

COCHISE COUNTY

Docket SU-20-15 and SU-20-16 (Clenera Solar North and South)

Requests for a Special Use Authorizations
Utility Scale Solar
Planning & Zoning Commission

December 9, 2020



Public Programs...Personal Service

COCHISE COUNTY

Docket SU-20-15 & 16 (Clenera Solar North & South)

- The request is to construct two separate utility scale solar power generation facilities
 - North ~560 acres
 - South ~540 acres
- The sites are on the Babacomari Ranch south west of junction of State Route 90 and 82.
- Parcel 106-03-038
- The Zoning is RU-4
- The Applicant's are Babacomari Solar North LLC and Babacomari Solar South LLC, represented by Mr. Dustin Thompson

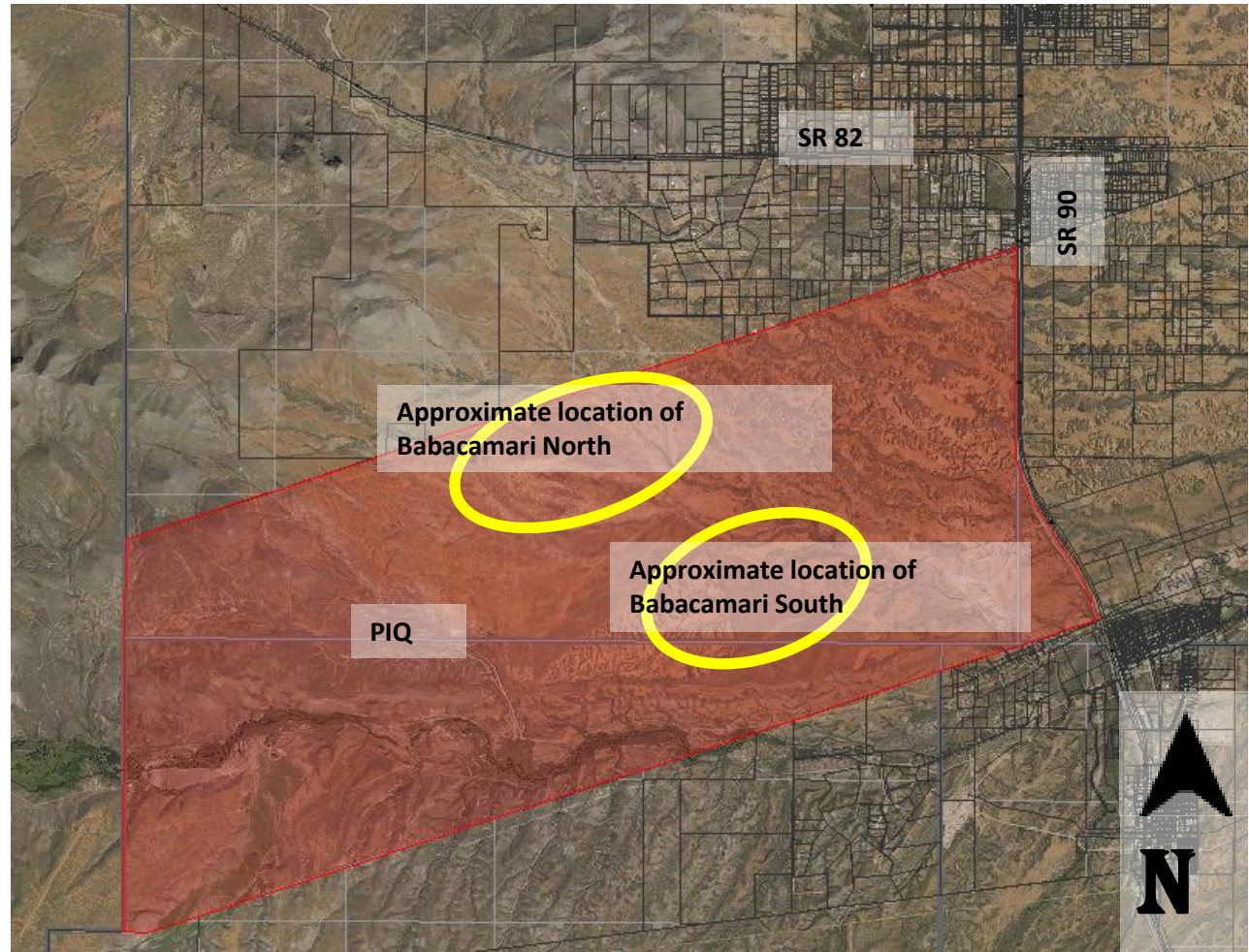


Public Programs...Personal Service

COCHISE COUNTY

Docket SU-20-15 & 16 (Clenera Solar North & South)

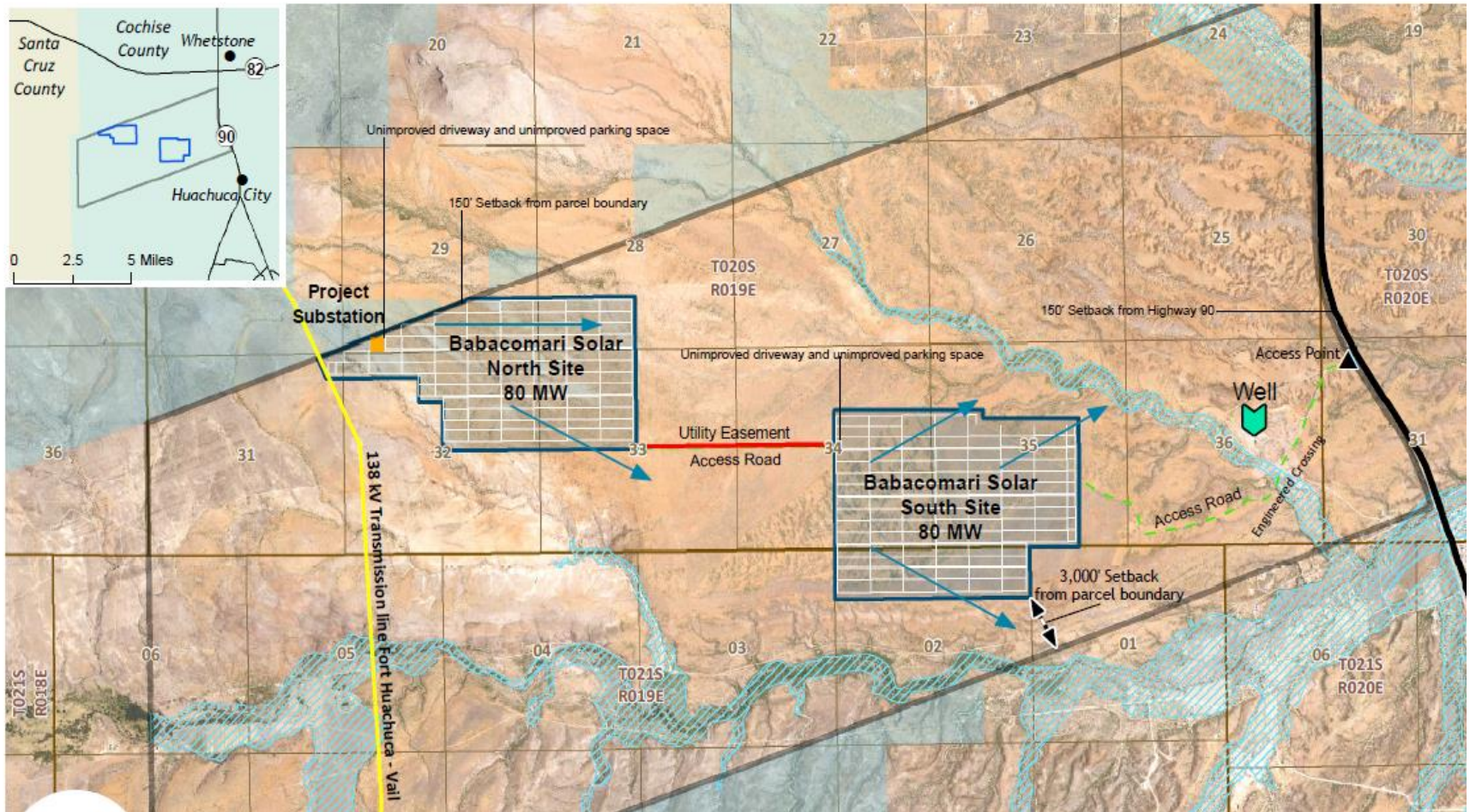
Location



COCHISE COUNTY

Docket SU-20-15 & 16 (Clenera Solar North & South)

Site Plan



Factors for or Against a Proposed Special Use Authorization

- Zoning Regulations have 10 factors used to evaluate a proposal
 - Ten of the criteria apply to this request
 - As submitted complies with eight criteria
 - Two criteria comply with conditions



Compliance with Duly Adopted Plans: Complies

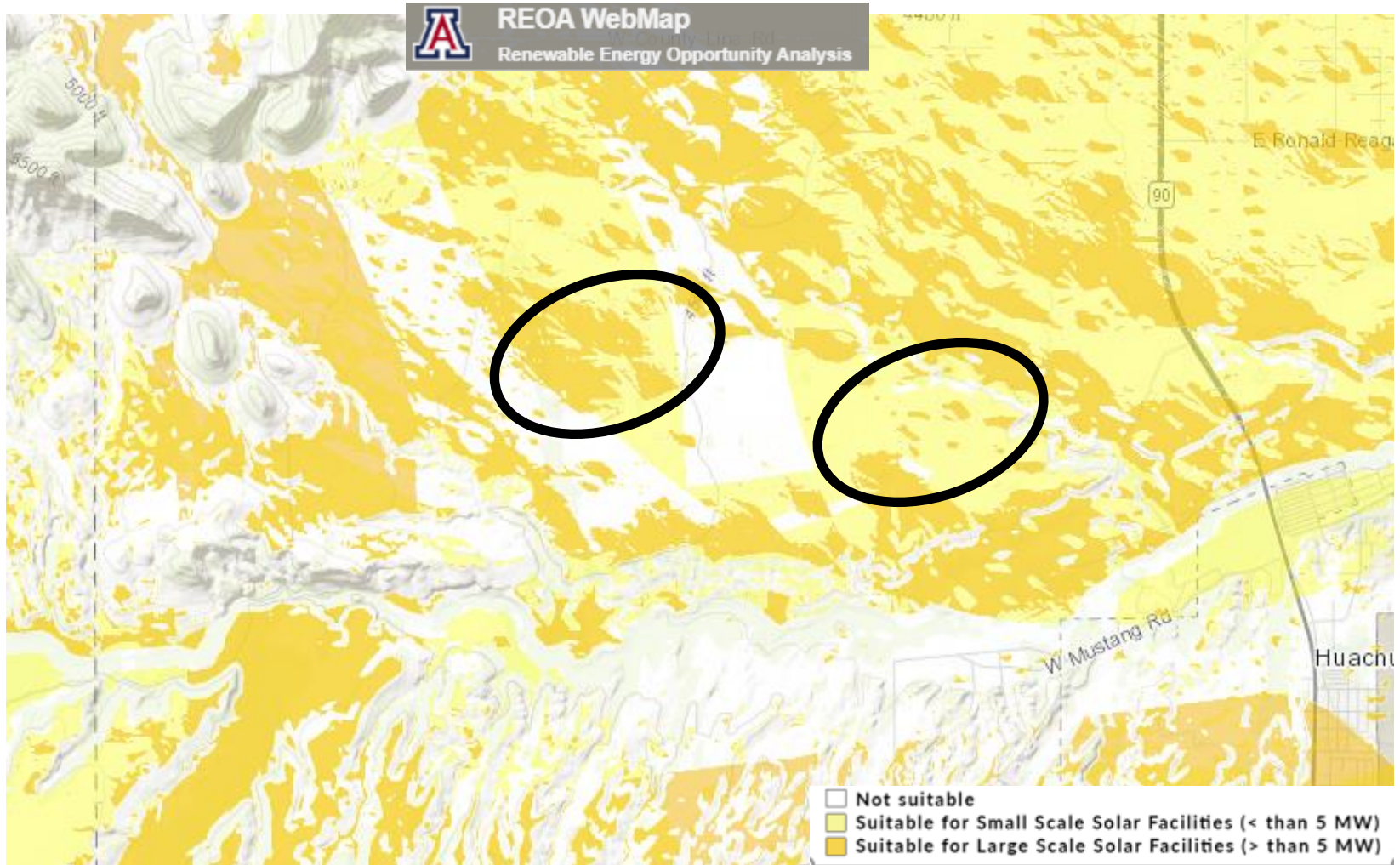
- **Comp Plan:** Rural/ Developing along SR90
- **Growth Area:** Category D (Rural Growth Areas)/B Developing along SR90
- **Area Plan:** Babacomari Area Plan

The Comprehensive Plan encourages the use of solar energy resources in Element E, Renewable Energy.

Goal 1 states: *Support the development of local renewable energy projects and technologies.* This is implemented by several policies including:

- Encourage utility-scale renewable energy projects, using the University of Arizona's Renewable Energy Opportunity Analysis and other resources as a guide for determining the suitability of proposals in any one location.*
- Encourage renewable energy business development.*
- Permit flexible site development standards.*

Compliance with Duly Adopted Plans: Complies



COCHISE COUNTY

Compliance with the Zoning District

Purpose Statement: Complies

601.02 To encourage those types of non-residential and non-agricultural activities which serve local needs or provide a service and are compatible with rural living



Development Along Major Streets: Complies

- Existing access on SR90
- ADOT had no comments



COCHISE COUNTY

Docket SU-20-15 & 16 (Clenera Solar North & South)

Traffic Circulation Factors: Complies

- Temporary increase in traffic during construction of the project
- Periodic maintenance
- Unmanned facility



COCHISE COUNTY

**Adequate Services and Infrastructure:
Complies**

- No water or septic required
- Ties into existing transmission line
- Hauled water for construction (from onsite well)

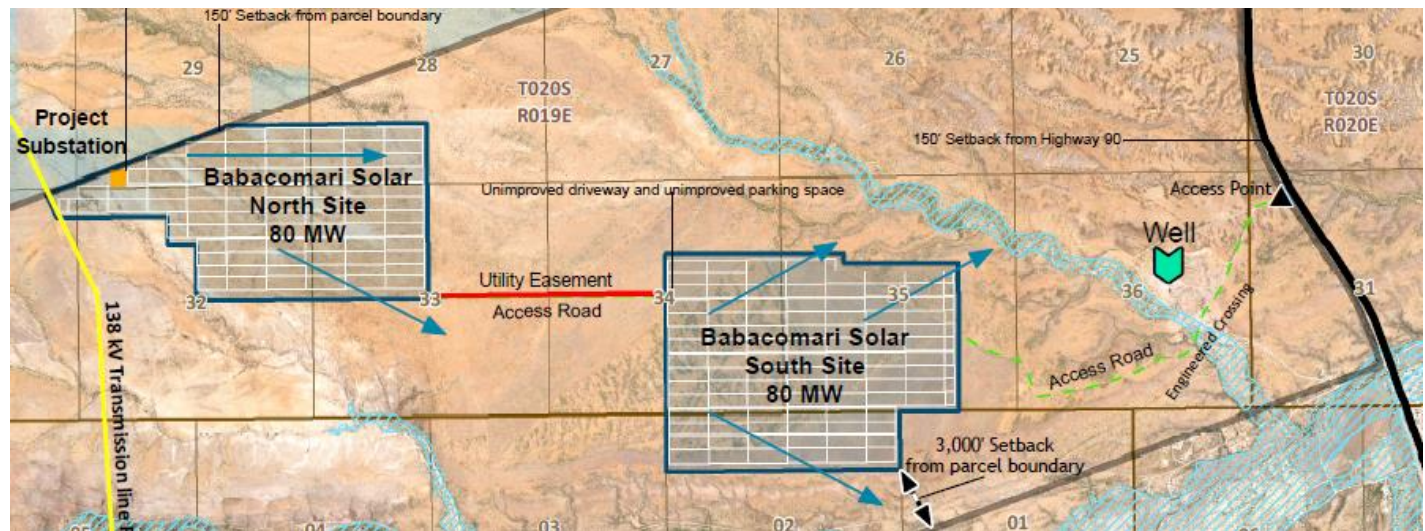


Docket SU-20-15 & 16 (Clenera Solar North & South)

COCHISE COUNTY

Significant Site Development Standards: Complies with Conditions

- Meets setbacks
 - 150' North
 - 3,000' South
 - 1.5 miles East
- Lot coverage
 - Allowed 25%
 - ~11% proposed
- COA for detailed Site Plan
- Must comply with Outdoor Lighting Regulations



Docket SU-20-15 & 16 (Clenera Solar North & South)

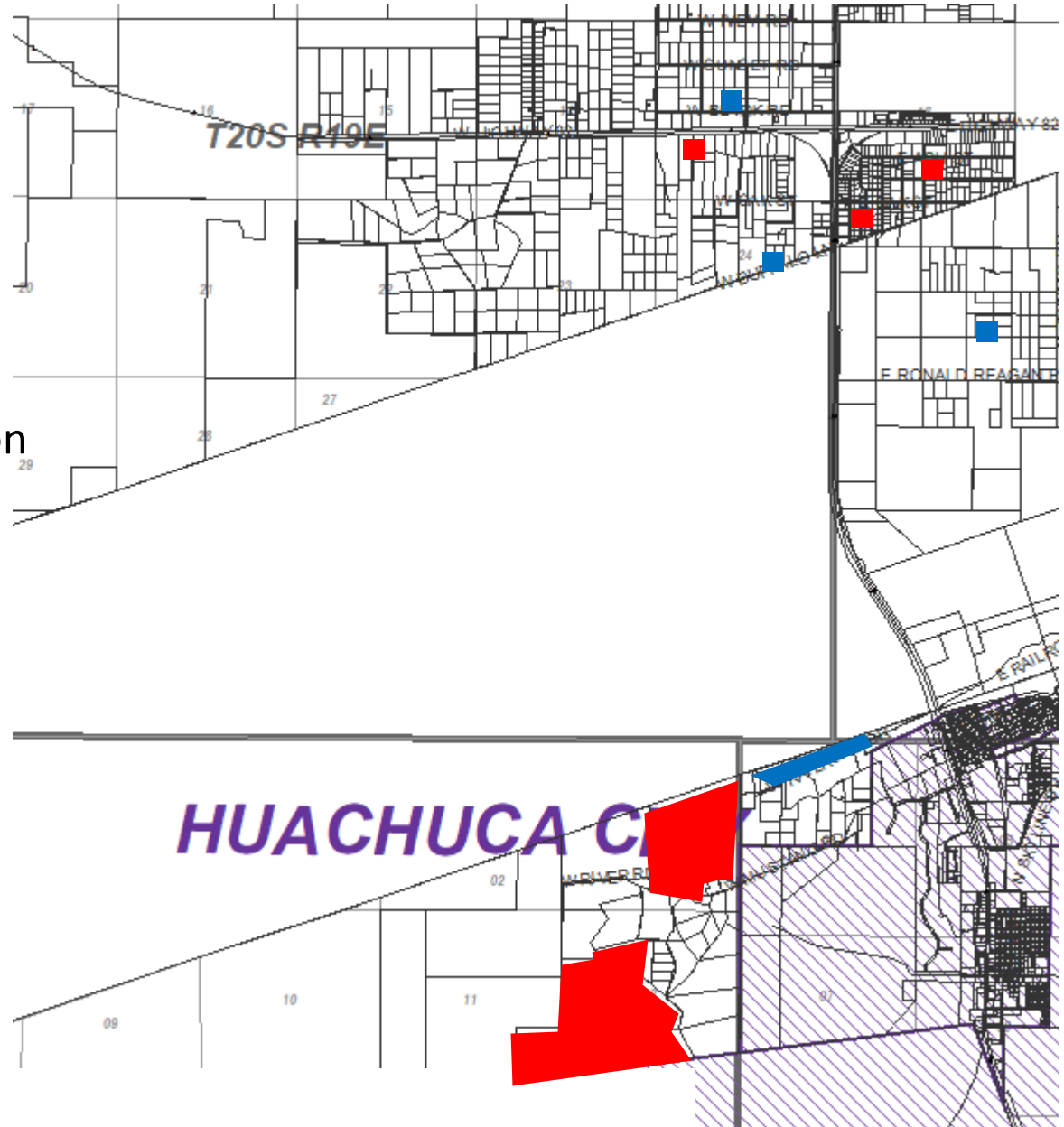
COCHISE COUNTY

Public Input: Complies

- 5 responses in opposition
- 5 responses in support
- 2 neutral/questions

Issues cited:

- Increase in traffic
- Visual impact
- Property values
- Opposition to Solar



COCHISE COUNTY

Docket SU-20-15 & 16 (Clenera Solar North & South)

Hazardous Materials: Complies

No hazardous waste will be used or stored onsite.



COCHISE COUNTY

Off-Site Impacts: Complies

- Temporary Construction impacts
 - Noise
 - Dust
 - Traffic
- After Construction minimal impacts



KOP 4 - Proposed Project: Huachuca City municipal buildings, looking west

Water Conservation: Complies

- Only water used will be for construction and occasional cleaning



Factors in Favor of Approval

1. With the recommended Conditions of Approval, the proposed use would fully comply with ten of the ten Special Use factors used by staff to analyze this request and would comply with two additional factors if the Conditions of approval are met;
2. The Comprehensive Goals and Policies support renewable energy;
3. Under the University of Arizona Renewable Energy Opportunity Analysis, the majority of the property is identified as suitable for large scale solar facilities;
4. The site plan submitted complies with applicable site development standards and conditions;
5. Once completed the project would generate negligible levels of traffic
6. At build-out the project would use minimal water;
7. The project would support Arizona's renewable energy programs by serving as a source of clean energy, offsetting greenhouse gas emissions and reducing the need to generate electricity from fossil fuels; and
8. Five (5) letters of support have been received.

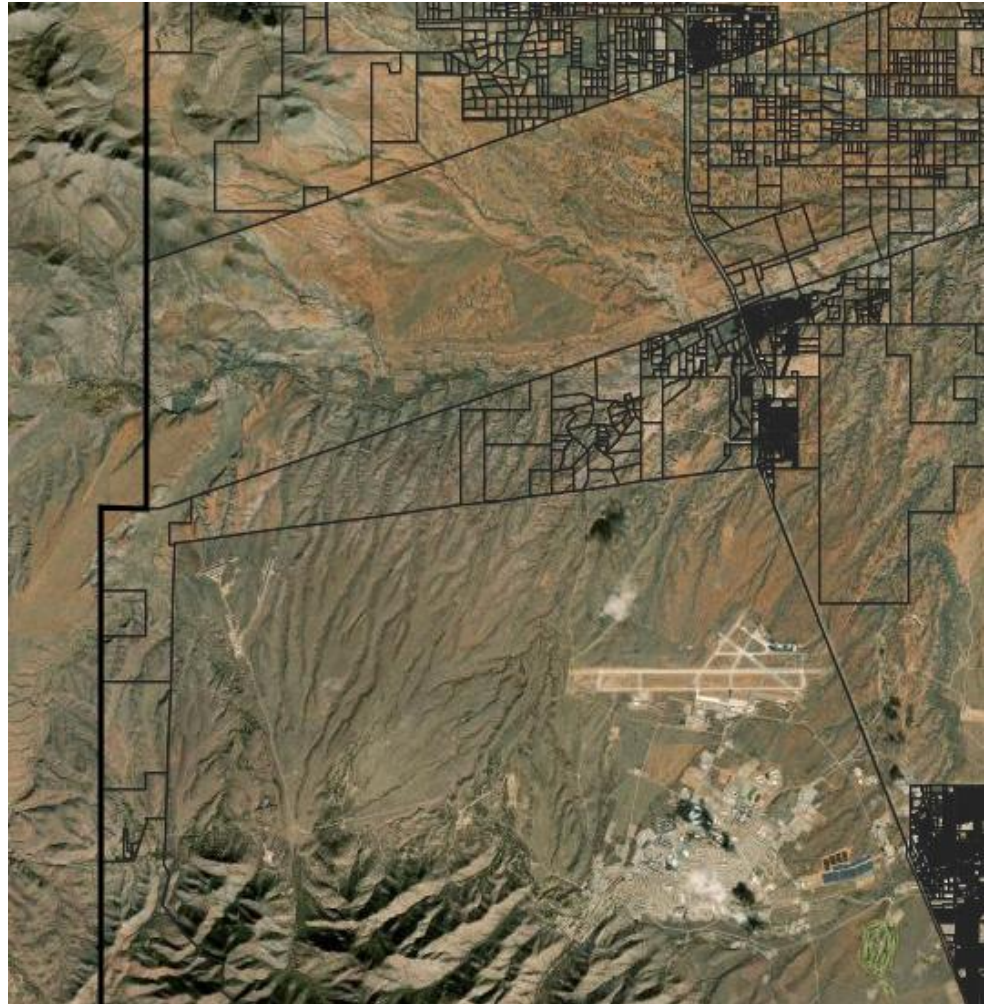
Factor Against Approval

1. The Planning Department has received five (5) letters in opposition to the request;
2. Expense and responsibility of the eventual project decommissioning (long-term implications);
3. General residential compatibility concerns – there are a few existing homes directly south/north of the project site.

COCHISE COUNTY

Docket SU-20-15 & 16 (Clenera Solar North & South)

Discussion



Public Programs...Personal Service

Recommendation: Conditional Approval

1. Within 30-days of approval of the Special Use, the Applicant shall provide the County a signed Acceptance of Conditions form and a Waiver of Claims form arising from ARS Section 12-1134. Prior to operation of the Special Use, the Applicant shall apply for a building/use permit for the project within 12-months of approval. The building/use permit shall include a site plan in conformance with all applicable site development standards (except as modified) and with Section 1705 of the Zoning Regulations, the completed Special Use permit questionnaire and application, and appropriate fees. A permit must be issued within 18-months of the Special Use approval, otherwise the Special Use may be deemed void upon 30-day notification to the Applicant;
2. It is the Applicant's responsibility to obtain any additional permits, or meet any additional Conditions, that may be applicable to the proposed use pursuant to other federal, state, or local laws or regulations;
3. Any changes to the approved Special Use will be considered a Modification to this Special Use and will require review and approval of the Planning and Zoning Commission.



Recommendation: Conditional Approval

4. A detailed, dimensioned site plan shall be provided with non-residential permits;
5. Warning signage shall be placed on solar equipment to the extent appropriate. Solar equipment shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the solar energy project.
6. The applicant must establish perennial native vegetation over the entire disturbed soil area at a minimum density of 70 percent of the native vegetative coverage.
7. The applicant shall incorporate best management design practices of the AGFD within construction plans, to the greatest extent possible, to minimize potential project impacts to wildlife.



Recommendation: Conditional Approval

8. Prior to the issuance of a building permit the applicant shall provide a decommissioning plan, which should include the anticipated life of the project and the projected cost for its removal and site restoration. The owner or operator shall be responsible for the complete physical removal of the project by the date of abandonment included within the decommissioning plan or within 12-months of the project being rendered offline (whichever is sooner). The applicant shall also submit a bond, irrevocable Letter of Credit, or other appropriate surety acceptable to the County to secure the cost of removing the system and restoring the site to its original condition to the extent reasonably possible.
9. The applicant shall incorporate the recommendations of Fort Huachuca representatives, to the extent possible, regarding the source of materials.



Sample Motion

Mr. Chairman, I move to approve Special Use Docket SU-20-15 (Clenera Solar North), located on parcel, 106-03-038 with the Conditions of Approval recommended by staff; the Factors in Favor of Approval constituting the Findings of Fact.

Mr. Chairman, I move to approve Special Use Docket SU-20-16 (Clenera Solar South), located on parcel, 106-03-038 with the Conditions of Approval recommended by staff; the Factors in Favor of Approval constituting the Findings of Fact.

