

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA
and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 02/25/2020 by the following vote:

AYE: ☐
NO: ☐
ABSENT: ☐
ABSTAIN: ☐
RECUSE: ☐



Resolution No. 2020/39

IN THE MATTER OF Approving a General Plan Amendment for the Commercial Solar Energy Facility Amendments Project.

WHEREAS, on Tuesday, February 25, 2020, the Board of Supervisors held a public hearing to consider amending the Contra Costa County General Plan to allow commercial solar energy facilities in areas designated on the Land Use Element Map as CO, LI, or HI, and conditionally allow commercial solar energy facilities on AL designated areas (County File #GP19-0001).

WHEREAS, the proposed General Plan Amendment is part of the first consolidated General Plan Amendment for calendar year 2020.

NOW, THEREFORE, the Contra Costa County Board of Supervisors resolves as follows:

1. The Board of Supervisors makes the following General Plan Amendment findings:

A. Urban Limit Line:

The effected properties are located within and outside the County's Urban Limit Line (ULL) which limits certain areas of the County to nonurban uses and helps to preserve farmland and open space. The term "nonurban uses" refers to rural residential and agricultural structures allowed by applicable zoning and facilities for public purposes, whether privately or publicly funded or operated, which are necessary or desirable for the public health, safety or welfare or by state or federal law. The solar General Plan text amendments allow commercial solar projects to be located in areas designated on the Land Use Element Map as Commercial (CO), Light Industry (LI), Heavy Industry (HI), and conditionally allow in Agricultural Lands (AL). Since solar energy generation facilities are for public purposes, the amendment would not conflict with the ULL policy. Furthermore, any generated energy is expected to feed into the existing electrical grid, offsetting electricity which is currently provided by non-renewable sources; thus, the project is not expected to expand urban services beyond the ULL.

B. 65/35 Standard:

Adoption of the proposed General Plan Amendment (GPA) will not cause a violation of the 65/35 Land Preservation Standard (the "65/35 Standard"), originally approved by County voters through adoption of Measure C-1990 and reaffirmed through adoption of Measure L-2006. Under the 65/35 Standard, no more than 35 percent of the land in the County may be developed with urban uses and at least 65 percent of the land must be preserved for nonurban uses such as agriculture, open space, parks, wetlands, etc. The term "nonurban uses" refers to rural residential and agricultural structures allowed by applicable zoning and facilities for public purposes, whether privately or publicly funded or operated, which are necessary or desirable for the public health, safety or welfare or by state or federal law. The General Plan text amendments would allow commercial solar energy facilities within the CO, LI, HI, and AL designations. Given that these solar energy facilities would be considered facilities for public purpose, no change to the 65/35 ratio is expected.

C. Growth Management Program:

In accordance with the Contra Costa Growth Management Program, Measure J-2004, the county is required to manage growth by allowing new development only when infrastructure and service standards are met for traffic levels of service, water, sanitary sewer, fire protection, public protection, parks and recreation, flood control and drainage and other such services. The project complies with the objectives and requirements of the Growth Management Program, and related Contra Costa Transportation Authority (CCTA) resolutions. Adoption of the proposed GPA will not increase the number of traffic trips in the County and generated energy is expected to feed into the existing electrical grid, offsetting or replacing electricity which is currently provided by non-renewable sources; thus, the amendment does not allow unsupported new development.

D. Internal Consistency:

The General Plan comprises an integrated, internally consistent, and compatible statement of policies governing development in the unincorporated areas. Section 8.8 of the General Plan addresses renewable energy resources. The section goals include encouraging the use of renewable resources where they are compatible with the maintenance of environmental quality and reducing energy use in the County to avoid risks of air pollution and energy shortages which could prevent orderly development. The text amendment is consistent with these goals; thus adoption of the proposed GPA will not cause the General Plan to become internally inconsistent.

E. Public Interest:

Pursuant to Government Code Section 65358(a), the General Plan may be amended if such amendment is deemed to be “in the public interest.” It is in the public interest to adopt the proposed GPA because allowing and encouraging commercial solar energy facilities will increase the supply of local renewable energy- a stated goal in the County General Plan. Furthermore, as it is currently designed, the -SG combining district would exclude major agricultural and sensitive habitat resources, balancing the County’s interest in encouraging local renewable energy with its long-term planning considerations in east County.

2. The Board of Supervisors hereby adopts the General Plan Amendment (County File #GP19-0001) to allow commercial solar energy facilities in areas designated on the Land Use Element Map as CO, LI, or HI, and conditionally allow commercial solar energy facilities on AL designated areas, as set forth in Attachment 1 to the February 25, 2020, Board Order authorizing approval of this General Plan Amendment.

**Contact: Joseph W. Lawlor Jr, AICP
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I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: February 25, 2020

David J. Twa, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: