



**California County Planning Directors Association**

**Model Photovoltaic Ordinance Working Group Meeting**

Meeting Date: Thursday, June 02, 2011  
Meeting Time: 10:00 am - noon  
Meeting Location: CSAC office, 11<sup>th</sup> & K St, Sacramento, 1<sup>st</sup> Floor  
Conference Call #: 1-650-429-3300 and the meeting number is 941 453 031  
WebEx Meeting #: 941 453 031 (website: <http://meetmenow.webex.com/>) click on  
"Attend a MeetMeNow meeting", enter meeting #  
WebEx URL: <https://mwmus.webex.com/mwmus/jm.php?PWD=&MK=941453031>

**AGENDA**

- 1) Get your coffee and settle in
- 2) Introductions (5-10 minutes)
- 3) Meeting Background (Tim - 5 minutes)
- 4) Review of key points from May 19<sup>th</sup> meeting (Tim - 5 minutes)
- 5) Issues and Discussion Items (Attachment A) (90 minutes)
- 6) Next Meeting Date/Time: \_\_\_\_\_

For questions, please contact Tim Snellings, Butte County Director of Development Services at 530-538-6821 or via email to [tsnellings@buttecounty.net](mailto:tsnellings@buttecounty.net)

June 02, 2011 Working Document...work in process

**California County Planning Directors Association (CCPDA)**

**Solar Energy Facility (SEF) Working Group Progress on Issues/Discussion Items**

Item #	Topic	Result	Notes/Comments	County Ordinances and other suggestions...
1	Roof mounted solar on all residential housing types should be allowed with a simple Building Permit...right?	Yes	2011-05-19 approved	
2	Solar Panels/Solar Energy Facility (SEF) on rooftop on commercial/industrial should be permitted with a ministerial permit.	Yes, all zones	2011-05-19 We agreed that we should not put up any barriers to roof mounted solar energy facilities.	
3	OK to put SEF on an adjacent property to provide power to a house or another meter?	Yes, they would need to provide easement or other tool.	2011-05-19 approved	
4	Protecting Ag Land Vs. converting/covering large tracts of farm land to solar power generation.		2011-05-19 Lots of discussion, needs more work.	
5	Are solar energy facilities compatible with certain animals...sheep, cows, etc.?		To be discussed on 06-02-2011 2011-05-30 Do we really need to address this since a property owner may choose to install on property with cattle, but fence it off?	
6	Different land use processes for different scale SEF on Ag land.		To be discussed on 06-02-2011	

Attachment A

6a	Tier 1: For a Building Permit only review (and setbacks)	Option #1: Up to 1/2 acre Option #2: Up to 10 acres	Option To be discussed on 06-02-2011	Tulare: Tier 1 - Where SEF is designed for on-site consumption, the facility shall be considered an accessory used and permitted by right.
6b	Tier 2: Need an Administrative review/approval	Option #1: 1/2 acre - 5 acres Option #2: 10 - 40 acres	To be discussed on 06-02-2011	
6c	Tier 3: Need a Zoning Administrator review/approval (CEQA)	Option #1: 5 - 20 acres Option #2: 40 - 100 acres	Option To be discussed on 06-02-2011	
6d	Tier 4: Planning Commission or Board of Supervisors review/approval (CEQA)	Option #1: 20+ acres Option #2: 100 + acres	Option To be discussed on 06-02-2011	Tulare: Tier 2 and 3 - Where SEF is designed for on-site consumption and/or excess generation is for sale, the use shall be subject to a Special Use Permit and Development Agreement
7	Are all Agricultural Lands 'the same', requiring the same level of protection? How can we categorize the different types of Ag lands in CA?	Class 1, Class 2, Prime, Non Prime, etc???	To be discussed on 06-02-2011	
8	What Planning Tools are available to address this issue?	Overlays?	To be discussed on 06-02-2011	Concept: Could be a helpful strategy if a county wanted to do it. Could help with CEQA streamlining. If it could ensure that lined up with the county's climate action plan. Could be written to include Wind Energy as well. Could also be a Renewable Energy Production Zone. If a project conforms to CEQA Mitigation Measures and other standards, could be reviewed very quickly.
9	Property Line Setback strategies: How far should SEF be from a property line when installed on the ground?		To be discussed on 06-02-2011	Tier 1 & 2: Accessory structure setbacks Tier 3 & 4: 50 ft
10	Height Issues: what are the concerns? Review different types of technologies		To be discussed on 06-02-2011	Ground Mounted: ??? Roof Mounted: Should be able to exceed the height of the zone. Covered parking areas with SEF are Tier 1.

Attachment A

Fencing Issues: what types of fences are installed and for what types of 11 installations?	To be discussed on 06-02-2011	If the solar panels are adjacent to a residence, the solar energy facility shall be fenced and landscaped to blend in with the existing neighborhood.
Security Issues: Anything that should be addressed in the Model Ordinance? 12 Alarms?, etc.?	To be discussed on 06-02-2011	Do we need to really address this in the Model
Lighting Issues: What are the issues around 13 lighting a SEF?	To be discussed on 06-02-2011	All lights shall be contained on the property, fixtures pointing down on the property with the SEF.
Location Issues: Floating SEF, telephone poles, etc.? What should the rules be for 14 this?	To be discussed on 06-02-2011	Floating SEF on a pond contained on a parcel shall be permitted with an Administrative Permit.
Williamson Act Issues: Can this be addressed at the State Level instead of having every county make an 15 interpretation? What are the options?	To be discussed on 06-02-2011	Tulare County: SEF requires a Use Permit in WA lands and needs a Development Agreement
If SEF is going to be installed on Ag land, should there be mitigation? If so, at what 16 ratio? 1:1, 2:1, etc.?	To be discussed on 06-02-2011	
Post decommissioning Issues: What are the 17 requirements? Bonds, letter of credit, etc.?	To be discussed on 06-02-2011	Use Yolo County standards

Attachment A

Permit Fee Issues: It would be great if counties could keep the permit fees low. Since fees are based on time spent by county staff, how can their staff time be limited/reduced to keep fees low?

To be discussed on 06-02-2011

Tier 1: \$200 - \$400  
Tier 2: \$300 - \$600  
Tier 3: \$600 - \$1,000  
Tier 4: \$1,000 - \$2,000  
Permit fees shall not exceed the actual cost of plan check and inspection. In order to encourage SEF, individual counties may choose to subsidize the fees (possibly with Grant funds or General Fund).

Taxes: There is a disincentive for Counties to promote solar since Photovoltaic Panels are exempt from increases to property taxes. Is there another way to financially incentivize a county to want these facilities in their county?

To be discussed on 06-02-2011

It's good public policy to promote SEF. Estimates are that 40% of a SEF is exempt from property taxes (the PV panels are exempt), but the other 60% of the project is taxable. Is this adequate? Could propose the creation of a state subvention program like the Williamson Act...

Visual Issues: Neighbors to larger projects are going to be concerned with visual blight. What can be done to address this?

To be discussed on 06-02-2011

What are the 'best practices'? Lighting, screening, fencing, landscaping?

General Plan Issues: Do we have any suggested General Plan Policies that should be added to promote the installation of SEF?

To be discussed on 06-02-2011

National security, energy independence, climate protection, job creation, etc. Counties should adopt Policies to support this.

Industrial Lands and Ag Lands have different Issues: Counties may not want their Industrial ground consumed with SEF. Other issues?

To be discussed on 06-02-2011

Don't want SEF to be 'in lieu' of commercial or industrial facilities. It should be incorporated into the design to include roof mounted, over parking lots, etc.

Attachment A

Inter Tie Connection Line Issues: How will the SEF be connected to the grid? What are ideas on how to most effectily accomplish a safe/low impact connection to the grid? 23 Easements?	To be discussed on 06-02-2011	Project description will describe connectivity to the grid.
Generating More Energy Than Needed and Selling It: Some are concerned with this 24 issue. Needs to be discussed.	To be discussed on 06-02-2011	This issue is addressed in the four different tiers of SEF. Concerns about CEQA being triggered?
Over the Fence' Rule Issues: This needs to 25 be reviewed.	To be discussed on 06-02-2011	
Historic Structures Issues: This needs to be 26 reviewed.	To be discussed on 06-02-2011	Concern about impacts on the historic structure. Might need design review. SEF roof mounted to be low.
Conservation and Scenic Easement Issues: 27 This needs to be reviewed.	To be discussed on 06-02-2011	
State Law Issues: We need to review various state laws that preempt various 28 actions.	To be discussed on 06-02-2011	
Utility Regulators may impose different rules and land use demands. We need to 29 coordinate with Utilities and the PUC.	To be discussed on 06-02-2011	
Fire Safety Issues: We need to coordinate 30 with Fire Agencies on various issues.	To be discussed on 06-02-2011	State Fire Marshal's office has developed Draft Guidelines

31 Airport Land Use Compatibility issues

To be discussed on 06-02-2011 Glare issues? What is the best practice?