and storm water section of the PRMD. In their letter dated January 10, 2017, the grading and storm water section recommended the following conditions of approval for the project:

- Review and approval of grading and/or building permits;
- Submittal of a soils engineering report and engineering geology report with grading permit applications;
- Submittal of a drainage report with the grading and/or building permit application;
- Design and incorporation of drainage improvements (improvements shall be reviewed and approved by the grading and storm water section of the PRMD);
- Inclusion of an erosion prevention/sediment control plan with grading plans; and
- Documentation of coverage under the NPDES General Permit

As stated above, the project applicant would comply with all conditions of approval placed on the project by the grading and storm water section of the PRMD. Therefore, no significant adverse soil erosion or related soil erosion water quality impacts are expected given the mandated conditions and standards that need to be met.

> *(iii) Fire Protection. Renewable energy facilities shall meet Chapter 13 of the Sonoma County Code (the Fire Safety Ordinance). The operator must implement a Fire Prevention Plan for construction and ongoing operations approved by the County Fire Marshall and local fire protection district. The plan shall include, but not be limited to: emergency vehicle access and turn-around at the facility site(s), addressing, vegetation management and fire break maintenance around all structures.*

The Project would be consistent with this subsection. The Sonoma County Fire and Emergency Services Department serves the project area and would continue to do so once project construction is completed. As the project does not include housing and would not induce population growth, there would be no increased need for fire protection resulting from construction and operation of the project. Existing fire protection facilities would be adequate to serve the project.

Sonoma County Code requires that all new development meet Fire Safe Standards (Chapter 13) and that applicable Fire Code construction permits be obtained by the project applicant. Further, the Sonoma County Fire and Emergency Services Department requires that the project applicant develop an emergency response plan consistent with Chapter 4 of the 2013 California Fire Code as adopted and amended by Sonoma County. The County Fire Marshal would review the project description and requires that the project comply with Fire Safe Standards, including fire protection methods such as sprinklers in

buildings, alarm systems, extinguishers, vegetation management, hazardous materials management and management of flammable or combustible liquids and gases. In addition, all approved roadways and building must provide for safe access for emergency fire apparatus and civilian evacuation concurrently and must provide unobstructed traffic circulation during an emergency. These are standard conditions of approval and required by County Code and the Sonoma County Fire and Emergency Services Department.

(iv) Noise. Renewable energy facilities shall be operated in compliance with the General Plan Noise Standards Table NE-2.

The Project would be consistent with this subsection. The Noise Element of the Sonoma County General Plan establishes goals, objectives and policies including performance standards to regulate noise affecting residential and other sensitive receptors. The general plan sets separate standards for transportation noise and for noise from non-transportation land uses. The solar panels would generate no noise once they are installed. There is a possibility that construction activities during site preparations and panel installation would generate excessive noise. The distance to residential uses on two adjoining parcels is over 300 feet. Residential uses on all other adjoining properties are all greater than 1,000 feet from the proposed location of the solar panels. Construction noise would be controlled in accordance with Table NE-2, Maximum Allowable Exterior Noise Exposures of the Sonoma County General Plan 2020. In addition, mitigation measures set forth in the MND would be implemented and ensure that the Project would not result in excessive noise generation or expose persons to noise levels in excess of County standards.

(v) County Service Impacts/Sales and Use Taxes. Prior to issuance of any grading or building permit(s), the owner/operator shall enter into an agreement with the County, in a form approved by the County Counsel, governing payment of sales and use taxes. The owner/operator shall undertake specified actions in contracting for construction of the facility so as to allocate sales and use taxes paid in connection with the construction of the plant to the County. The owner/operator shall include language in its construction contracts identifying the jobsite as within the County and requiring its construction contractors to allocate sales and use taxes to the County, to the extent provided by law in its Board of Equalization filings and permits.

The Project would be consistent with this subsection. The draft Agreement For Allocation of Sales and Use Tax Revenues and Limitations on Transfer of the Bodega Avenue Solar Farm to Nontaxable or Tax Exempt Entities Under Use Permit PLP 16-0055 has been reviewed by applicant and a revised draft was submitted to Sonoma PRMD on March 14, 2018.

(vi) Security and Fencing. The site area for a renewable energy facility must be fenced to prevent unauthorized access and provide adequate signage. Wildlife friendly fencing shall be used in rural areas. If needed, security lighting shall be motion sensored. Access gates and equipment cabinets must be locked at all times.

The Project would be consistent with this subsection. A wildlife friendly chain link fence topped with barbed wire would be installed along the perimeter of the project site for security. Also, as proposed, project lighting would be fully shielded and downward casting to minimize sky glow and opportunities for light trespass off the project site and onto adjacent properties.

(vii) Signs. Temporary signs describing the project, and providing contact information for the contractor and operator shall be placed during construction and must be removed

prior to final inspection and operation. Signs for public or employee safety are required. No more than two signs relating the address and name of the operator/facility may be placed onsite, subject to administrative design review. Outdoor displays, billboards or advertising signs of any kind either on- or off-site are prohibited unless approved as a part of the use permit.

The Project would be consistent with this subsection. The Project contractor will install temporary signs describing the project and providing contact information. Once completed, the Project will have signs for public safety purposes and identifying the project owner and operator. No outdoor displays, billboards or advertising will be located at the Project site.

(viii) Decommissioning. A decommissioning plan shall be required as part of any use permit for a renewable energy facility and must include the following:

(A) Removal of all aboveground and underground equipment, structures not identified for re-use, fencing and foundations to a depth of three feet below grade. Underground equipment, structures and foundations located at least three feet below grade that do not constitute a hazard or interfere with the use of the land do not need to be removed.

(B) Removal of graveled areas and access roads and placement of topsoil.

(C) Restoration of the surface grade and placement of topsoil after removal of all structures and equipment including grading, revegetation and erosion control plans to return the site to an appropriate end use.

(D) Revegetation of disturbed areas with native seed mixes and plant species suitable to the area. Documentation of a three (3) year maintenance agreement for all revegetated areas must be submitted prior to the restoration being considered complete.

(E) The timeframe for completion of removal and restoration activities.

(F) An engineer's cost estimate for all aspects of the restoration plan.

(G) An agreement signed by the owner and operator that they take full responsibility for decommissioning and reclaiming the site in accordance with the Decomissioning Plan and Use Permit approval upon cessation of use.

(H) A plan to comply with all state and federal requirements for reuse, recycling or disposal of potentially hazardous waste.

The facility operator is required to notify the department immediately upon termination or cessation of use or abandonment of the operation. The operator shall remove components of the facility when it becomes functionally obsolete or is no longer in use. The operator shall begin restoration and removal of all equipment, structures, footings/foundations, signs, fencing, and access roads within ninety (90) days from the date the facility ceases operation, and complete restoration within one (1) year.

(C) In the event that the responsible parties have failed to remove and/or restore the facility site or otherwise resolve the violation(s) within the specified time period, and the appeals have been exhausted, the County may use the financial security to remove the facility and restore the site. The County may thereafter initiate judicial proceedings or take any other steps authorized by law against the responsible parties to recover costs associated with the removal of structures determined to be a public hazard.

This Subsection is Not Applicable. Subsection concerns County rights.

Solar Energy Facilities—Special Use Standards

Sec. 26-88-206. - Solar energy facilities—Special use standards

(a) Purpose. *This section establishes minimum development and operational standards for solar energy facilities, where allowed by the base zone or the Renewable Energy (RE) combining zone. The intent of these standards is to promote and facilitate the siting and permitting of solar electric (photovoltaic) systems and facilities in a manner that minimizes adverse environmental impacts.*

This Subsection is Not Applicable. Subsection states purpose of Section.

(b) Applicability. *These standards apply to all solar energy facilities not otherwise exempted.*

The Project would be consistent with this subsection. The Project is subject to and complies with this subsection as discussed below.

(c) Exempt Facilities. [*Omitted as not applicable*]

(d) Minor Commercial Solar Facilities (Incidental to a Primary Use). [*Omitted as not applicable*]

(e) Commercial Solar Facilities. *The following special use standards apply to all solar electric (PV) facilities that are developed as a primary use of the property as allowed by the underlying zone, in addition to the siting criteria and development standards of Section 26-88-200.*

(1) Minimum Setbacks. The facility shall meet the minimum front yard setbacks for primary structures of the zone. In urban service areas, the facility shall meet fire safe standards and access for emergency vehicles shall be provided along the periphery of the facility.

The Project would be consistent with this subsection. As set forth in the preliminary site plan, the Project's setbacks meet or exceed County guidelines.

(2) Height Limits. Facilities mounted on a structure may exceed the height limit of the zone by up to two feet (2'). Ground-mounted facilities shall not exceed fifteen feet (15') in height unless otherwise allowed by use permit.

The Project would be consistent with this subsection. The solar arrays, fencing and other equipment would not exceed 15 feet in height.

(3) Undergrounding Electrical. Electrical distribution lines on the project site shall be underground up to the low voltage side of the step up transformer, to the point of onsite use or to the utility

The Project would be consistent with this subsection. The Decommissioning and Site Restoration Plan (the "Decommissioning Plan") was submitted to Sonoma PRMD on August 30, 2017. The Decommissioning Plan discussed, among other things, (a) removal of all aboveground and underground equipment and structures; (b) removal of graveled areas and access roads; (c) restoration the site's surface; (d) a revegetation plan; (e) timeframe for completion of removal and restoration activities; (f) an engineer's cost estimate for all aspects of the restoration plan; (g) an agreement signed by the owner and operator taking full responsibility for decommissioning and reclaiming the site in accordance with the Decommissioning Plan; and (h) acknowledgement and agreement to comply with all state and federal requirements for reuse, recycling or disposal of potentially hazardous waste.

(ix) Financial Assurance. Financial assurance may be required for any commercial renewable energy facility, and shall be required for renewable energy facilities of 1 MW or larger or which exceed 5 acres in land area. At the time of issuance of the permit for the construction of the facility, the operator shall provide financial assurance in a form and amount acceptable to the Department to secure the expense of decommissioning, dismantling and removing all equipment, structures, fencing, and reclaiming the site and associated access or distribution lines/pipes in compliance with the approved restoration plan.

The Project would be consistent with this subsection. The Decommissioning Plan included an engineer's cost estimate for all aspects of the restoration plan. The engineer estimated that proceeds from recycling and reuse of equipment and other materials would more than offset potential decommissioning and restoration expenses.

(x) Abandonment. A renewable energy facility that ceases to produce electricity and/or useful heat and/or renewable fuel on a continuous basis for twelve (12) months shall be determined abandoned in compliance with the following procedures. Facilities determined by the County to be unsafe and facilities erected in violation of this section shall also be considered abandoned and shall be subject to code enforcement action.

(A) The determination of abandonment shall be made by the code enforcement officer or his/her designee. The code enforcement officer or any other employee of the. Department shall have the right to request documentation and/or affidavits from the facility owner/operator regarding the use of the facility, and shall make a determination as to the date of abandonment or the date on which other violation(s) occurred. The code enforcement officer's decision is appealable pursuant to Section 1-7.3 (b) of the Sonoma County Code.

(B) Upon a determination of abandonment or other violation(s), the County shall send a notice to the owner and operator, indicating that the responsible party shall remove the facility and all associated structures, and begin restoration of the site to its approximate original condition within ninety (90) days of notice by the County, unless the County determines that the facilities must be removed in a shorter period to protect public safety or an alternative to resolving the violation is agreed upon. All restoration work shall be completed within one (1) year.

This Subsection is Not Applicable. Subsection concerns County obligations.

interface point of an onsite substation. This provision may be waived by the decision-making body if the undergrounding is determined to be an undue burden.

The Project would be consistent with this subsection. To the fullest extent practicable, electrical cables would be buried underground.

(4) Glare Effects. Concentrated reflections or glare shall not be directed at occupied structures, recreation areas, roads, highways or airport flight landing or takeoff areas. A detailed analysis of potential glare effects may be required at the time of application, and the applicant may be required to minimize glare effects by installing vegetative screens or berms, and/or by adjusting solar collector position or operation to minimize glare.

The Project would be consistent with this subsection. The proposed project involves construction and operation of a solar energy production facility on agricultural land designated LEA and a component of this study is to determine the application of a Renewable Energy Combining district Zone onto the zoning of the parcel. Section 26-88-206 (9), of the Sonoma County Zoning regulations for Solar Energy Facilities, has been applied to this site planning and development of this project. This section has development standards and regulations for solar power facilities including glare. The standards specify that concentration of reflections or glare shall not be directed at occupied structures, recreation areas, roads, highways or airport flight landing or takeoff areas. The design of the solar PV panels are highly absorptive of incoming light and would be oriented toward the sun to maximize solar exposure. As a result, receptors in the surrounding area sensitive to glare (i.e., residents and motorists) are not anticipated to receive project-generated glare. With the exception of solar PV panels, the proposed project would not include particularly reflective materials capable of producing substantial glare that could be received in the surrounding area

(5) Farmland Protections. In addition to the Right to Farm and Agricultural Use Easement requirements set forth in Section 26-88-200(b)(1)(v), Farmland Protection, the site area used for the installation of a commercial solar facility shall exclude mapped Important Farmlands, and a protective easement may be required over these lands.

This Subsection is Not Applicable. The State of California Department of Farmland Mapping and Monitoring Program (FMMP) produces maps and statistical data used for analyzing impacts on California's agricultural resources. Agricultural land is rated according to soil quality and irrigation status; the best quality land is called Prime Farmland. Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance are also designated by the Department of Conservation.

According to the Sonoma County Important Farmland Map 2016, the project site is mapped as Farmland of Local Importance (State of California Department of Conservation 2018). This designation includes all of the Two Rock area, because the area is capable of producing locally important crops such as grapes, corn, etc. but may not be planted at the present time (State of California Department of Conservation 2018). Sheep currently graze the parcel, and there is no indication that there have been planted crops. The project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use.

(6) Scenic and Biotic Resource Protections. Ground-mounted commercial solar facilities shall not be located in the following areas:

(i) Over a septic system or leachfield area or identified reserve area;

(ii) In a floodway as designated by FEMA;

(iii) Within a Scenic Resource (SR) or Biotic Resource (BR) combining zone, nor within a sensitive habitat or biotic resource area as identified in an adopted General Plan, Area Plan, Specific Plan, or the California Natural Diversity Database, unless a protective easement is recorded to protect these resources; or

(iv) In an approach zone (inner or outer safety zones) or the inner turning zone of a public use airport.

The Project would be consistent with this subsection. The Project has not been located (i) over a septic system or leachfield area or identified reserve area; (ii) in a floodway as designated by FEMA; (iii) within a Biotic Resource (BR) combining zone, nor within a biotic habitat area as identified in the Sonoma County General Plan 2020 (see Figure OSRC-2); or (iv) within the approach zone (outer or inner safety zones) or the inner turning zones for any public use airport.

(7) Photovoltaic Module Management. Reuse, recycling or disposal of any photovoltaic panels shall be conducted in accordance with the Standards for Universal Waste Management—Photovoltaic Modules as set forth in Chapter 23 of the California Code of Regulations.

The Project would be consistent with this subsection. To the extent applicable Project contractor and/or owner will recycle or dispose of any photovoltaic panels in accordance with the Standards for Universal Waste Management – Photovoltaic Modules as set forth in Chapter 23 of the California Code of Regulations.