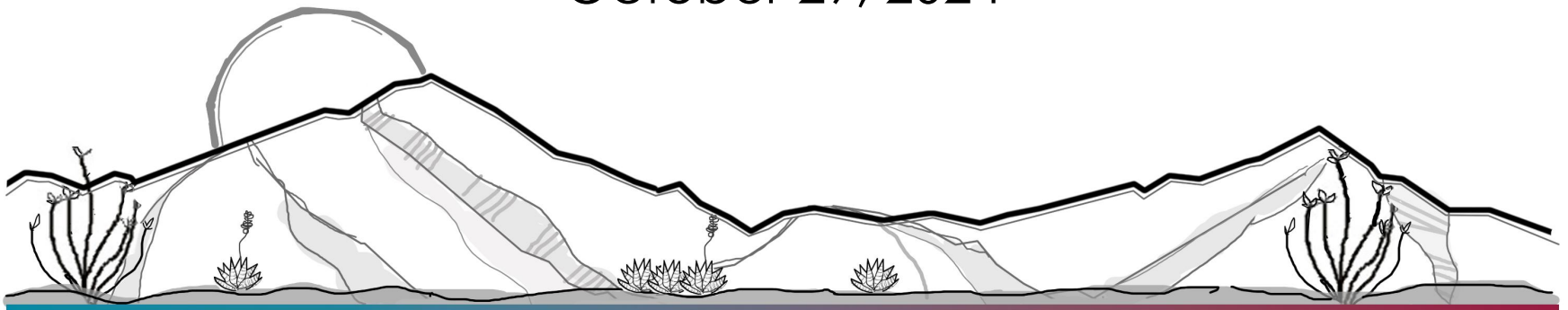


SUA24-02 (Dahlia Solar Appeal)

Appeal of Planning and Zoning Commission
Denial of a Special Use Authorization for a Solar
Energy Power Plant

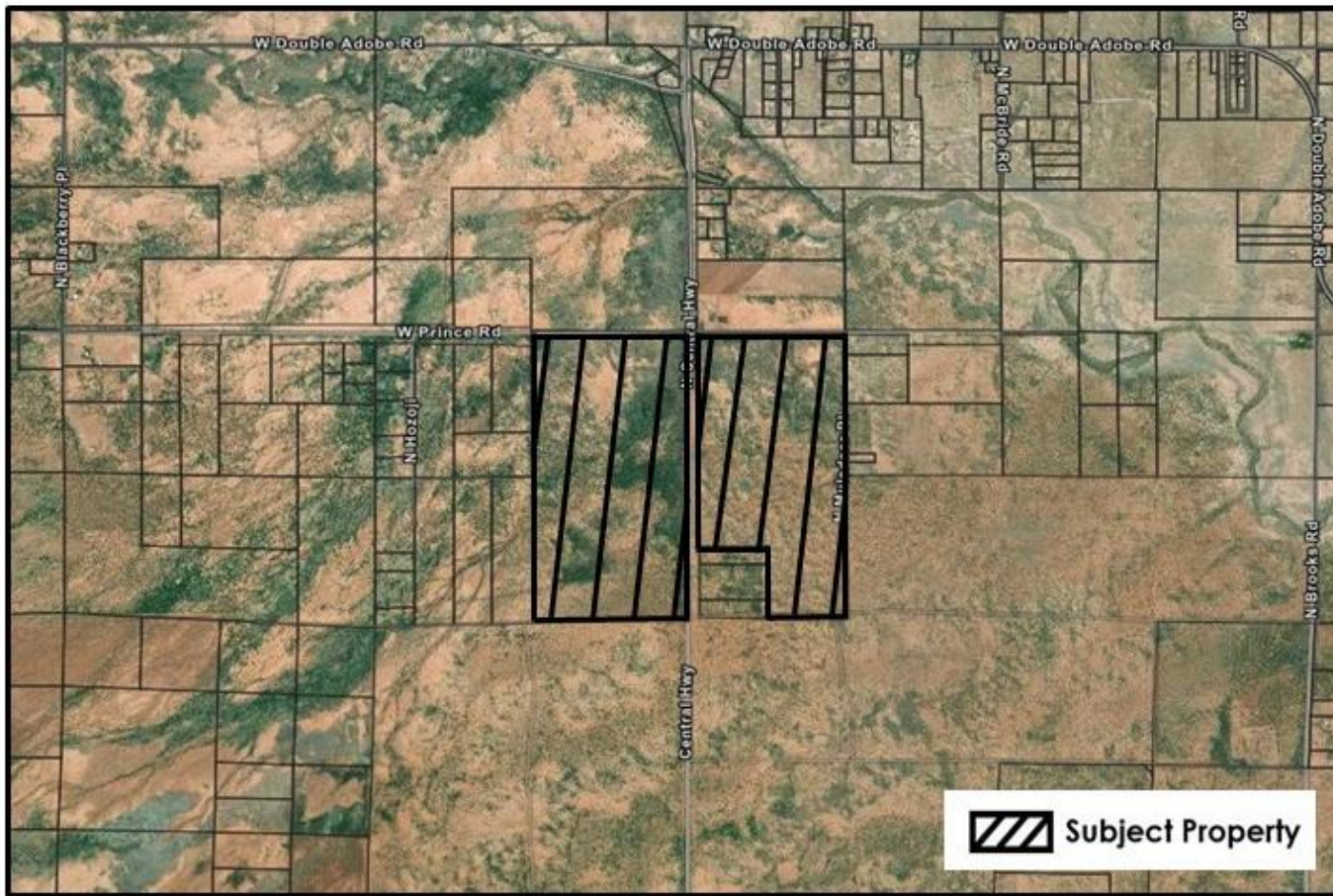
Board of Supervisors
October 29, 2024



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SU24-07 (Dahlia Solar)

4283/4355 Prince Road (APN 40717001, 40718003)

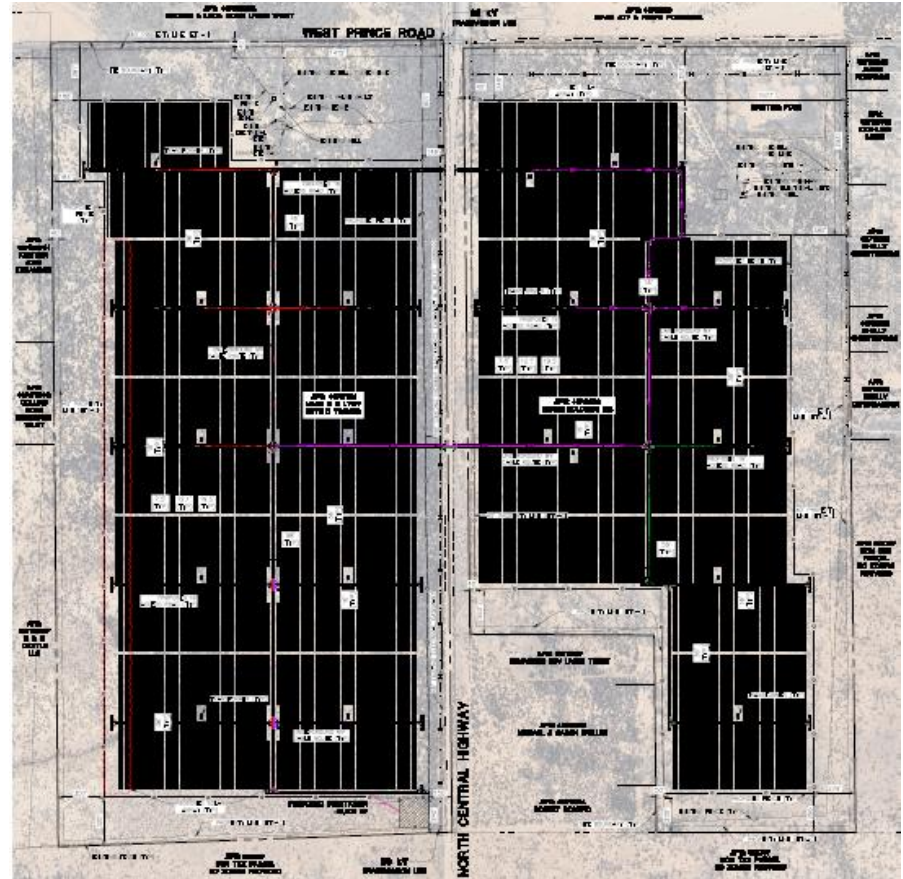
N.T.S



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Docket SU24-07 (Dahlia Solar)

- Proposed solar energy power plant at Central Hwy-Prince Rd
- 596-acre project site
- Up to 75 MW, 40 to 50-year lifespan
- 400-acre fenced area
- 225-acre solar panel footprint
- Minimum 400' from residences
- Staff recommended conditional approval
- Commission voted 0-7 on motion to approve



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Central Highway

Appeal Criteria

- All reasons why the appellant believes the decision, or any part of the decision was erroneous, arbitrary, capricious, or an abuse of discretion.
- Written presentation of additional testimony and evidence, a full explanation of the additional testimony and evidence that will be submitted, with an explanation of why this was not presented to the Planning and Zoning Commission.

The Board must specifically state factual and legal basis for affirming, reversing, or modifying the Planning and Zoning Commission's decision per Section 2.48.160.4c of the Zoning Regulations.

Appellant Claims

All reasons why the appellant believes the decision, or any part of the decision was erroneous, arbitrary, capricious, or an abuse of discretion.

- Broad, pre-decisional statements relative to the number of county-approved solar projects, natural hazard risks
- Public input cited as the basis for voting against the special use
- Interconnection agreements and energy destination concerns

Appellant Claims

Written presentation of additional testimony and evidence, a full explanation of the additional testimony and evidence that will be submitted, with an explanation of why this was not presented to the Planning and Zoning Commission.

- Applicant information and U.S. projects
- Public funding versus tax credit incentives
- Panel glare risks on local aviation
- Viewshed and wildlife impacts
- Site maintenance and upkeep
- Construction noise
- Hazardous materials

Public Notice

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Factors in Favor of Appeal

- 1.Appellant met application submittal requirements.
- 2.Staff recommended conditional approval of Docket SU24-07.

Factors Not in Favor of Appeal

- 3.The Zoning Regulations allows the Planning and Zoning Commission to render Special Use Authorization decisions.
- 4.The Commission considered special use factors contained in the Zoning Regulations.
- 5.Appeal approval reverses a unanimous decision by the Commission.

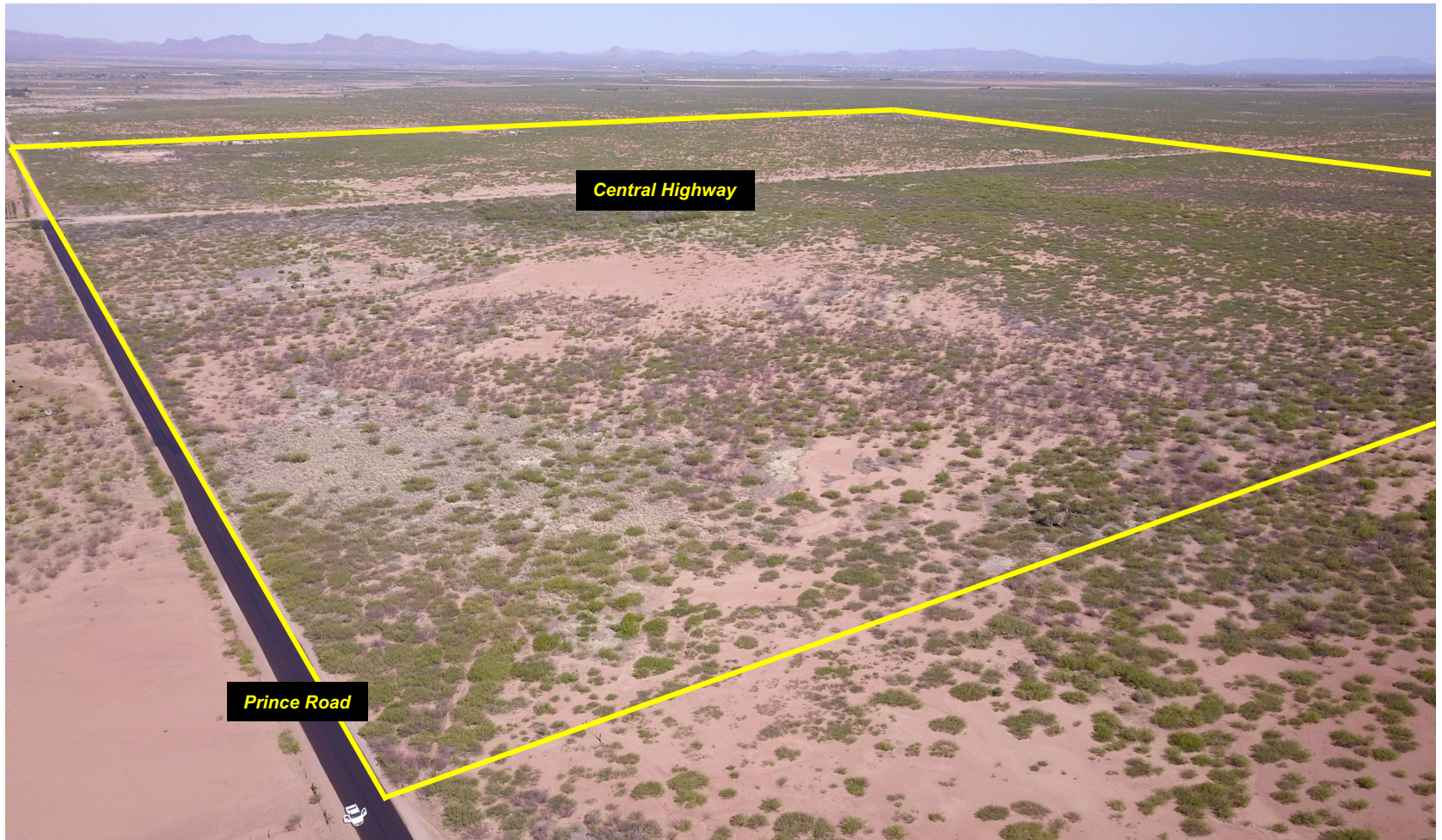
Staff Recommendation

Based on the factors in favor of the appeal, Staff recommends approval of Docket SUA24-02, **reversing** the Planning and Zoning Commission's decision to disapprove Docket SU24-07.

Appeal approval reverses the Commission's decision and approves Docket SU24-07. Staff recommends including conditions of approval identified in the staff memo.

Appeal denial affirms the Commission's disapproval Docket SU24-07.

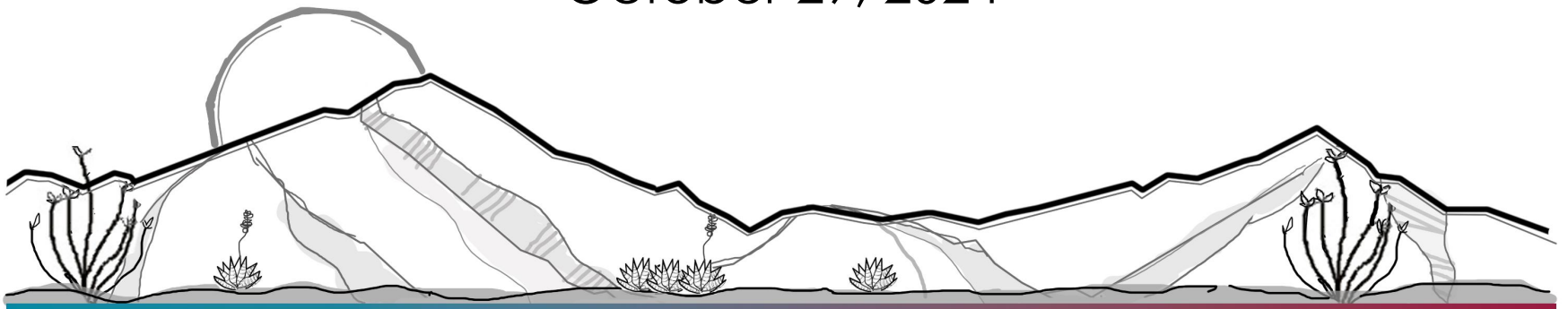
Applicant Presentation



SUA24-02 (Dahlia Solar Appeal)

Appeal of Planning and Zoning Commission
Denial of a Special Use Authorization for a Solar
Energy Power Plant

Board of Supervisors
October 29, 2024



DEVELOPMENT SERVICES



Special Use Authorization Factors

- | | |
|------------------------------------------------------------------|-----------------|
| <input type="checkbox"/> Compliance with adopted plans | Complies |
| <input type="checkbox"/> Compliance with zoning district purpose | Complies |
| <input type="checkbox"/> Development along major streets | Complies |
| <input type="checkbox"/> Traffic circulation | Complies |
| <input type="checkbox"/> Adequate services and infrastructure | Complies |
| <input type="checkbox"/> Significant site development standards | Complies |
| <input type="checkbox"/> Public input | Complies |
| <input type="checkbox"/> Hazardous materials | Complies |
| <input type="checkbox"/> Off-site impacts | Complies |
| <input type="checkbox"/> Water conservation | Complies |
-

SU24-07 Recommended Conditions

1. The project owner shall submit, in advance or concurrent with their first commercial permit, a Traffic Improvement and Maintenance Plan, which successfully mitigates project impacts to Central Highway. The plan shall include, but not be limited to, a traffic control plan, a dust control plan, a road stabilization plan, and a road maintenance plan.
 2. The project owner shall apply a chemical stabilizer, such as Magnesium Chloride, to Central Highway during the project construction phase. Road preparation and application shall follow best practices to improve product performance and shall be in accordance with manufacturer's specifications.
 3. Project vehicles and equipment shall not use N. Frontier Road to access the project site during or after construction.
-

Staff Recommendation (cont.)

4. The applicant shall submit an Emergency Response Plan in conjunction with building permit submittals for County and fire responder review and approval.

5. The project owner shall include all Best Management Practices (BMP) for dust mitigation and wind erosion with the dust control plan of the Traffic Improvement and Maintenance Plan:

Minimize grading and vegetation removal. Landscaping with native plants can help support wildlife and pollinator species in the area while reducing dust and erosion.

In areas where vegetation removal and/or grading is required, schedule the process of vegetation removal to the minimum time required prior to module installation.

Limit vehicle speed on Central Highway within project limits, during facility construction, to 25 miles per hour.

Staff Recommendation (cont.)

- Apply water to disturbed soil areas using water trucks to control dust and maintain proper moisture levels for soil compaction. Minimize over application of water to prevent runoff and ponding.
 - Suspend grading during periods of high wind.
 - Cover all trucks hauling soil or other loose material in and out of the proposed Project site.
 - Gravel or aggregate should be used where access roads meet paved roads to limit offsite disturbance and prevent mud and dirt track-out.
6. The project owner shall conduct preconstruction surveys per the Migratory Bird Treaty Act (MBTA) prior to vegetation removal or ground disturbance associated with project construction.
7. The project owner shall exclusively use PV panels with an anti-reflectivity coating that is integral to the panel.
-

Staff Recommendation (cont.)

8. All solar racks shall be installed to maintain no less than a 12' minimum clear distance, measured from outer edge of panels, between all tracker rows. The applicant shall not exceed a 38% ground cover ratio, defined as panel area to total project area, for the project site.

9. A 4"-6" gap between the bottom of project-related perimeter fencing and ground surface shall be reserved for small ground animal permeability.

**Standard conditions related to acceptance of conditions, permitting requirements and timeframes, and modifications to an approved special use apply to and have not been modified by this request.*
