TABLE 1

SUMMARY OF ZONING CODE
AMENDMENT to SECTIONS 8-2.1102, 8-2.1104 and 8-2.1105 of Article 11 (Energy and Telecommunications Development Standards)

Section Amended	Summary of Change	Reason/Justification for the Change
Section 8-2.1102 Wireless Telecommunications Facilities		
8-2.1102(b) Definitions	Add new and modify existing definitions	Updates ordinance to include provisions for eligible facilities requests and clarifies circumstances for permit streamlining for a non-substantial change to an existing permitted cell tower facility, as mandated by the FCC under federal regulations
8-2.1102(c) Permits required	Removes text related to approvals and replaces with Zoning Table Clarifies permitting process for attached towers Specifies process for eligible facilities request	Reduces clutter and provides clarity, ease of reference for permitting requirements Clarifies requirements for eligible facilities request – currently not codified
8-2.1102(d) Application	Adds additional requirements for submitting an application request for a new cell tower facility	Clarifies and enhances requirements for applicants – identifies standards necessary for effective project review Stresses collocation to limit the proliferation of multiple towers in one region
8-2.1102(e) Development standards	Adds additional standards for parcel size and facilities in scenic corridors	Limits large telecommunication facilities on parcels 2 acres or more Considers stealth design options for facilities proposed to locate in scenic areas
8-2.1102(f) Eligible Facilities Request	Adds new section for eligible facilities request	Establishes the criteria for minor modifications to existing permitted cell towers and base stations, per federal regulations
Section 8-2.1104 <u>Solar Energy Systems</u> (proposed) ~~Small and Medium Solar Energy Systems~~ (existing)		

TABLE 1

SUMMARY OF ZONING CODE AMENDMENT to SECTIONS 8-2.1102, 8-2.1104 and 8-2.1105 of Article 11 (Energy and Telecommunications Development Standards)

Section Amended	Summary of Change	Reason/Justification for the Change
8-2.1104(a) Purpose	Update to text	Minor text amendments to clarify and update nomenclature and mission statement
8-2.1104(b) Definitions	Modifies existing definitions for clarity; adds new definitions and use types, as follows: • Small accessory use ground-mount and roof mount solar energy systems up to 10Kw (replaces small residential roof-mount) • Accessory solar energy systems >10Kw up to 7.5 acres (replaces small up to 2.5 ac and medium up to 7.5 ac) • Medium-sized solar energy systems >7.5 acres up to 30 acres • Large-scale solar energy systems >30 acres Introduces accessory solar energy system and utility solar energy system use types Deletes very large solar energy systems definition – combines large and very large solar energy systems into one use type: large-scale solar energy systems	Replaces and updates existing definitions; introduces new definitions to provide distinction between accessory serving solar energy systems and utility serving solar energy systems. Removes overlapping use types. Broadens small accessory use types for streamlined permitting under the Solar Rights Act. Consolidates large and very large solar energy systems into one definition and use type for ease of reference.
8-2.1104(c) Applicability	Update to text	Minor text amendment to clarify and update for consistency.
8-2.1104(d) Administration and required approvals	Clarifies small accessory solar energy systems allowed in all zones by-right Modifies and updates text; requires vegetative substrate for accessory systems	Minor text changes to comport with changes in definitions and use types. Updates approval requirements for clarity. Requires vegetative substrate for accessory solar uses; otherwise, use permit may be required.

TABLE 1

SUMMARY OF ZONING CODE
AMENDMENT to SECTIONS 8-2.1102, 8-2.1104 and 8-2.1105 of Article 11 (Energy and Telecommunications Development Standards)

Section Amended	Summary of Change	Reason/Justification for the Change
	Combines large and very large solar energy systems application process Requires compatibility findings for utility solar energy systems on Williamson Act land Encourages soft design features for future restoration	Allows large-scale solar energy system up to 120 acres to be approved by Planning Commission; large-scale solar energy systems greater than 120 acres would still require Board of Supervisors approval. Promotes full restoration of the land once a solar use has ceased
8-2.1104(e) Permitted locations	Extensive text amendments; removes text related to permitting and zoning locations and replaces with Zoning Table	Significant changes to reduce text and replace with Table for ease of reference. Provides consistency with other Articles using Zoning Tables
8-2.1104(f) Development standards for small accessory use solar energy systems	Replaces existing standards for small solar energy systems and small residential rooftop solar energy system review process with small accessory use solar energy systems	Identifies standards for new and more broadly defined small accessory use solar energy systems that are subject to permit streamlining under the Solar Rights Act. Small energy systems use type redundant and replaced with small accessory use and accessory solar energy systems up to 2.5 acres

TABLE 1

SUMMARY OF ZONING CODE AMENDMENT to SECTIONS 8-2.1102, 8-2.1104 and 8-2.1105 of Article 11 (Energy and Telecommunications Development Standards)

Section Amended	Summary of Change	Reason/Justification for the Change
		Removes extraneous section for building permit reviews unrelated to Zoning Regulations and standards. These permit reviews are already in place and implemented under building permit and review protocols.
8-2.1104(g) Development standards for accessory solar energy systems	Replaces standards for medium-sized solar energy systems serving onsite uses with standards for accessory solar energy systems Includes standards for minimizing effects on habitat	Defines standards for new accessory solar energy systems use type, which are systems that support and offset energy needs onsite, but are not utility-scale. Requires systems over 2.5 acres that occupy Swainson's hawk habitat to plant a vegetative substrate to promote raptor use of the site. Prohibits systems within riparian corridors. Requires Use Permit if design cannot meet standards
8-2.1104(h) Development standards for medium-sized and large-scale solar energy systems	Adds new section for medium-sized and large-scale solar energy systems that replaces requirements for large and very large solar energy systems in Section 8-2.1105 Includes standards for integration into the agricultural landscape and protection of natural features	Consolidates standards for large-scale systems into a single ordinance for ease of reference. Identifies development standards not previously specified – provides clarity. Promotes habitat friendly utility solar energy systems as an alternative to mitigation Prohibits systems near riparian corridors

TABLE 1

SUMMARY OF ZONING CODE AMENDMENT to SECTIONS 8-2.1102, 8-2.1104 and 8-2.1105 of Article 11 (Energy and Telecommunications Development Standards)

Section Amended	Summary of Change	Reason/Justification for the Change
8-2.1104(i) Mitigation required	Adds new section that replaces Section 8-2.1105(f) (***Agricultural land mitigation required***) with mitigation requirements for utility solar energy systems Includes mitigation requirements for solar energy systems that will remove Swainson's hawk foraging habitat	Utility solar energy systems would still require ag mitigation under the County's Agricultural Conservation and Mitigation Program Identifies new requirement for habitat mitigation for systems that are determined to remove or convert SH foraging habitat, i.e., systems that do not support ecological function for continued wildlife use
8-2.1104(j) Decommissioning	Adds new section to require decommissioning	Decommissioning requirements currently not addressed in existing solar energy systems ordinances.
Section 8-2-1105 <u>Energy Storage Systems</u> (proposed) ~~Large and Very Large Solar Energy Systems~~ (existing)		
8-2.1105	Replaces the Large and Very Large Solar Energy Systems Ordinance with the Energy Storage Systems Ordinance	Identifies provisions for siting energy storage systems that can be coupled with a renewable energy system or designed as standalone systems

TABLE 1

SUMMARY OF ZONING CODE
AMENDMENT to SECTIONS 8-2.1102, 8-2.1104 and 8-2.1105 of Article 11 (Energy and Telecommunications Development Standards)

Section Amended	Summary of Change	Reason/Justification for the Change
		Energy storage systems typically accompany solar energy system proposals – this ordinance establishes standard requirements.

ARTICLE 11 ZONING CODE AMENDMENT

Note: The following list includes text amendments to the Zoning Regulations in Article 11 of Title 8, Chapter 2 of the Yolo County Code. Specifically, Sections 8-2.1102, 8-2.1104 and 8-2.1105 related to telecommunication facilities and solar energy systems have been modified and/or replaced. All proposed text amendments are shown in bold legislative font (**underline** and ~~**strikeout**~~).

AMENDMENTS TO CHAPTER 2, ARTICLE 11: ENERGY AND TELECOMMUNICATIONS DEVELOPMENT STANDARDS

A. Amend Section 8-2.1102 Wireless telecommunication facilities, as follows:

(a) Purpose

The purpose of this ~~**section**~~ **Section** is to ~~**establish**~~ **implement** permit requirements and development standards for wireless telecommunication facilities in the unincorporated area of Yolo County.

(b) Definitions

Eligible facilities request
"Eligible facilities request" shall mean any request for modification of an existing permitted tower or base station that does not substantially change the physical dimension of the tower or base station, involving: (1) collocation of new transmission equipment; (2) removal of transmission equipment; or (3) replacement of transmission equipment.

Radio
Radio is a generic term for communication of sound, data, or energy by means of electromagnetic wave propagation. For regulatory purposes "radio" includes the popular terms "television" and "microwave". The term "wireless" is interchangeable with "radio."

Section 6409(a) modification
"Section 6409(a) modification" shall mean any eligible facilities request pursuant to Section 6409 of the Middle Class Tax Relief and Job Creation Act of 2012 ("Spectrum Act"), which mandates that a local government approve certain wireless broadband facilities siting requests for modifications and collocations of wireless transmission equipment on an existing tower or base station that do~~es~~ not result in a substantial change to the physical dimensions of the tower or base station.

Wireless facility modification, substantial change
A "substantial change to a wireless facility" shall be as defined by the Federal Communications Commission (FCC) in Title 47 Code of Federal Regulations (CFR) Section 1.6100(b)(7), including the following:

(i) **An increase in the height of a permitted tower, that is not in the public right of way, by more than 10 percent or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed 20 feet, whichever is greater; or, an increase in the height of a permitted support structure by more than 10 percent or more than 10 feet, whichever is greater.**

(ii) **Adding an appurtenance to the body of a permitted tower, that is not in the public right of way, that would protrude from the edge of the tower more than 20 feet or more than the width of the tower structure at the level of the appurtenance, whichever is greater; or, adding an appurtenance to the body of a permitted structure that would protrude from the edge of the structure by more than six feet.**

(iii) **Installation of more than the standard number of new equipment cabinets for the technology involved, not to exceed four cabinets; or, for permitted towers and base stations in the public right of way, installation of any new equipment cabinets on the ground if there are no existing ground cabinets associated with the structure or installation of ground cabinets that are more than 10 percent larger in height or overall volume than any other ground cabinets associated with the structure.**

(iv) **Excavation or deployment outside of the permitted facility site; for permitted towers not in the public right of way any excavation or deployment of transmission equipment outside of the current site by more than 30 feet in any direction (measurement excludes existing access or utility easements related to the site).**

(v) **Modifications that would defeat the concealment elements of the permitted support structure.**

(vi) **The modification does not comply with conditions associated with the siting approval of the construction or modification of the permitted facility.**

Wireless telecommunication facility

"Wireless telecommunication facility" shall mean an un-staffed facility for the transmission and reception of radio signals, including, but not limited to cellular radiotelephone service facilities, specialized mobile radio service facilities, microwave service facilities, broadband Internet service, communication towers, personal communication service facilities, and commercial paging service facilities.

Wireless telecommunication facility, attached

"Attached wireless telecommunication facility" shall mean a telecommunication facility that is attached to an existing permitted structure whose tower height is no more than 80 feet.

Wireless telecommunication facility, small
"Small wireless telecommunication facility" shall mean a telecommunication facility whose tower height is less than eighty (80) feet.

Wireless telecommunication facility, large
"Large wireless telecommunication facility" shall mean one whose tower height is eighty (80) feet or more.

(c) Permits required

(1) Construction of a ~~**free-standing small**~~ wireless telecommunication facility ~~**on rural lands zoned for agricultural uses (including the Agricultural Intensive (A-N) zone, the Agricultural Extensive (A-X) zone, the Agricultural Commercial (A-C) zone, and the Agricultural Industrial (A-I) zone) may be approved through the issuance of a Site Plan Review approval by staff, provided the facility is located on a parcel 20 acres or more in size. This approval is a ministerial, "over the counter" approval like a building permit, and does not require a public hearing, unless**~~ **may be installed and operated in the following zoning districts, provided the facility meets development standards, as provided in Section 8-2.1102(e), below, as shown in Table 8-2.1102:** ~~**the application fails to meet the minimum parcel size or any of the specific Development Standards set forth in Section 8-2.1102(e), below, in which case the application may be referred by staff to the Zoning Administrator or the Planning Commission for a hearing and decision to issue a Minor or Major Use Permit. Construction of a small wireless telecommunication facility on rural lands zoned for agricultural uses that are less than 20 acres in size shall be approved pursuant to Subsection (2), below.**~~

Table 8-2.1102

Allowed Wireless Telecommunications Facility Uses and Permit Requirements

A = Allowed use, subject to zoning clearance SP = Site Plan Review UP (m) = Minor Use Permit UP (M) = Major Use Permit N = Use Not Allowed	Land Use Permit Required by Zone					
	A-N, A-X, A-I A-C, A-R	RR-5, RR-2, R-L, R-M, R-H	C-L, C-G, DMX, C-H	I-L, I-H, OPRD	PQP POS, P-R	Specific Use Requirements or Performance Standards
Wireless Telecommunication Facility						
Small telecommunication facility (<80 ft on min parcel sizes) [(a)]	SP	UP (m)	UP (m)	UP (m)	UP (m)	20-ac minimum in agricultural zones 2-ac minimum in all other zones See Sec. 8-2.1102(e)
Small telecommunication facility (<80 ft if min parcel size cannot be met) [(b)]	UP(m)	UP(M)	UP(M)	UP(M)	UP(M)	See Sec. 8-2.1102(e)
Large telecommunication facility (80 ft or more on 40 ac or more)	UP (m)	N	N	UP(m)	UP(m)	See Sec. 8-2.1102(e)
Large telecommunication facility (>80 ft <40 ac)	UP(M)	N	N	UP(M)	UP(M)	
Attached telecommunication facility (up to 80 ft)	A	UP (m)	SP	A	SP	
Eligible facilities request	A	A	A	A	A	See definition in Sec. 8-2.1102(b) and Sec. 8-2.1102(f)

(a) Must meet parcel size requirements: 20 acres or more in agricultural zones, 2 acres or more in all other zones

(b) Minor Use Permit required in the agricultural zones on parcels less than 20 acres, Major Use Permit required in all other zones on parcels less than 2 acres

(2) Construction of a small wireless telecommunication facility on rural lands zoned for agricultural uses ~~**(including the Agricultural Intensive (A-N) zone, the Agricultural Extensive (A-X) zone, the Agricultural Commercial (A-C) zone, and the Agricultural Industrial (A-I) zone)**~~ may be approved through the

issuance of a Site Plan Review approval ~~by staff~~, provided the facility is located on a parcel 20 acres or more in size.

(3) If ~~the~~ **an** application **for a proposed small wireless telecommunication facility in the agricultural zones** fails to meet the minimum parcel size or any of the specific ~~Development~~ **development** ~~Standards~~ **standards** set forth in Section 8-2.1102(e), below, the application ~~may~~ **shall** be referred to the Zoning Administrator ~~or the Planning Commission~~ for a hearing and decision to issue a Minor ~~or Major~~ Use Permit.

(4) Construction of a ~~small~~ wireless telecommunication facility that is attached to an existing structure **(**such as a barn on rural lands zoned for agricultural uses~~,~~ **or a warehouse on lands zoned for industrial uses)** regardless of the size of the parcel, may be approved with the issuance of a building permit only**, provided the overall height of the tower is no more than 80 feet**.

(5) An attached telecommunication facility may be permitted in the commercial and public and open space zones through Site Plan Review approval so long as the overall tower height is no more than 80 feet.

(~~3~~6) ~~**Construction of a small wireless telecommunication facility located on properties within non-agricultural or urban areas that are zoned for residential, commercial, and industrial uses are allowed through the issuance of a Minor or Major Use Permit, depending on the application's consistency with all of the Design Standards set forth in Section 8-2.1102(e), below. Specifically, wireless facilities are permitted with approval of a Minor Use Permit, issued by the Zoning Administrator, on lots of two acres or more, and which meet all of the Development Standards set forth in Section 8-2.1102(e), below, in areas zoned for residential uses (in the Rural Residential (RR-5 and RR-1), Residential Low (R-L), Residential Medium (R-M), and Residential High (R-H) zones); commercial uses (in the Local Commercial (C-L), the General Commercial (C-G), the Downtown Mixed Use (DMX), and the Highway Commercial (C-H) zones); industrial uses (in the Heavy Industrial (I-H), the Light Industrial (I-L) and the Office Park/Research and Development (OPRD) zones); and open space and recreation uses (in the Public Open Space (POS), Park and Recreation (P-R), and Public Quasi-Public (PQP) zones).~~** If ~~the~~ **an** application for a small telecommunication facility is proposed **in the residential, commercial, industrial, or public and open space zones** on a small lot of less than two acres, or if the application fails to meet any of the ~~Development~~ **development** ~~Standards~~ **standards set forth in 8-2.1102(e), below,** the application ~~may~~ **shall** be referred ~~by staff~~ to the Planning Commission for a public hearing and issuance of a Major Use Permit.

(**4~~7~~**) Construction of large wireless telecommunication facilities on lands zoned for agricultural, industrial, open space and recreation uses, shall be approved through the issuance of a Minor Use Permit, provided the facility is located on a parcel 40 acres or more in size. Large wireless telecommunication facilities constructed on parcels less than 40 acres, on lands zoned for agricultural, industrial, open space and recreation uses, shall be approved in all cases through the issuance of a Major Use Permit. The application shall meet all of the ~~**Development**~~ **development** ~~**Standards**~~ **standards** set forth in Section 8-2.1102(e), below.

(8) An applicant may submit in writing a request for modification to an existing permitted tower or base station. An eligible facilities request that does not substantially change the physical dimensions of the facility shall be approved in accordance with 47 CFR Section 1.6100, as described in subsection (f), below.

(d) Application

~~**In addition to the application requirements set forth in this chapter, e**~~ **E**ach application for a wireless telecommunication facility permit ~~**application**~~ shall include the following:

(1) A graphic depiction of the search ring used in determining facility location. **The graphic shall identify all existing telecommunication tower sites within the search ring.**

(2) A propagation or signal map showing the proposed coverage area (with and without the proposed facility).

(~~2~~3) A photo simulation of the proposed developed site from four directions (north, south, east and west). ~~**This requirement for photo simulations may be waived by staff for small wireless facility applications**~~.

(4) A written justification that identifies opportunities to collocate the proposed facility on an existing facility have either been exhausted or are not available in the area.

(e) Development standards

The following development standards shall be satisfied prior to the approval of a ~~**Conditional Use Permit for a**~~ wireless communications facility:

(1) The site ~~**is**~~ **can provide all necessary infrastructure** ~~**adequate**~~ for the development of the proposed wireless communication facility. **The minimum parcel size required for a large telecommunication facility shall be two acres.**

(2) Opportunities to co-locate the subject facility on an existing facility have either been exhausted or are not available in the area.

(3) The facility as proposed is necessary for the provision of an efficient wireless communication system.

(4) The development of the proposed wireless communication facility will not significantly affect the existing onsite topography and vegetation; or any designated public viewing area, scenic corridor or any identified environmentally sensitive area or resource. **Wireless communication facilities proposed to locate in a designated scenic corridor, including areas identified by the General Plan as providing scenic value, may require stealth design elements to mitigate visual impacts.**

(5) The proposed wireless communication facility will not create a hazard for aircraft in flight and will not hinder aerial spraying operations.

(6) The applicant agrees to accept proposals from future applicants to co-locate at the approved site.

(7) The applicant agrees to reserve space and/or provide conduit available for County and emergency communications.

(f) Eligible Facilities Request for a Wireless Telecommunication Facility Modification

(1) An application for a "Section 6409(a) Modification" on an existing wireless communication facility may be submitted to the Planning Division for processing. Federal law requires local government approval of any eligible facilities request for modification of an existing wireless tower or base station. An eligible facilities request is any request for modification of an existing tower or base station that does not substantially change the physical dimensions of such tower or base station, involving:

i. Collocation of new transmission equipment
ii. Removal of transmission equipment; or
iii. Replacement of transmission equipment.

(2) A modification substantially changes the physical dimensions of an existing wireless communication facility if it meets the criteria listed in Sec. 8-2.1102(b) above.

B. Amend Section 8-2.1104 Small and Medium Solar Energy Systems, as follows:

Sec. 8-2.1104 ~~Small and medium s~~ Solar energy systems

(a) Purpose

The purposes of this ~~**section**~~ **Section** are as follows:

(1) To provide for the placement of ~~**small to medium**~~ solar energy systems to enable generation of electricity from the sun, for on- and/or off-site uses, thereby ~~**reducing the consumption of electricity supplied by utility companies**~~ **increasing local production and use of renewable energy and reducing peak demand on the power grid.**

(2) To minimize potential adverse impacts associated with solar energy systems on area residents, historic sites, **and** agricultural and biological resources through careful siting, design and operation, consistent with State law.

(3) To avoid or minimize public health and safety risks associated with solar energy systems by providing standards for the placement, design, construction, modification and removal of such systems, consistent with Federal, State and local regulations.

(**4) To streamline the solar permitting process that complies with the Solar Rights Act and AB 2188 (Chapter 21, Statutes 2014) to achieve timely and cost-effective installations of small accessory use solar energy systems, as defined below.**

(b) Definitions

Solar energy system

"Solar energy system" ~~**has the same meaning set forth in paragraphs (1) and (2) of subdivision (a) of Section 801.5 of the Civil Code, as such section or subdivision may be amended, renumbered, or redesignated from time to time**~~ **shall mean a device, array of devices, or structural design feature which is used to provide for generation and/or storage of electricity from sunlight, or the collection, storage, and distribution of solar energy for space heating or cooling, daylight for interior lighting, or water heating**.

Accessory solar energy system

"Accessory solar energy system" shall mean an onsite solar energy system where the energy generated contributes to the supply of power to and/or offsets energy demands on the property, or on adjacent or contiguous properties. An accessory solar energy system shall be limited to ground-mounted systems, roof-mounted systems, floating systems, and systems affixed to shade structures located over required parking areas. Accessory solar energy systems do not include small accessory use roof-mounted and ground-mounted solar energy systems as defined in this Section. Accessory solar energy systems shall not occupy more than 7.5 acres of land. A solar energy system that produces power that is sold directly to

the electrical grid with a generation capacity of more than one megawatt shall be considered a utility solar energy system, as defined below.

Adjacent
A property shall be "adjacent" to the property with the accessory solar energy system if the property lines are separated by less than 100 feet at their nearest point.

Small accessory use ground-mounted solar energy system
"Small **accessory use ground-mounted** solar energy system" shall mean a ~~**single residential or small business-scale solar energy conversion**~~ system ~~**consisting of roof panels, ground–mounted solar arrays, or other solar energy fixtures, and associated control or conversion electronics, occupying no more than 2.5 acres of land, and that will be used to produce utility power primarily to on-site users or customers.**~~ **that:**

(i) **is no larger than 10 kilowatts alternating current nameplate rating or 30 kilowatts thermal; and**

(ii) **is structurally mounted to the ground.**

Small accessory use roof-mounted solar energy system
"Small ~~**residential**~~ **accessory use** roof~~**top**~~**-mounted** solar energy system" **shall** mean~~s~~ **a** ~~**all of the following**~~ **system that**:

~~**(iii)**~~ ~~**A solar energy system that**~~ is ~~**installed on a single or duplex family Dwelling**~~ **mounted to the roof of a house, building, or other structure;**

~~**(ii) A solar energy system that conforms to all applicable state fire, structural, electrical, and other building codes as adopted or amended by the County and paragraph (iii) of subdivision (c) of Section 714 of the Civil Code, as such section or subdivision may be amended, renumbered, or redesignated from time to time.**~~

(ii) ~~**A solar energy system that**~~ is no larger than 10 kilowatts alternating current nameplate rating or 30 kilowatts thermal; **and**

(iii) ~~**A**~~ **has a** solar panel of module array that does not exceed ~~**the maximum legal building height as defined by the authority having jurisdiction**~~ **five feet above rooftop for photovoltaic or seven feet above rooftop for thermal solar systems**.

Medium-sized solar energy system
"Medium-sized solar energy system" shall mean a private on-site or utility ~~**scale**~~ solar energy conversion system consisting of many ground–mounted solar arrays**, a solar**

photovoltaic system mounted on a rack or pole that is ballasted on or attached to the ground, ~~**in rows**~~ or roof-panels, and associated control or conversion electronics, occupying more than ~~**2.5**~~**7.5** acres and no more than 30 acres of land, and that will be used to produce utility power to on-site uses and/or off-site customers.

Large-scale solar energy system
"Large-**scale** solar energy system" shall mean a utility ~~**scale**~~ solar energy conversion system consisting of many ground–mounted solar arrays, **or a solar photovoltaic system mounted on a rack or pole that is ballasted on or attached to the ground**, and associated control or conversion electronics, occupying more than 30 acres ~~**and no more than 120 acres**~~ of land, and that will be used to produce utility power to off-site customers.

Utility solar energy system
"Utility solar energy system" shall mean a solar facility featuring panels designed to generate solar power that is fed directly into the electrical grid, supplying a utility company with energy which is distributed to offsite end users. For the purposes of this Section, a utility solar energy system has a total generation capacity of more than one megawatt. A solar energy system that feeds directly to the power grid but generates one megawatt or less shall be considered a medium-sized solar energy system as defined above.

~~**Very large utility-scale solar energy system**~~
~~**"Very large utility-scale solar energy system" shall mean a utility-scale solar energy conversion system consisting of many ground–mounted solar arrays, or a solar photovoltaic system mounted on a rack or pole that is ballasted on or attached to the ground, and associated control or conversion electronics, occupying more than 120 acres of land, and that will be used to produce utility power to off-site customers.**~~

Specific, Adverse Impact
"Specific, Adverse Impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

(c) Applicability

The provisions of this ~~**section**~~ **Section** apply to **onsite accessory and** small **accessory use solar energy systems,** ~~**and**~~ medium-sized solar energy systems**, and** large-**scale solar energy systems, as defined in subsection (b)**. These solar energy systems require the issuance of a Building Permit, a Site Plan Review, **or** a ~~**Minor**~~ Use Permit~~**, or a Major Use Permit**~~**,** as set forth below. ~~**Any solar systems installed following the issuance of appropriate County permits prior to the effective date of this section shall be treated as a prior legal nonconforming use pursuant to this Chapter unless,**~~

~~**through the issuance of a permit pursuant to this section, they are subsequently made conforming.**~~ Any ~~**such**~~ solar systems installed prior to the effective date of this Section shall be considered legal, conforming uses so long as a County ~~use~~ permit or approval was issued in connection with their installation.

(d) ~~Approvals~~ Administration and required approvals

The following types of approvals are required in addition to any other permits that may be required by State, federal, and regional agencies and by any other sections of this Code:

(1) All solar energy systems shall meet applicable health and safety standards and requirements imposed by the state and the County Building and local fire department or districts.

(2) Solar energy systems for heating water in single-family residences and for heating water in commercial or swimming pool applications shall be certified by an accredited listing agency as defined by the California Plumbing and Mechanical Code.

(3) Solar energy systems for producing electricity shall meet all applicable safety and performance standards established by the California Electrical Code, the Institute of Electrical and Electronics Engineers, and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability.

(4) Small **accessory use roof-mounted and ground-mounted** solar energy systems may be approved **in all zones** through the issuance of a Building Permit and a Zoning Clearance, provided the application meets setback and other standards, as provided in this Section. However, consistent with Section 65850.5 of the California Government Code, if the Chief Building Official has a good faith belief that the solar energy system could have a specific, adverse impact upon the public health and safety, the Official may require the applicant to apply for a Use Permit. Such a Use Permit shall be considered by the Zoning Administrator according to the requirements of Section 65850.5

~~**Small residential rooftop solar energy systems legally established or permitted prior to the effective date of this Section are not subject to the requirements of this Section unless physical modifications or alterations are undertaken that materially change the size, type, or components of a small rooftop energy system in such a way as to require new permitting. Routine operation and maintenance or like-kind replacements shall not require a permit.**~~

(5) ~~**Medium-sized**~~ **Accessory** solar energy systems **that occupy more than 2.5 acres, excluding ground-mounted systems located in the POS and P-R**

zones, may be approved through the issuance of a Building Permit and Site Plan Review, provided the application meets the Development Standards set forth in Section 8-2.1104(g), below. The Site Plan Review approval is ministerial (not discretionary) and does not require a public hearing. If the application fails to meet any of the standards, the application shall instead be evaluated as an application for a Minor Use Permit by the Zoning Administrator.

(6) Accessory or medium-sized ground-mounted solar energy systems proposed to locate in the POS and P-R zones may be approved through the issuance of a Minor Use Permit as set forth in Section 8-2.1104(e)(4), below.

(7) Solar ~~facilities~~ **energy systems** proposed on a property or structure that is a designated Historic Landmark or is located within a designated Historic District may be permitted provided that the design of the facilities is consistent with the purposes of the Landmark or District designation.

(8) Medium-sized solar energy systems may be approved through Site Plan Review if the facility is located on non-prime farmland that is not under a Williamson Act contract and shall include a vegetative substrate planted and maintained beneath and between the rows of panels. Any medium-sized solar energy system that is located on prime farmland or on land that is enrolled in the Williamson Act shall require the issuance of a Minor Use Permit provided the application is consistent with the conditions and standards set forth in subsections (h) and (i), below.

(9) Large-**scale** ~~**and very large**~~ solar energy systems **occupying no more than 120 acres of land** may be approved through the issuance of a Major Use Permit by the **Planning Commission, provided the application is consistent with conditions and standards set forth in subsections (h) and (i). A large-scale solar energy system greater than 120 acres requires approval from the** Board of Supervisors, following a recommendation from the Planning Commission, provided the application is consistent with conditions and standards set forth in subsection**s** ~~**1105**~~ **(h) and (**~~**f**~~**i)**, below.

~~**If a medium-sized facility is located on predominantly prime farmland, a Minor Use Permit shall be required. If the facility is located on lands under a Williamson Act contract, a Minor Use Permit shall be required and shall include findings required under Section 51200 *et seq* of the California Government Code.**~~

(10) **If a utility solar energy system is proposed to locate on lands under a Williamson Act contract, the use must be found to be compatible in accordance with Section 106 of the Yolo County Williamson Act Guidelines, including compliance with the Williamson Act statutes governing the principles of compatibility required under Section 51238.1 of the California Government Code.**

(11) Solar energy development shall employ design features that allow for full restoration of the land once the system has ceased to generate electricity.

(e) Permitted locations

(1) ~~**Small**~~**S~~s~~**olar energy systems may be installed and operated in the following ~~**zoning districts or specific**~~ zones, provided the systems meet setback and other standards, as provided in this ~~**section**~~ **Section and shown in Table 8-2.1104:**

~~**(i) all agricultural districts (including the Agricultural Intensive (A-N), the Agricultural Extensive (A-X), the Agricultural Commercial (A-C), the Agricultural Industrial (A-I), and the Agricultural Residential (A-R) zones);**~~

~~**(ii) all residential districts (including the Rural Residential (RR-5 and RR-1), the Residential Low (R-L), the Residential Medium (R-M), and the Residential High (R-H) zones);**~~

~~**(iii) all commercial districts (including the Local Commercial (C-L), the General Commercial (C-G), the Downtown Mixed Use (DMX), and the Highway Commercial (C-H) zones);**~~

~~**(iv) all industrial districts (including the Light Industrial (I-L), the Heavy Industrial (I-H), and the Office Park/Research and Development (OPRD) zones); and**~~

~~**(v) the Public and Quasi-Public (PQP) zone only.**~~

~~**(2) Medium-sized solar energy systems may be installed and operated in the following zoning districts or specific zones, provided the systems meet setback and other standards, as provided in this section:**~~

~~**(i) the following agricultural districts: the A-N, the A-X, and the A-I zones;**~~

~~**(ii) all commercial districts (the C-L, the C-G, the DMX, and the C-H zones);**~~

~~**(iii) all industrial districts (the I-L, I-H, and OPRD zones); and**~~

~~**(iv) the PQP zone only.**~~

Table 8-2.1104
Allowed Solar Uses and Permit Requirements

A = Allowed use, subject to zoning clearance SP = Site Plan Review UP (m) = Minor Use Permit UP (M) = Major Use Permit N = Use Not Allowed	Land Use Permit Required by Zone							
	A-N, A-X, A-I	A-C, A-R	RR-5, RR-2, R-L, R-M, R-H	C-L, DMX, C-G, C-H	I-L, I-H, OPRD	PQP	POS, P-R	Specific Use Requirements or Performance Standards
Solar Energy System								
Small accessory use roof-mounted solar energy system (up to 10Kw)	A	A	A	A	A	A	A	Sec. 8-2.1104(f)
Small accessory use ground-mounted solar energy system (up to 10Kw)	A	A	A	A	A	A	SP	
Accessory solar energy system (>10Kw, < 2.5 acres)	A	A	A	A	A	A	A/SP[(a)]	Sec. 8-2.1104(g)
Accessory solar energy system (2.5 to 7.5 acres)	SP	SP	SP	SP	SP	SP	SP/UP(m)	
Medium-sized solar energy system (7.5 to 30 acres)	SP/UP(m)	N	N	SP/UP(m)	SP/UP(m)	SP/UP(m)	N	Sec. 8-2.1104(h)(i)
Large-scale solar energy system (> 30 acres)	UP(M)	N	N	N	UP(M)	UP(M)	N	

(a) Site Plan Review required for ground-mounted systems

(2) Installation of **roof-mounted** solar arrays ~~**as roof top displays**~~ is encouraged in all public facilities in all **zones** ~~**districts**~~ so long as associated controls or conversion electronics do not impact other facilities.

(3) ~~**Small**~~ **Accessory** and medium-sized solar energy systems ~~**are prohibited**~~ in the Public and Open Space (POS) and Park and Recreation (P-R) zones ~~**with the exception of**~~ **are limited to** roof-**mounted** panels and associated controller and conversion electronics.

(4) Under circumstances where roof ~~**top**~~ **mounted** solar arrays alone cannot provide sufficient power for onsite uses in the POS or P-R zones, supplemental ground-mounted solar arrays may be permitted only to the extent necessary to provide

sufficient power for onsite uses only **through the issuance of a Minor Use Permit.**

(5) Large-**scale** ~~**and very large scale**~~ solar energy systems are prohibited in the Public Open Space (POS) and Parks and Recreation (P-R) zones.

~~**(2) Medium-sized solar energy systems may be approved through the issuance of a Site Plan Review, provided the application meets the Development Standards set forth in Section 8-2.1104(g), below. The Site Plan Review approval is ministerial (not discretionary) and does not require a public hearing. If the application fails to meet any of the standards, the application must instead be evaluated as an application for a Minor Use Permit by the Zoning Administrator.**~~

(f) Development standards for small accessory use solar energy systems

Applications for small **accessory use roof-mounted and ground-mounted** solar energy systems shall meet all of the following standards and any permit issued for such a system shall be conditioned to meet the standards:

(1) Photovoltaic solar energy systems may extend up to five (5) feet above the roof surface even if this exceeds the maximum height limit for the principal structure for the ~~**district**~~ **zone** in which it is located, or if this exceeds the height limit of an accessory structure (15 feet).

(2) Solar water or swimming pool heating systems may extend up to seven (7) feet above the roof surface even if this exceeds the maximum height limit for the principal structure for the ~~**district**~~ **zone** in which it is located, or if this exceeds the height limit of an accessory structure (15 feet).

(3) Excluding solar collection panels, solar energy system equipment may be installed within the required side and rear yards, but shall not be closer than ~~**two (2)**~~ **ten (10)** feet from any property line **in agricultural, commercial, industrial, and public and open space zones and five (5) feet from any property line in residential zones**.

(4) Pole mounted solar collection panels **located in the residential zones** shall comply with existing regulations for accessory structures (Section **8-2**.506(~~**b**~~a) **and Table 8-2.506** of this Chapter), i.e., the panels may not exceed ten (10) feet in height in residential zones and must meet a rear yard setback of five (5) feet~~**, with the exception that small solar systems in the agricultural zones are not subject to the front yard setback**~~.

(5) The solar panels of a small accessory use ground-mounted solar energy system shall not be included in any calculation of impervious surface for purposes of calculating lot coverage.

~~(g) Small Residential Rooftop Solar Energy System Review Process~~

~~(1) Purpose and Application~~

~~The purpose of this section is to adopt an expedited, streamlined solar permitting process that complies with the Solar Rights Act and AB 2188 (Chapter 521, Statutes 2014) to achieve timely and cost-effective installations of small residential rooftop solar energy systems. This section encourages the use of solar systems by removing unreasonable barriers, minimizing costs to property owners and the County, and expanding the ability of property owners to install solar energy systems. This section allows the County to achieve these goals while protecting the public health and safety.~~

~~The provisions of this section apply to the permitting of all small residential rooftop solar energy systems in the County. Small residential rooftop solar energy systems legally established or permitted prior to the effective date of this section are not subject to the requirements of this section unless physical modifications or alterations are undertaken that materially change the size, type, or components of a small rooftop energy system in such a way as to require new permitting. Routine operation and maintenance or like-kind replacements shall not require a permit.~~

~~(2) Definitions~~

~~The following words and phrases as used in this section are defined as follows:~~

~~Association~~
~~An "Association" means a nonprofit corporation or unincorporated association created for the purpose of managing a common interest development.~~

~~Common Interest Development~~
~~A "Common Interest Development" means any of the following: a community apartment project; a condominium project; a planned development; a stock cooperative.~~

~~Electronic submittal~~
~~"Electronic submittal" means the utilization of one or more of the following: email; the Internet; or facsimile.~~

~~Reasonable Restrictions~~

~~"Reasonable Restrictions" on a solar energy system are those restrictions that do not significantly increase the cost of the system or significantly decrease its efficiency or specified performance, or that allow for an alternative system of comparable cost, efficiency, and energy conservation benefits.~~

~~Restrictions that do not significantly increase the cost of the system or decrease its efficiency or specified performance~~
~~"Restrictions that do not significantly increase the cost of the system or decrease its efficiency or specified performance" means:~~

~~(i) For Water Heater Systems or Solar Swimming Pool Heating Systems: an amount exceeding 10 percent of the cost of the system, but in no case more than one thousand dollars ($1,000), or decreasing the efficiency of the solar energy system by an amount exceeding 10 percent, as originally specified and proposed.~~

~~(ii) For Photovoltaic Systems: an amount not to exceed one thousand dollars ($1,000) over the system cost as originally specified and proposed, or a decrease in system efficiency of an amount exceeding 10 percent as originally specified and proposed.~~

~~Solar energy system~~
~~"Solar energy system" has the same meaning set forth in paragraphs (1) and (2) of subdivision (a) of Section 801.5 of the Civil Code, as such section or subdivision may be amended, renumbered, or redesignated from time to time.~~

~~(3) Solar Energy Requirements~~

~~(i) All solar energy systems shall meet applicable health and safety standards and requirements imposed by the state and the County Building and local fire department or districts.~~

~~(ii) Solar energy systems for heating water in single-family residences and for heating water in commercial or swimming pool applications shall be certified by an accredited listing agency as defined by the California Plumbing and Mechanical Code.~~

~~(iii) Solar energy systems for producing electricity shall meet all applicable safety and performance standards established by the California Electrical Code, the Institute of Electrical and Electronics Engineers, and accredited testing laboratories such as Underwriters~~

~~Laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability.~~

~~(4) Duties of Building Department/Building Official~~

~~(i) All documents required for the submission of an expedited solar energy system application shall be made available on the publicly accessible County Website.~~

~~(ii) Electronic submittal of the required permit application and documents by email, the Internet, or facsimile shall be made available to all small residential rooftop solar energy system permit applicants.~~

~~(iii) An applicant's electronic signature shall be accepted on all forms, applications, and other documents in lieu of a wet signature.~~

~~(iv) The County's Building Department shall adopt a standard plan and checklist of all requirements with which small residential rooftop solar energy systems shall comply to be eligible for expedited review.~~

~~(v) The small residential rooftop solar system permit process, standard plan(s), and checklist(s) shall substantially conform to recommendations for expedited permitting, including the checklist and standard plans contained in the most current version of the California Solar Permitting Guidebook adopted by the Governor's Office of Planning and Research.~~

~~(vi) All fees prescribed for the permitting of small residential rooftop solar energy system must comply with Government Code Section 65850.55, Government Code Section 66015, Government Code Section 66016, and State Health and Safety Code Section 17951.~~

~~(5) Permit Review and Inspection Requirements~~

~~(i) The County Building Department shall adopt an administrative, nondiscretionary review process to expedite approval of small residential rooftop solar energy systems within 30 days of the adoption on this Ordinance. The Building Department may issue a building permit or other nondiscretionary permit the same day for over-the-counter applications, or shall issue within one to three business days for paper or electronic applications, of receipt of a complete application that meets the requirements of the approved checklist and standard plan. The Chief Building Official may require an applicant to apply for a Use Permit if the official finds, based on~~

~~substantial evidence, that the solar energy system could have a specific, adverse impact upon the public health and safety. Such decisions may be appealed to the County Planning Commission.~~

~~(ii) Review of the application shall be limited to the building official's review of whether the application meets local, state, and federal health and safety requirements.~~

~~(iii) If a Use Permit is required, the building official may deny an application for the Use Permit if the official makes written findings based upon substantive evidence in the record that the proposed installation would have a specific, adverse impact upon public health or safety and there is no feasible method to satisfactorily mitigate or avoid, as defined, the adverse impact. Such findings shall include the basis for the rejection of the potential feasible alternative for preventing the adverse impact. Such decisions may be appealed to the County Planning Commission.~~

~~(iv) Any condition imposed on an application shall be designed to mitigate the specific, adverse impact upon health and safety at the lowest possible cost.~~

~~(v) "A feasible method to satisfactorily mitigate or avoid the specific, adverse impact" includes, but is not limited to, any cost-effective method, condition, or mitigation imposed by the County on another similarly situated application in a prior successful application for a permit. The County shall use its best efforts to ensure that the selected method, condition, or mitigation meets the conditions of subparagraphs (A) and (B) of paragraph (1) of subdivision (d) of Section 714 of the Civil Code defining restrictions that do not significantly increase the cost of the system or decrease its efficiency or specified performance.~~

~~(vi) The County shall not condition approval of an application on the approval of an association, as defined in Section 4080 of the Civil Code.~~

~~(vii) If an application is deemed incomplete, a written correction notice detailing all deficiencies in the application and any additional information or documentation required to be eligible for expedited permit issuance shall be sent to the applicant for resubmission.~~

~~(viii) Only one inspection shall be required and performed by the Building~~

~~Department for small residential rooftop solar energy systems eligible for expedited review. A separate fire inspection may be performed if an agreement with the local fire authority does not exist to perform safety inspections on behalf of the fire authority.~~

~~(ix) The inspection shall be done in a timely manner and should include consolidated inspections. An inspection will be scheduled within two business days of a request and provide a two- hour inspection window.~~

~~(x) If a small residential rooftop solar energy system fails inspection, a subsequent inspection is authorized but need not conform to the requirements of this Ordinance.~~

(~~h~~g) Development standards for ~~medium-sized~~ accessory solar energy systems

Applications for **~~medium-sized~~ accessory** solar energy systems shall meet all of the following standards. If the application does not meet one or more of the standards, a Minor Use Permit shall be required and shall be conditioned to meet the standards, unless findings of fact to justify a waiver of any of the standards are adopted by the Zoning Administrator. A waiver may be granted only if the Zoning Administrator concludes that ~~it~~ **the waiver** is consistent with the purposes of this **~~section~~ Section** and that, due to unusual circumstances or other considerations, it is not reasonable to require compliance with one or more of the standards.

(1) **Photovoltaic solar energy systems may extend up to five feet above the roof surface even if this exceeds the maximum height limit for the principal structure for the zone in which it is located, or if this exceeds the height limit of an accessory structure (15 feet).** ~~**Medium-sized solar energy systems shall comply with subsection (1) of Section 8-2.1104(f) above.**~~

(2) **Solar water or swimming pool heating systems may extend up to seven (7) feet above the roof surface even if this exceeds the maximum height limit for the principal structure for the zone in which it is located, or if this exceeds the height limit of an accessory structure (15 feet).**

(~~2~~3) ~~**Medium-sized**~~ **Accessory** solar ~~**facilities**~~ **energy systems occupying more than 2.5 acres of land that are** proposed in agricultural zones and the PQP zone are encouraged to locate on predominantly (more than 60 percent) non-prime farmland and**/or previously disturbed areas to the extent feasible** ~~**to locate on non-Williamson Act contracted land. All medium-sized facilities are required to mitigate for the permanent loss of agricultural land, in accordance with Section 8-2.404 (the Agricultural Conservation and Mitigation Program).**~~

(4) Ground-mounted solar facilities shall meet the front, rear, and side yard setback requirements of the zone in which they are located, with the following exceptions: **Accessory solar energy systems** in agricultural zones**~~, the setbacks shall be at least 50 feet from all property lines~~ occupying no more than 2.5 acres shall not be required to meet the front yard setback. To address Fire Code requirements for weed control, a 10-foot perimeter is required from property lines in all agricultural, commercial, industrial, and public and open space zones and a 5-foot perimeter is required in all residential zones.**

(5) Ground-mounted solar facilities shall meet the height limit requirements of the zone in which they are located, except that auxiliary equipment may exceed this limit.

(6) **~~If the proposed solar facility will impact~~ Ground-mounted solar arrays that occupy** more than 2.5 acres of Swainson's hawk foraging **habitat~~, a Minor Use Permit shall be required and~~** shall **~~include conditions for mitigation for the permanent loss of Swainson's hawk foraging habitat, as required under the Yolo Natural Heritage Program~~ require a management plan that includes a vegetative substrate, such as native grasslands habitat or pollinator habitat, planted and maintained beneath and between the rows of panels**.

(7) Accessory solar energy systems larger than 2.5 acres shall be located no closer than a minimum of 100 feet away from a riparian corridor.

~~Pole mounted solar collection panels shall comply with existing regulations for accessory structures (Section 506(b) of this Chapter), i.e., the panels may not exceed ten (10) feet in height in residential zones and must meet a rear yard setback of five (5) feet, with the exception that small solar systems in the agricultural zones are not subject to the front yard setback.~~

(8) Accessory solar energy systems shall occupy no more than 7.5 acres of land or 20 percent of the area of the parcel, whichever is smaller.

(9) The solar panels of an accessory solar energy system shall not be included in any calculation of impervious surface for purposes of calculating lot coverage.

(h) Development standards for medium-sized and large-scale solar energy systems

(1) Medium-sized and large-scale solar energy systems are encouraged to locate on predominantly non-prime farmland and non-Williamson Act contracted land, as feasible. Any medium-sized solar energy system that locates on prime farmland or farmland under Williamson Act contract shall require a Minor Use Permit.

(2) Utility solar energy systems shall be integrated into the agricultural landscape by maintaining a substrate with a plant pallet that supports ecological function and encourages and maintains wildlife use.

(3) Solar uses shall require a minimum 100-foot buffer from riparian corridors.

(4) **~~Ground-mounted~~ Medium-sized** solar **~~facilities~~ energy systems** shall meet the front, rear, and side yard setback requirements of the zone in which they are located, with the following exception: in agricultural zones, the setbacks shall be at least 50 feet from all property lines. **A 10-foot perimeter shall be required in all other zones to address Fire Code requirements for weed control**.

(5) **Large-scale solar energy systems must be setback at least 50 feet from any property line.**

(6) Utility solar energy systems shall be located no closer than 100 feet from any residential dwelling on an adjacent property.

(7) To the extent reasonably practicable, a utility solar energy system shall have a visual buffer of natural vegetation that provides a visual screen to reduce the view of the solar energy system from residences on adjacent lots, including those lots located across a public right-of-way. Solar energy systems proposed to locate in a designated scenic corridor shall require visual screening.

(8) Solar panels shall not be included in any calculation of impervious surface or impervious cover.

(~~f~~i) ~~Agricultural land m~~ Mitigation required

(1) All **utility~~-large and very large~~** solar **~~facilities~~ energy systems** shall mitigate for the permanent loss of agricultural land, in accordance with Section 8-2.404 (the Agricultural Conservation and Mitigation Program). **Medium-sized solar energy systems approved by Site Plan Review are exempt from this requirement.**

(2) **If a proposed utility solar energy system will remove Swainson's hawk foraging habitat, mitigation for the loss of foraging habitat shall be required to minimize adverse effects. For each acre of suitable land removed, a replacement acre shall be protected and managed to consistently provide suitable conditions for foraging Swainson's hawks. Mitigation can be accomplished by payment of a development fee for land in lieu, providing land in lieu of a development fee, or other arrangement in accordance with the California Department of Fish and Wildlife. Alternatively, a project proponent may seek coverage for the loss of habitat under the Yolo HCP/NCCP as a special participating entity.**

(j) Decommissioning

Unless otherwise approved by the County, decommissioning shall begin no later than 12 months after a medium-sized or large-scale solar energy system has ceased to generate electricity. Within six months of the beginning of decommissioning, the solar energy system and all structures associated with it shall be removed, all materials shall be recycled or otherwise reused to the extent reasonably practicable, and the property shall be returned to its condition prior to the installation of the solar energy system or to some other condition reasonably appropriate for the designated land use.

C. Replace Section 8-2.1105 with the following:

~~Sec. 8-2.1105 Large and very large solar energy systems~~

~~**(a) Purpose**~~

~~The purpose of this Ordinance is to add provisions to the Yolo County Code to address the permitting of large and very large solar energy systems. These changes are necessary and appropriate to improve and enhance public welfare and safety, and to implement the Yolo County General Plan.~~

~~**(c) Applicability**~~

~~The provisions of this section apply to large and very large solar energy systems. These solar energy systems require the issuance of a Major Use Permit, as set forth below. Any such solar systems installed prior to the effective date of this Section shall be considered legal, conforming uses so long as a County use permit was issued in connection with their installation.~~

~~**(d) Permitted locations**~~

~~Solar facilities, depending on their size, may be located in the following zoning districts:~~

~~(1) Large utility scale solar energy systems used to produce electricity for off-site customers may be installed and operated in the following zoning districts or specific zones, provided the systems meet all the standards and requirements, as provided in this section: agricultural districts (the Agricultural Intensive (A-N) zone, the Agricultural Extensive (A-X) zone, and the Agricultural Industrial (A-I) zone); industrial districts (the Heavy Industrial (I-H) and the Light Industrial (I-L) zones); and Public Quasi-Public (PQP) zone; and.~~

~~(2) Very large utility scale solar energy systems used to produce electricity for off-site customers may be installed and operated in the following districts, provided the systems meet all the standards and requirements, as provided in this Section:~~

~~agricultural districts (the Agricultural Intensive (A-N) zone, the Agricultural Extensive (A-X) zone, and the Agricultural Industrial (A-I) zone).~~

Sec. 8-2.1105 Energy storage facilities

(a) Purpose

The purpose of this Ordinance is to add provisions to the Yolo County Code to regulate the permitting and installation of energy storage systems. These changes are necessary and appropriate to improve and enhance public welfare and safety, to ensure compatible land uses in the vicinity of areas affected by energy storage systems, and to mitigate the impacts of energy storage systems on important environmental resources, such as agricultural lands and wildlife habitat.

(b) Definitions

Dedicated use building

"Dedicated use building" shall mean a building that is constructed for the primary intention of housing battery energy storage system equipment, is classified as Group F-1 occupancy as defined in the California Building Standards Code, and complies with the following:

(i) The building's only use shall be for energy storage, energy generation, and other electrical grid-related operations.

(ii) No other occupancy types shall be permitted in the building.

Participating property

"Participating property" shall mean an energy storage system host property or any real property that is the subject of an agreement that provides for the payment of monetary compensation to the landowner from the energy storage system owner (or affiliate) regardless of whether any part of the energy storage system is constructed on the property.

Small energy storage system

"Small energy storage" shall mean one or more devices, assembled together, capable of storing energy in order to supply electrical energy at a future time, not to include a stand-alone 12-volt car battery or an electric motor vehicle. A small energy storage facility may be used in conjunction with an accessory renewable energy system and shall have an aggregate energy capacity less than or equal to 600kWh and consist of only a single energy storage system technology.

Energy storage system

"Energy storage system" shall mean one or more devices, assembled together, capable of storing energy in order to supply electrical energy at a future time. An energy storage system has an aggregate energy capacity greater than 600kWh or is comprised of more than one storage battery technology in a room or enclosed area. An energy storage system facility may be integrated with a utility renewable

energy system with storage connected to the renewable energy system and the grid or may be a standalone storage facility with storage connected to the grid only.

(c) Applicability

The requirements of this Section shall apply to all energy storage systems permitted, installed, or modified in unincorporated Yolo County after the effective date of this ordinance, excluding general maintenance and repair. Energy storage systems constructed or installed prior to the effective date of this ordinance shall not be required to meet the requirements of this Section. Modifications to, retrofits or replacements of an existing energy storage system that increase the total energy storage system designed discharge duration or power rating shall be subject to the provisions of this Section.

(d) Permitting requirements

Energy storage facilities may be permitted to locate in the following zones:

Table 8-2.1105
Allowed Energy Storage System Uses and Permit Requirements

A = Allowed use, subject to zoning clearance* SP = Site Plan Review UP (m) = Minor Use Permit UP (M) = Major Use Permit N = Use Not Allowed	Land Use Permit Required by Zone							
	A-N, A-X, A-I	A-C, A-R	RR-5, RR-2, R-L, R-M, R-H	C-L, DMX, C-G, C-H	I-L, I-H, OPRD	PQP	POS, P-R	Specific Use Requirements or Performance Standards
Energy Storage System								
Small energy storage (≤600Kw)	A	A	A	A	A	A	A	
Energy storage (<2MW)	SP	SP	N	SP	SP	SP	N	See Sec. 8-2. 1105(e)
Energy storage (>2MW)	UP(m)	N	N	UP(m)	UP(m)	UP(m)	N	

(1) Energy storage systems shall meet all applicable safety and performance standards established by the California Building Standards Code.

(e) Development standards for energy storage systems

(1) Small energy storage systems must be installed in non-habitable spaces, such as utility rooms, garages, storage rooms or on the exterior of a building.

(2) Onsite utility lines shall be placed underground to the extent feasible and as permitted by the serving utility.

(3) Lighting of an energy storage system shall be limited to that minimally required for safety and operational purposes and shall be shielded and downcast from abutting properties and public right-of-way, and shall take into consideration protection of the rural night sky.

(4) Areas within 10 feet on each side of an energy storage system, excluding small energy storage systems, shall be cleared of combustible vegetation and other combustible growth. Removal of trees should be minimized to the extent possible.

(5) Noise generated from energy storage systems, components, and associated ancillary equipment shall not exceed a noise level of 60 dBA as measured at the property line of the nearest offsite residence. Applicants may submit

equipment and component manufactures noise ratings to demonstrate compliance.

(6) Energy storage systems, excluding small energy storage systems, shall comply with the setback requirements of the zone in which they are located.

(7) Energy storage systems shall comply with the height limitations of the zone in which they are located.

(8) Energy storage systems shall have views minimized from adjacent properties to the extent reasonably practicable using architectural features, earth berms, landscaping, or other screening methods that will harmonize with the character of the property and surrounding area.

(f) Decommissioning

(1) A decommissioning plan, developed in accordance with all relevant codes, shall be submitted with any application for an energy storage system and shall be implemented upon abandonment and/or in conjunction with removal from the facility. The decommission plan shall include:

(i) A narrative description of the activities to be accomplished for complete physical removal of all energy storage system components, batteries, structures, equipment, security barriers, and transmission lines from the site;

(ii) Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations;

(iii) The anticipated life of the energy storage system;

(iv) The estimated decommissioning costs and method of ensuring funds will be available for decommission and restoration of the site;

(v) The manner in which the site will be restored, including a description of how any changes to the surrounding areas will be protected during decommissioning and confirmed as being acceptable after the system is removed; and

(vi) A listing of any contingencies for removing an intact operational energy storage system from service, and for removing an energy storage system from service that has been damaged by a fire or other natural disaster event.

(2) The owner and/or operator of the energy storage system shall continuously maintain a fund or bond payable to the County of Yolo, in a form approved by the County, for the removal of the energy storage system, in an amount to be determined by the County for the period of the life of the facility. All costs of the financial security shall be borne by the applicant.