

E-GROUP BYRON COMMERCIAL SOLAR
ENERGY GENERATION FACILITY

COUNTY FILE #CDRZ21-03259 / CDLP21-
02010

Contra Costa County Board of
Supervisors
May 24, 2022

PROJECT DESCRIPTION

- The applicant is seeking approval to rezone a 77-acre parcel, presently within a General Agricultural (A-2) zoning district, for inclusion within the Solar Energy Combining District (-SG)
- Additionally, the applicant seeks Land Use Permit Approval to establish a 6.5MW Commercial Solar Energy Facility and an 8-MWh Battery Storage System

PROPOSED SITE PLAN

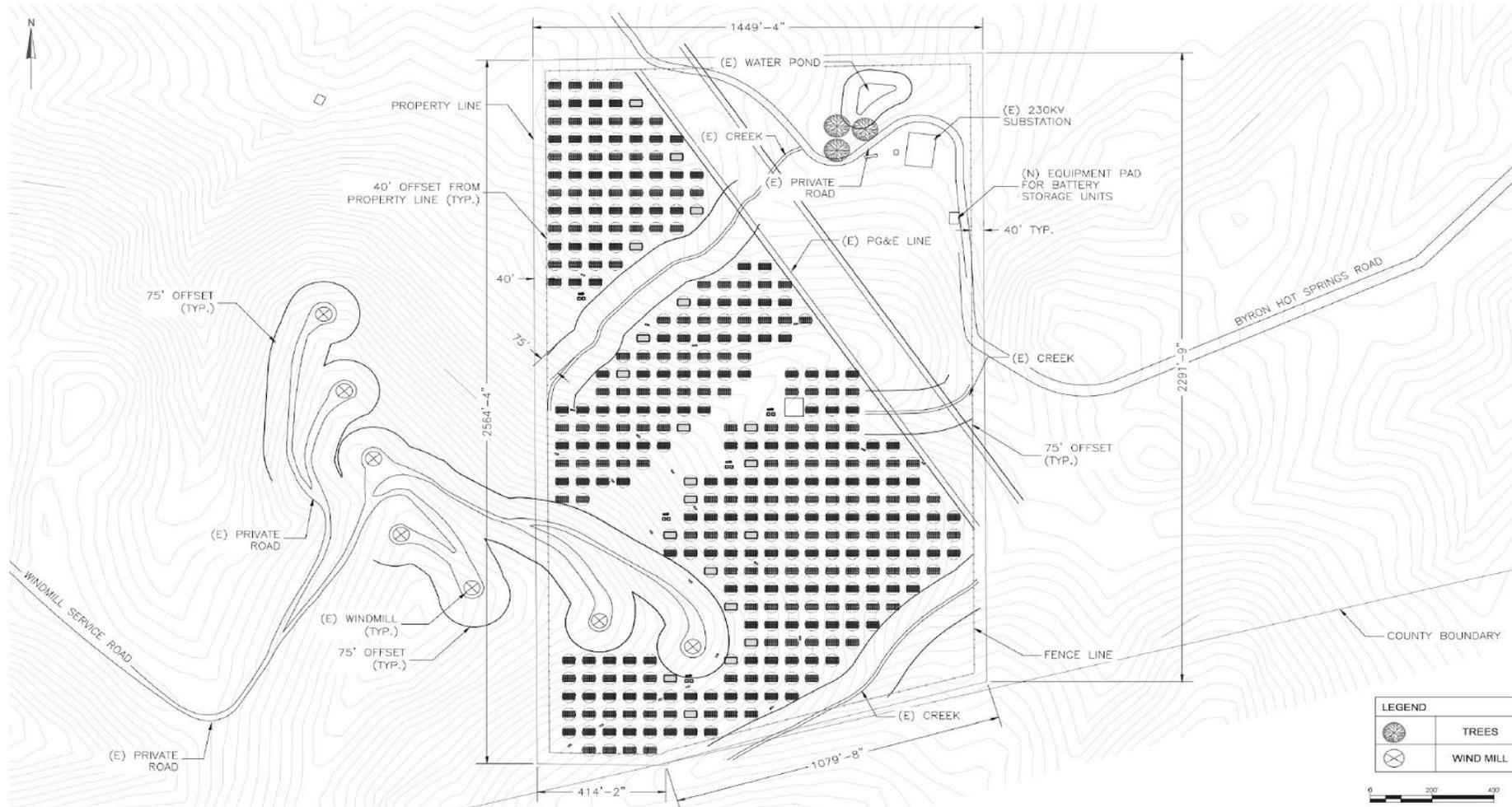


Figure 2 Site Plan

Orthophotography



Legend

- Board of Supervisors' Districts
- City Boundary
- Unincorporated
- World Imagery
- Low Resolution 15m Imagery
- High Resolution 60cm Imagery
- High Resolution 30cm Imagery
- Citations

1: 82,168



2.6 0 1.30 2.6 Miles

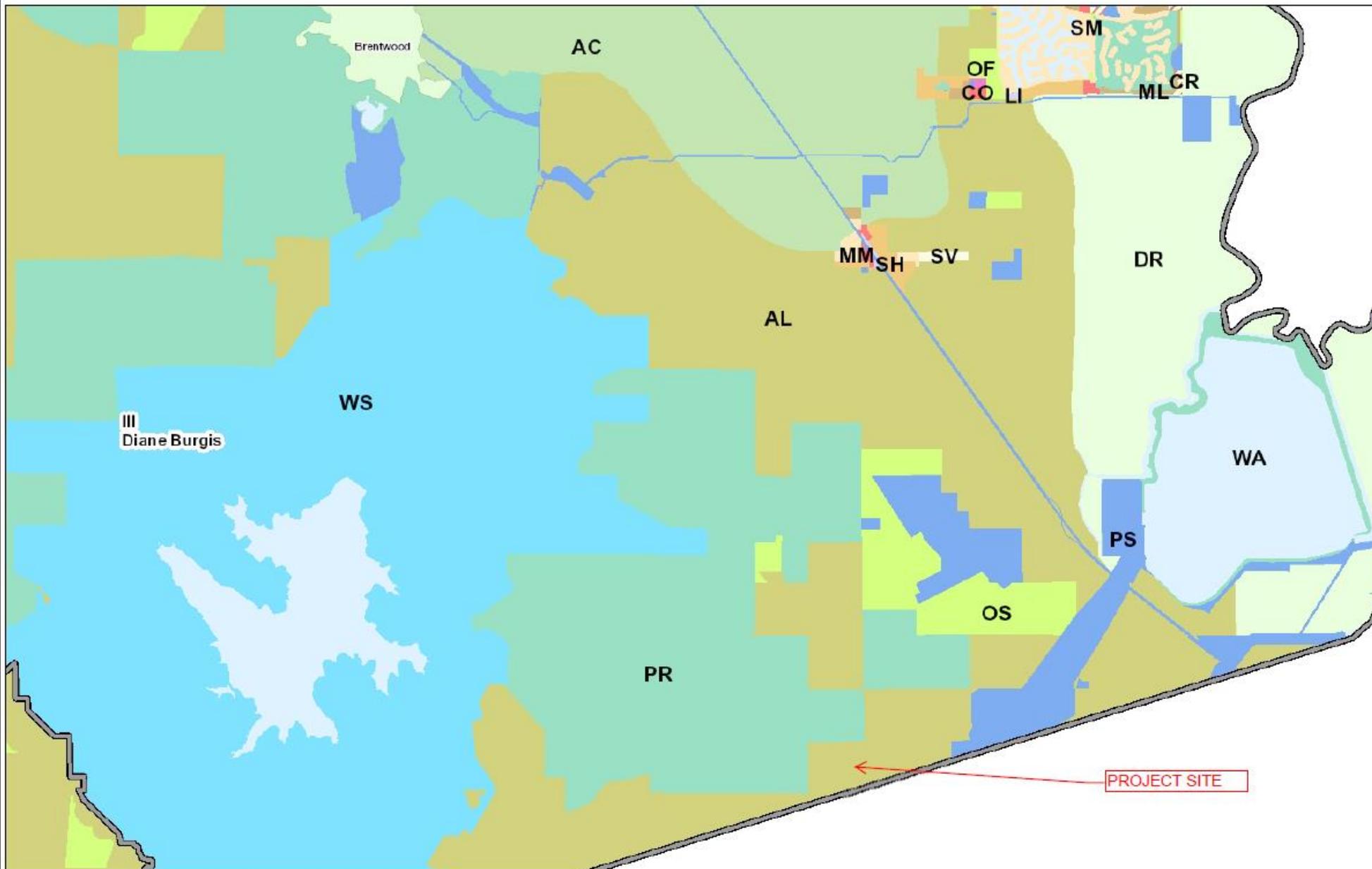
WGS_1984_Web_Mercator_Auxiliary_Sphere

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Notes

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GENERAL PLAN: AGRICULTURAL LANDS (AL)



Legend

- Board of Supervisors' Districts
- City Boundary
- Unincorporated
- General Plan
 - SV (Single Family Residential - Ver)
 - SL (Single Family Residential - Low)
 - SM (Single Family Residential - Me)
 - SH (Single Family Residential - Hig)
 - ML (Multiple Family Residential - Lc)
 - MM (Multiple Family Residential - H)
 - MH (Multiple Family Residential - H)
 - MV (Multiple Family Residential - V)
 - MS (Multiple Family Residential - V)
 - CC (Congregate Care/Senior Hous)
 - MO (Mobile Home)
 - M-1 (Parker Avenue Mixed Use)
 - M-2 (Downtown/Waterfront Rodeo I)
 - M-3 (Pleasant Hill BART Mixed Use)
 - M-4 (Willow Pass Road Mixed Use)
 - M-5 (Willow Pass Road Commercia)
 - M-6 (Bay Point Residential Mixed U)
 - M-7 (Pittsburg/Bay Point BART Stat)
 - M-8 (Dougherty Valley Village Cent)
 - M-9 (Montalvin Manor Mixed Use)
 - M-10 (Willow Pass Business Park I)
 - M-11 (Applan Way Mixed Use)
 - M-12 (Triangle Area Mixed Use)
 - M-13 (San Pablo Dam Road Mixed)
 - M-14 (Heritage Mixed Use)
 - CO (Commercial)
 - OF (Office)
 - BP (Business Park)
 - LI (Light Industry)
 - HI (Heavy Industry)
 - AL, OIBA (Agricultural Lands & Off
 - CR (Commercial Recreation)
 - ACO (Airport Commercial)
 - LF (Landfill)
 - PS (Public/Semi-Public)

1:72,224



2.3 0 1.14 2.3 Miles

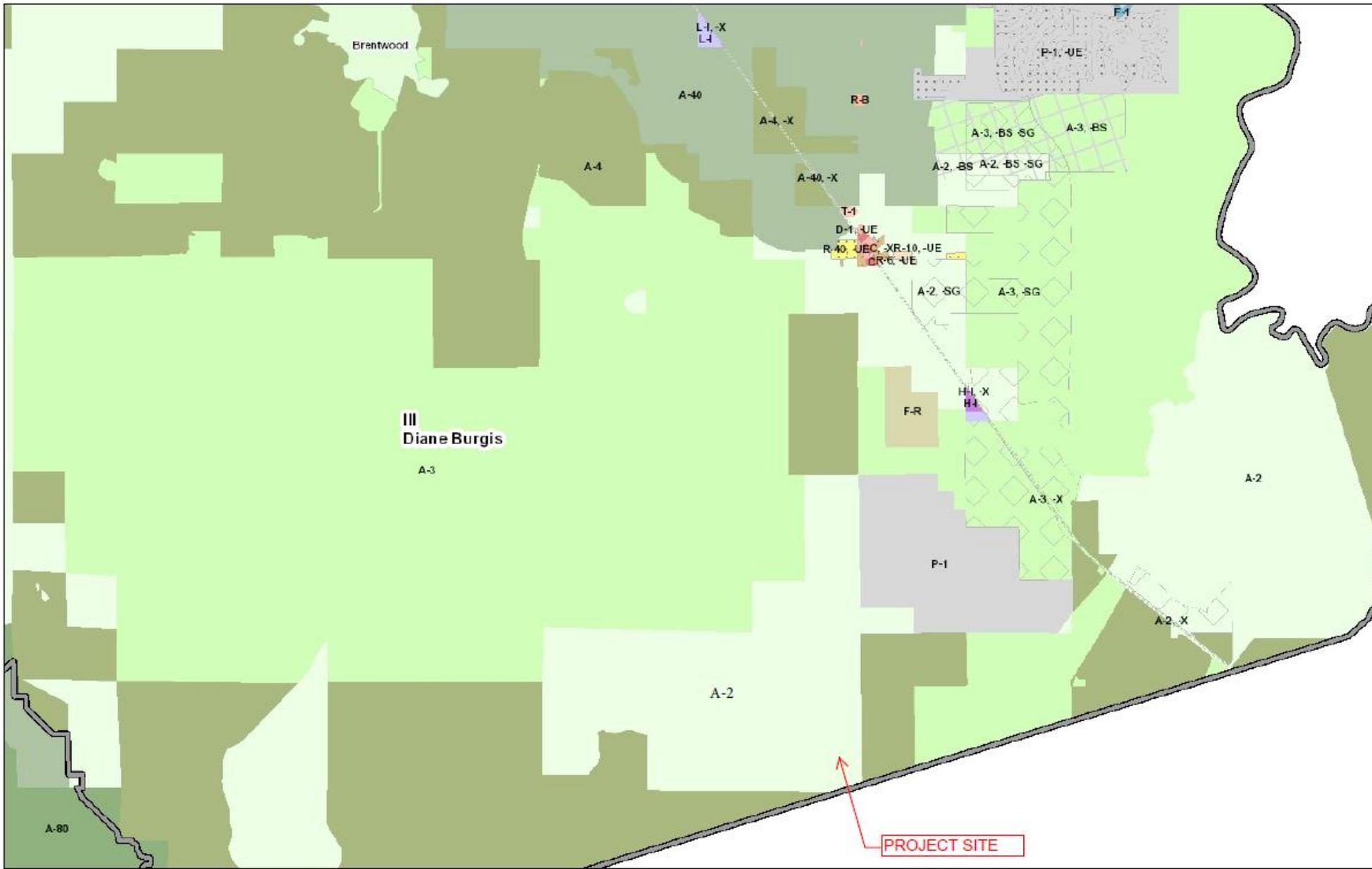
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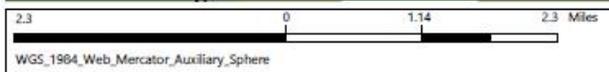
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ZONING: A-2 GENERAL AGRICULTURAL DISTRICT



- Legend**
- Board of Supervisors' Districts
 - City Boundary
 - Unincorporated Zoning
 - R-6 (Single Family Residential)
 - R-6 -FH -UE (Flood Hazard and A
 - R-6 -SD-1 (Slope Density Hillside I
 - R-6 -TOV -K (Tree Obstruction and
 - R-6 -UE (Urban Farm Animal Excl
 - R-6 -X (Railroad Corridor Combin
 - R-7 (Single Family Residential)
 - R-7 -X (Railroad Corridor Combin
 - R-10 (Single Family Residential)
 - R-10 -UE (Urban Farm Animal Exc
 - R-12 (Single Family Residential)
 - R-15 (Single Family Residential)
 - R-20 (Single Family Residential)
 - R-20 -UE (Urban Farm Animal Exc
 - R-40 (Single Family Residential)
 - R-40 -FH -UE (Flood Hazard and F
 - R-40 -UE (Urban Farm Animal Exc
 - R-65 (Single Family Residential)
 - R-100 (Single Family Residential)
 - D-1 (Two Family Residential)
 - D-1 -T (Transitional Combining Dist
 - D-1 -UE (Urban Farm Animal Excl
 - M-12 (Multiple Family Residential)
 - M-12 -FH (Flood Hazard Combining
 - M-17 (Multiple Family Residential)
 - M-29 (Multiple Family Residential)
 - F-R (Forestry Recreational)
 - F-R -FH (Flood Hazard Combining
 - F-1 (Water Recreational)
 - F-1 -FH (Flood Hazard Combining I
 - A-2 (General Agriculture)
 - A-2 -BS (Boat Storage Combining
 - A-2 -BS -SG (Boat Storage and So
 - A-2 -FH (Flood Hazard Combining I
 - A-2 -FH -SG (Flood Hazard and S

1: 72,224



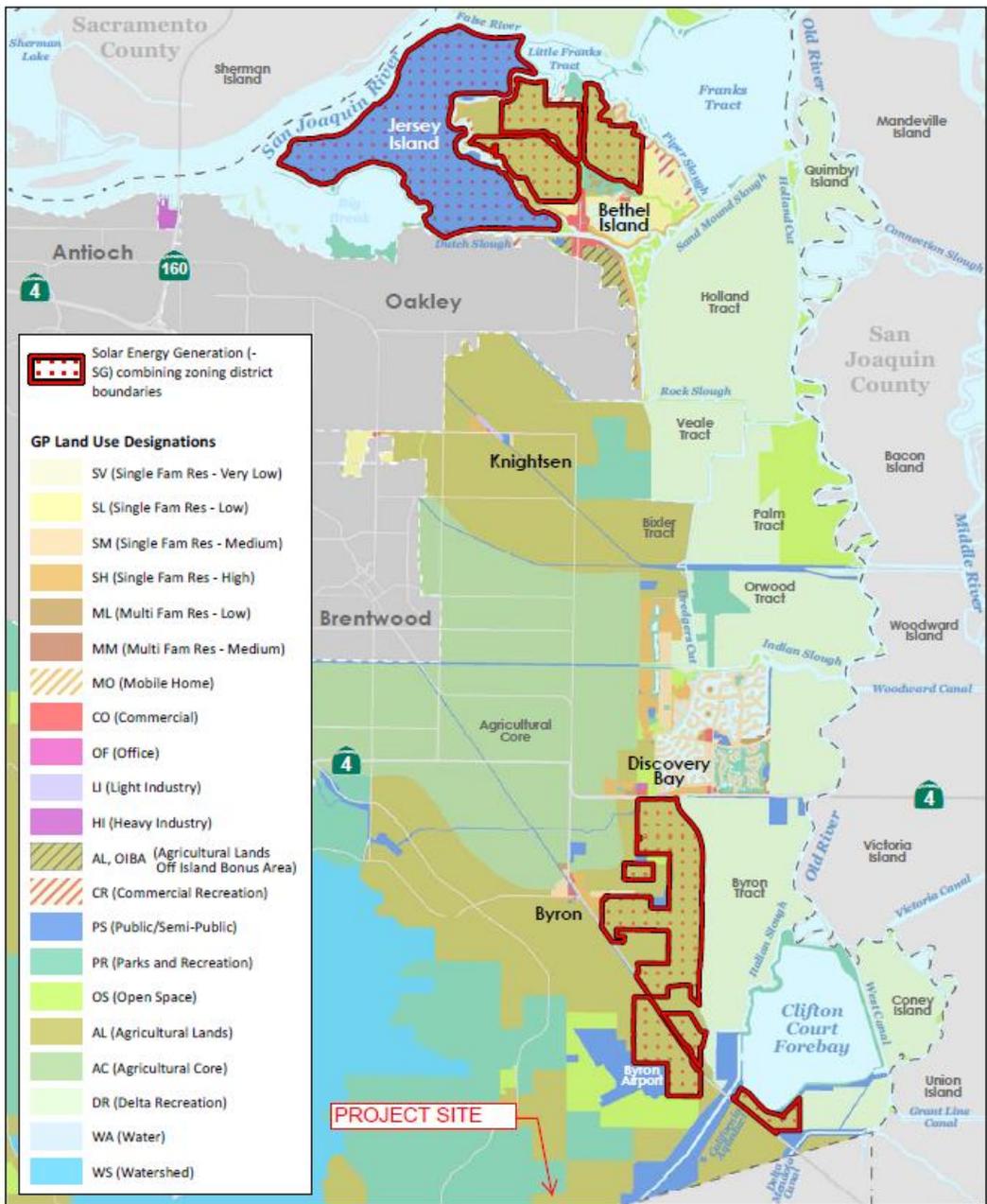
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Notes
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6

WHERE ARE COMMERCIAL SOLAR FACILITIES CONDITIONALLY PERMITTED?

- General Commercial (C) Zoning District
- Light/Heavy Industrial (L-I / H-I) Zoning Districts
- Agricultural Lands within the Solar Energy Generation (-SG) Combining District

Solar Energy Generation Combining District (-SG) Overlay



Map created 01/15/2020
 by Contra Costa County Department of
 Conservation and Development, GIS Group
 30 Main Road, Martinez, CA 94553
 37.58-41.791N 122.07-03.756W

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RECOMMENDATION FOR DENIAL

- Staff recommended to the County Planning Commission (CPC) that the project be denied because:
 - *Proposed site is not within the solar overlay approved in 2020*
 - *Inconsistent with numerous General Plan policies (e.g. hillside development, ecological conservation)*
 - *Inconsistent with numerous screening criteria of the County's 2018 Renewable Resource Study (hillsides, natural land cover, conflict with East County HCP/NCCP Conservation Strategy)*
- CPC voted 4-3 against denial at this point in the process

APPEALS FROM SAVE MOUNT DIABLO & EAST BAY REGIONAL PARK DISTRICT

- Detrimental to publicly-funded efforts to protect endangered species habitat in Eastern Contra Costa County – Damaging Precedent
- Inconsistent with General Plan Policies
- Approval would disregard existing solar policies, resulting in a haphazard approach to authorizing solar facilities
- Current policies reduce potential conflict between conservation and renewable energy needs
- County solar policies are working as intended

SUMMARY OF LAND USE CONFLICTS POSED BY THIS SITE THAT THE SOLAR OVERLAY WAS DESIGNED TO AVOID

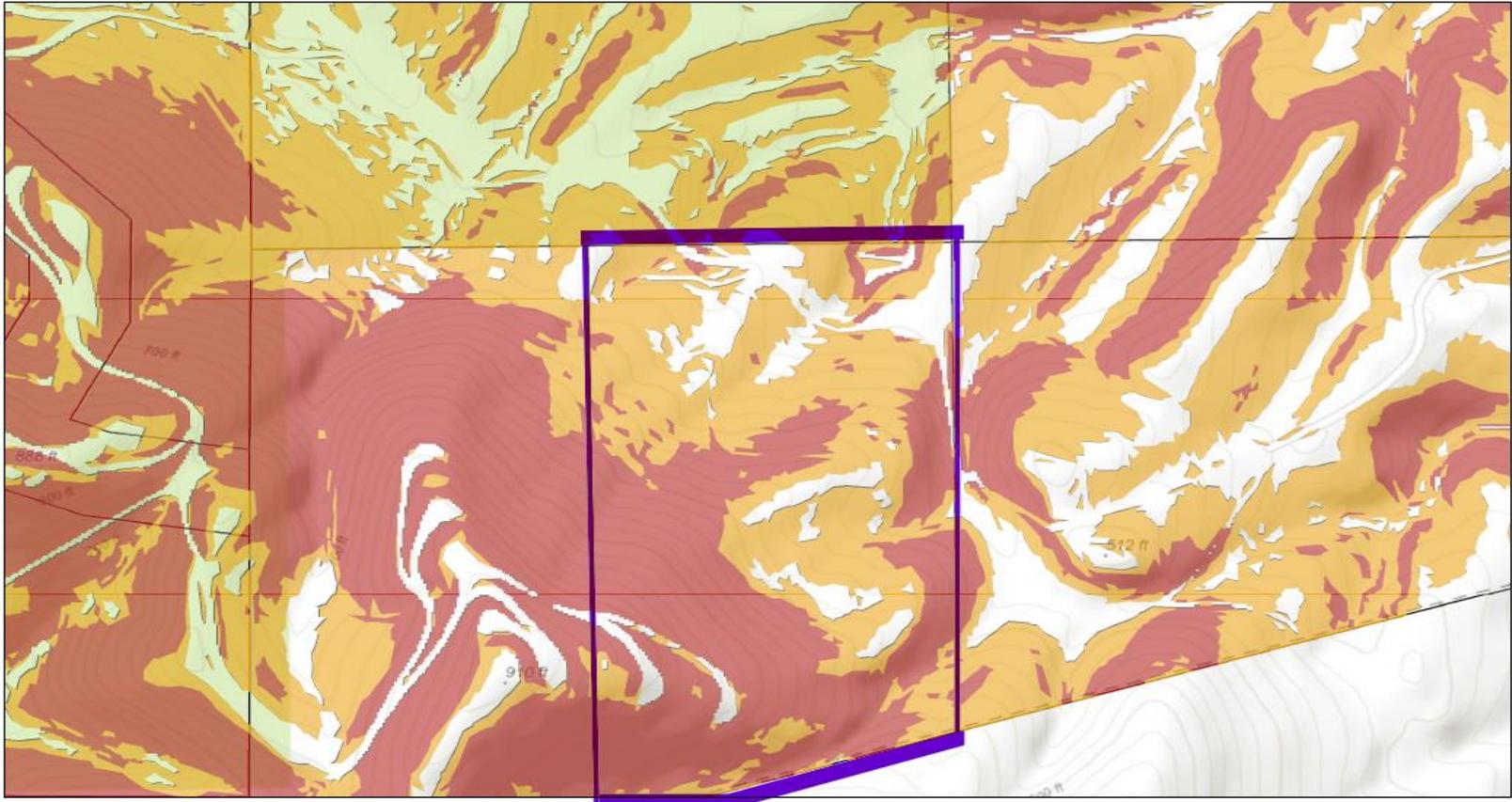
- Topography – Subject property exceeds 10% in slope (much of the site exceeds 26% slope)
- Natural Land Cover Type – Subject property predominantly consists of grasslands with high habitat value
- The subject property is identified by the NCP/HCCP as ecologically significant and as a High Priority Area for Conservation
- Incompatibility with Park Lands and Agricultural Preserve Areas surrounding the subject property

INCONSISTENCIES WITH GENERAL PLAN AND ZONING

- Inconsistent with General Plan Conservation Element and Open Space Policies designed to preserve significant ecological areas, native and nonnative vegetation, wildlife habitats, wildlife migration corridors, open grasslands, and hillsides exceeding 26% in slope - all of which are predominantly characteristic of the subject property and the greater Byron Hills area
- Inconsistent with Zoning Ordinance Section 26-2.1806 (Rezoning Standards)
- Inconsistent with Zoning Ordinance Section 26-2.2008 (Conditional Use Permit Standards)

EXTREME SLOPES IN PROJECT AREA

Slope Percentage Map



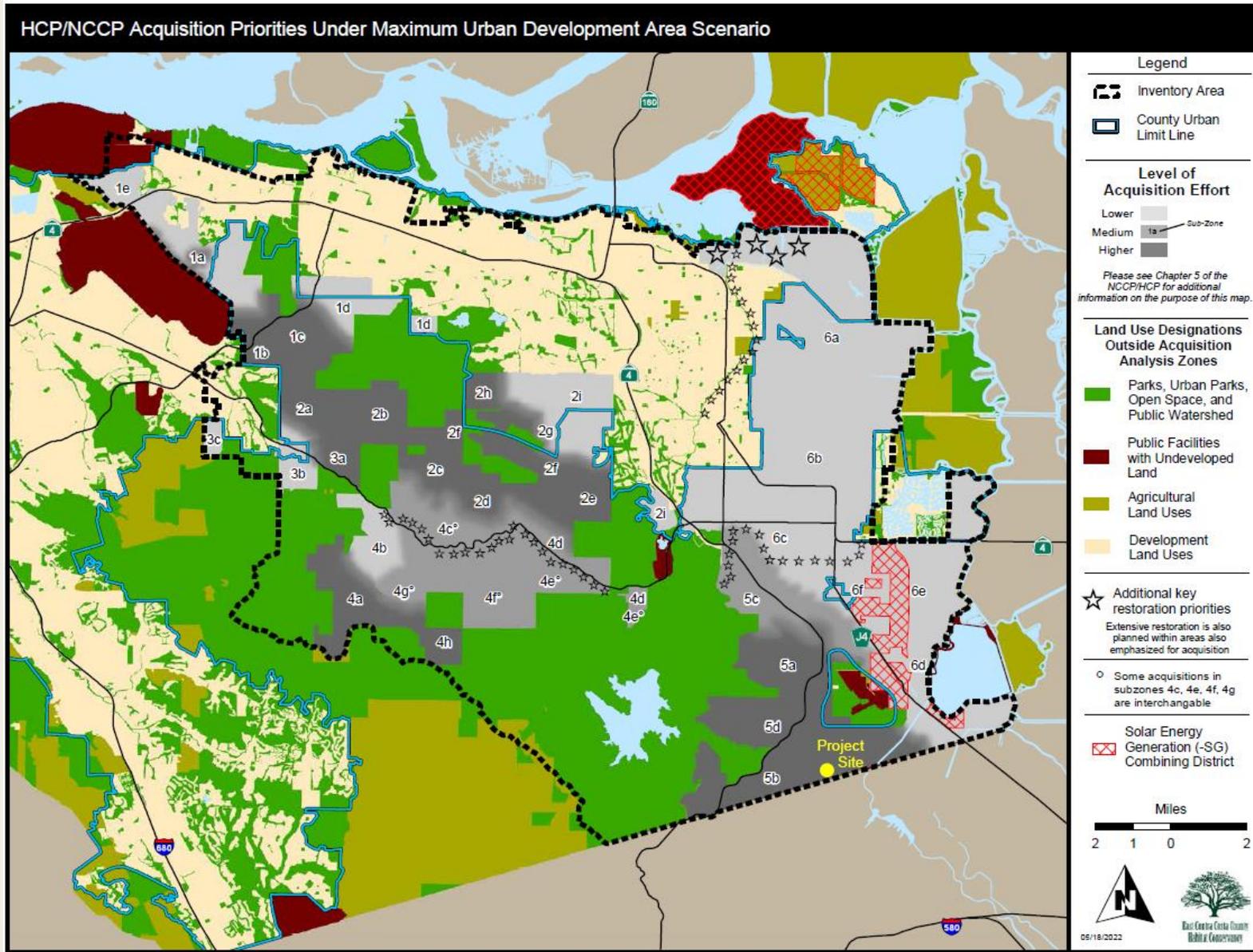
October 12, 2021
Slope Percentage ■ >26% Slope Parcels
■ >15% Slope

1:7,142
0 0.05 0.1 0.2 mi
0 0.07 0.15 0.3 km

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri

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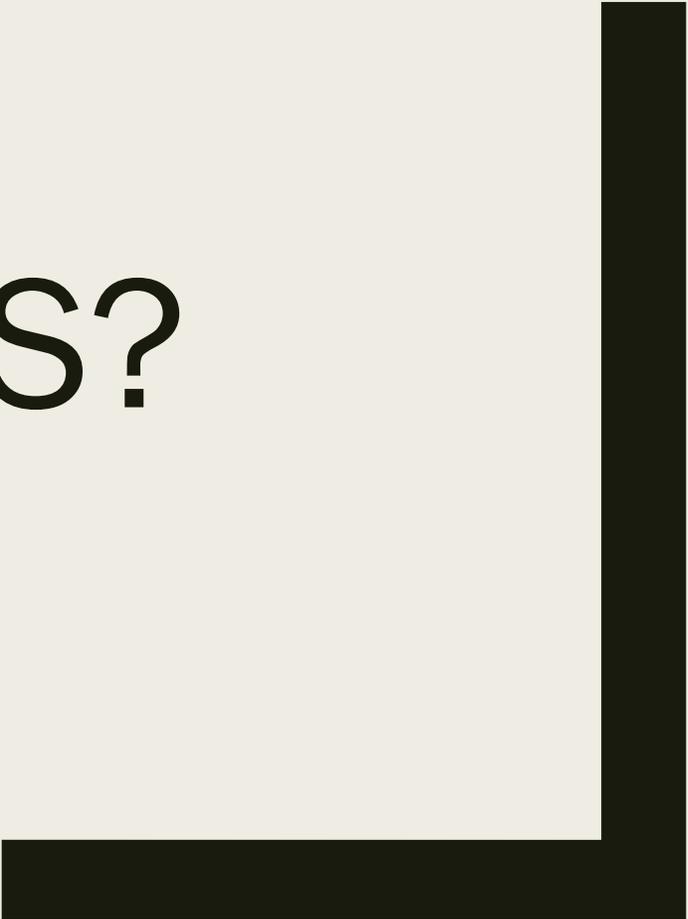
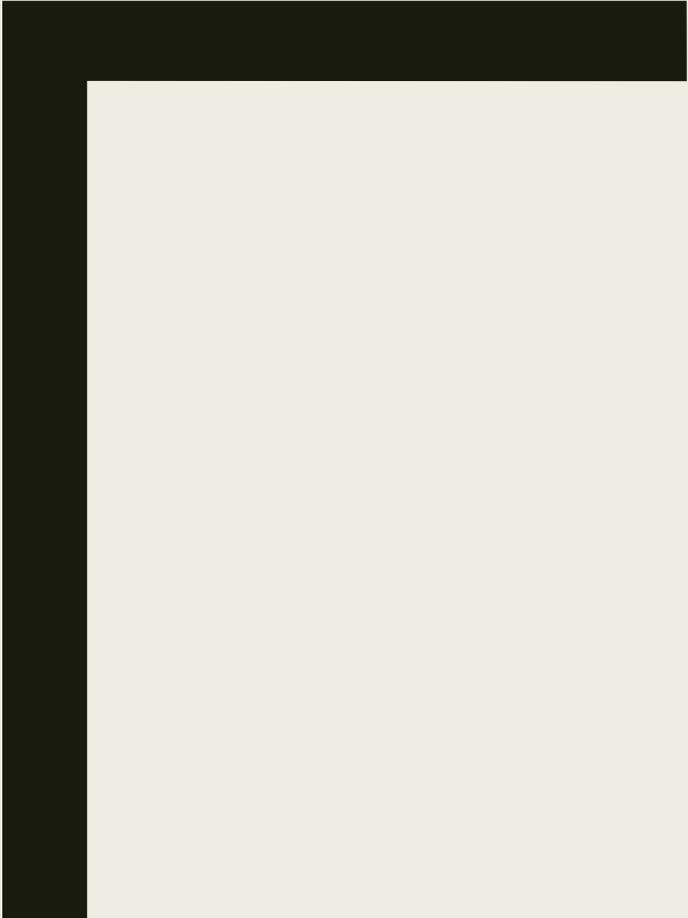
EAST CONTRA COSTA COUNTY HCP/NCCP PRIORITY CONSERVATION AREAS



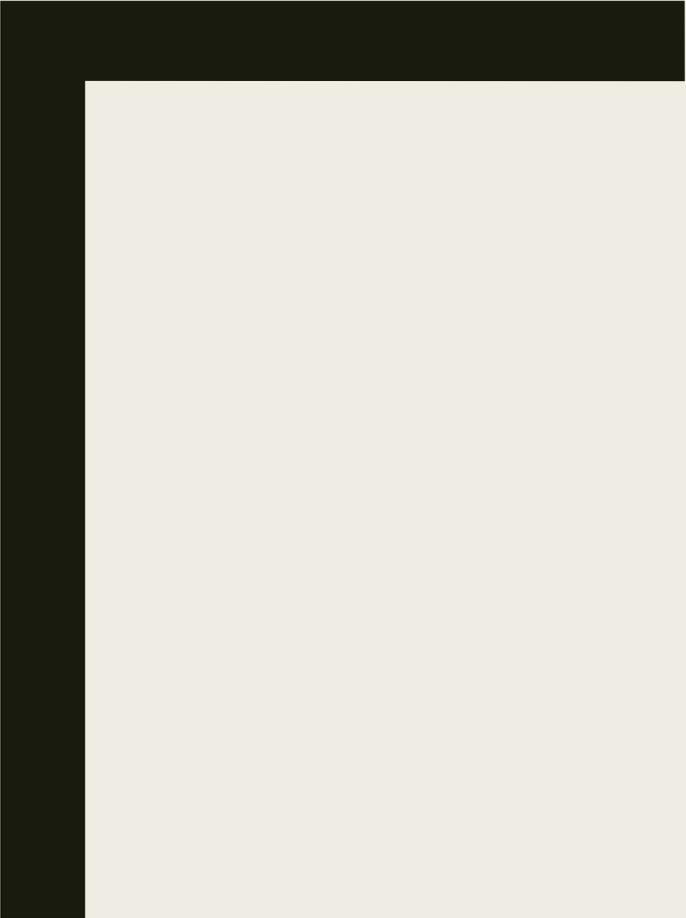


STAFF RECOMMENDATION

- Staff recommends that the Board of Supervisors:
 - *DENY the E-Group Commercial Solar Energy Generation Facility Project, including a rezoning to the solar energy generation (-SG) combining district and a land use permit to establish a commercial solar energy generation facility (County File Nos. CDRZ21-03259 and CDLP21-02010);*
 - *ADOPT the findings in support of project denial;*
 - *FIND that the proposed project is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15270 (projects that are disapproved);*
 - *DIRECT staff to file a Notice of Exemption with the County Clerk;*
 - *GRANT the appeals of Save Mount Diablo and the East Bay Regional Park District.*



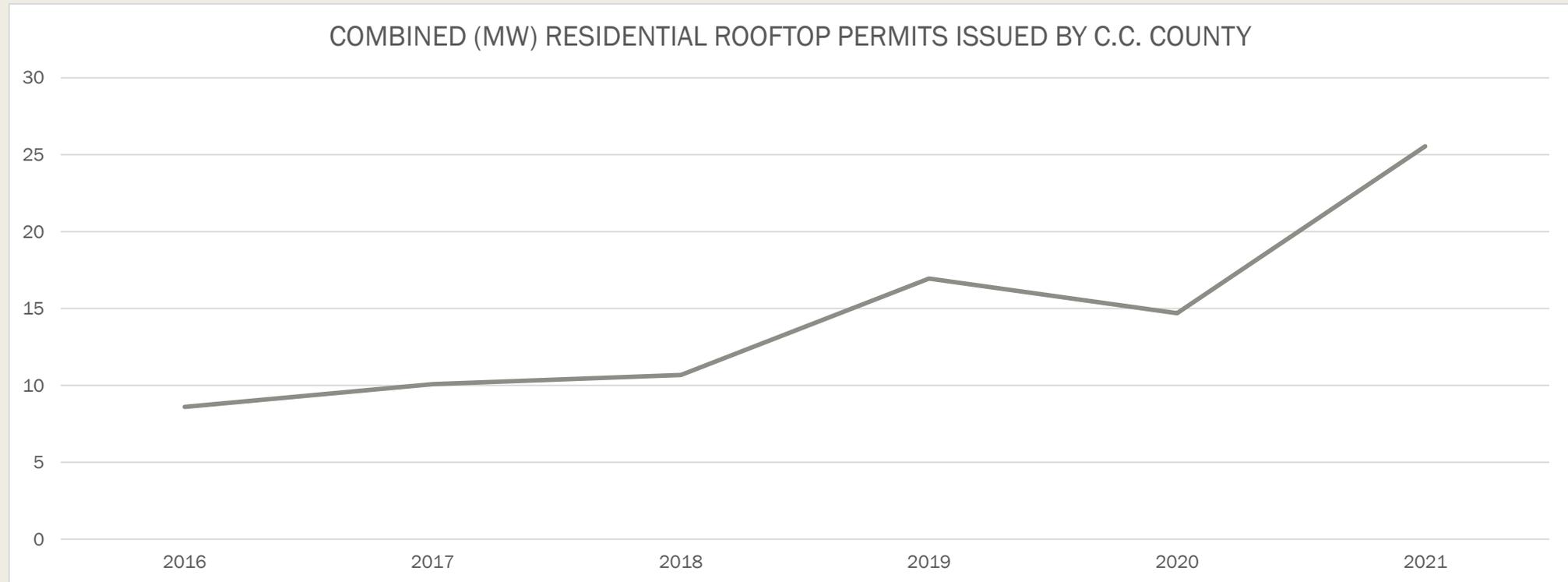
QUESTIONS?



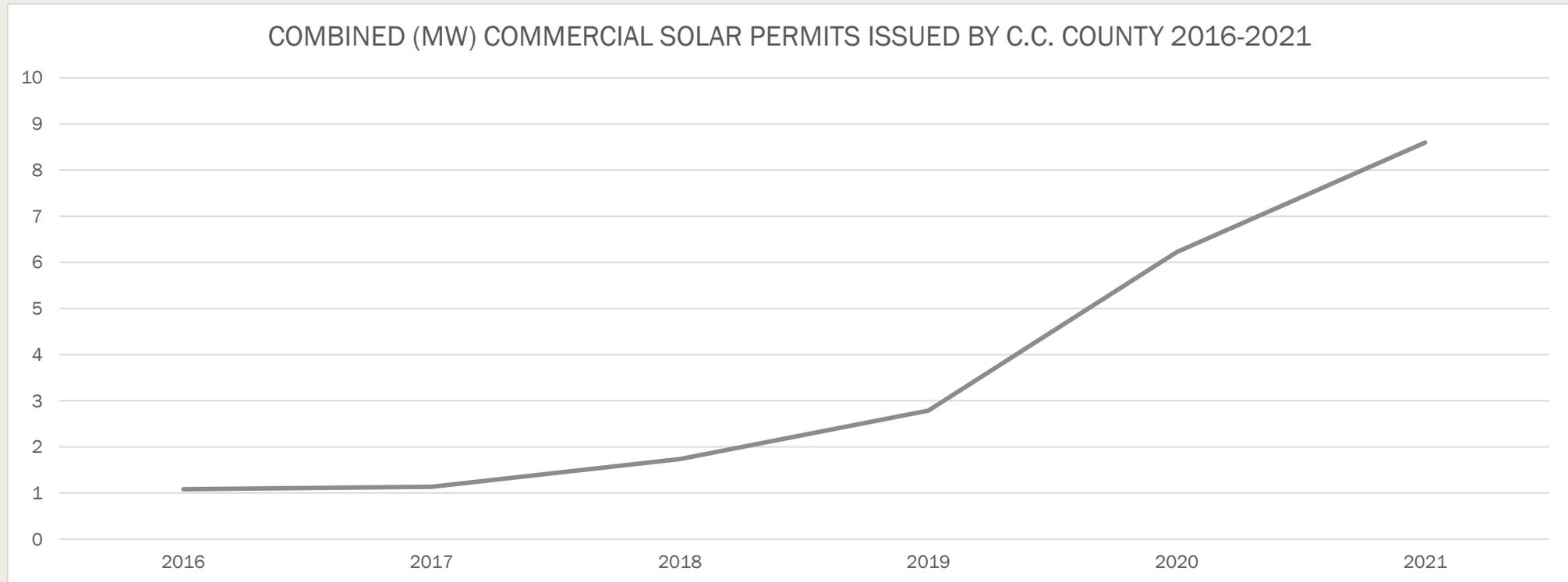
APPENDIX



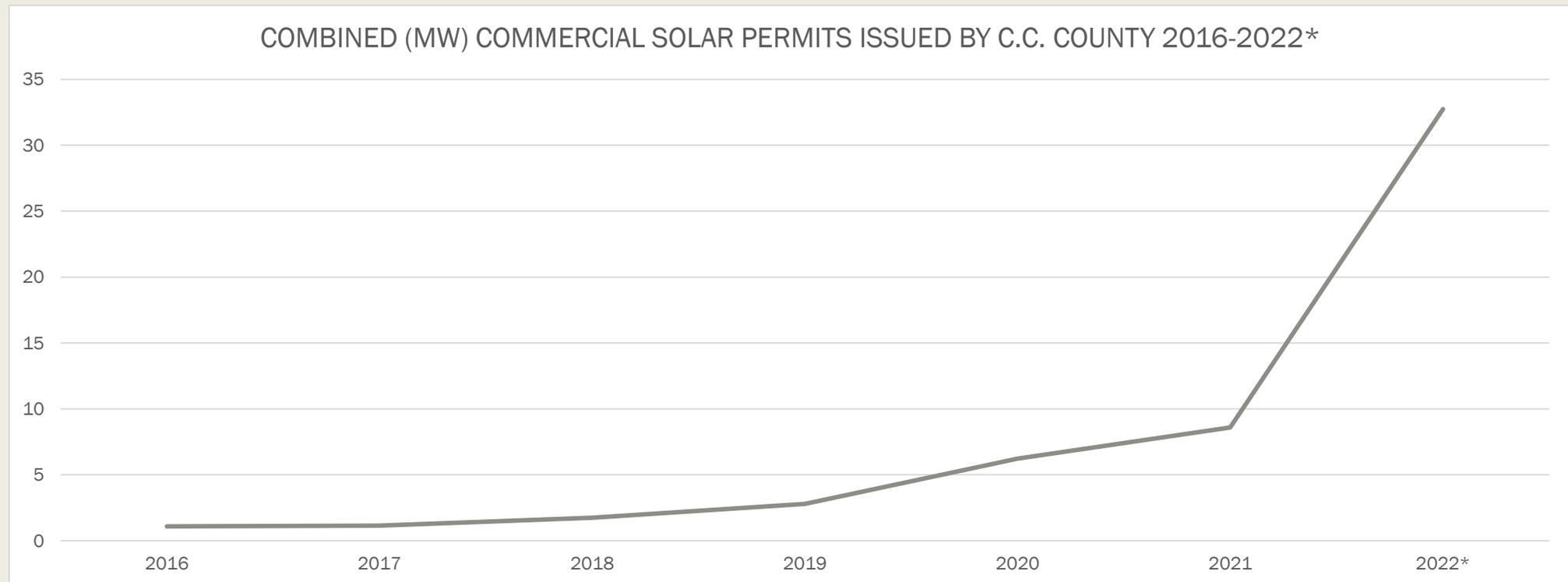
COUNTY BUILDING PERMIT DATA (RESIDENTIAL ROOFTOP SOLAR)



COUNTY BUILDING PERMIT DATA (COMMERCIAL SOLAR)



COUNTY BUILDING PERMIT DATA (COMMERCIAL SOLAR)*



* Indicates capacity from projects in Plan Check for which a building permit has yet to be issued (BIPVC22-001313, BIPVC22-00246, BIPVC22-000567)

BAY AREA SOLAR (PV) GENERATION CAPACITY

	2011 (MW)	2012 (MW)	2014 (MW)	2016 (MW)	2018 (MW)	2020 (MW)
Contra Costa County	0	10.5	12.0	31.0	42.5	42.5
Alameda County	1.0	14.5	14.5	14.5	17.8	17.8
Marin County	0	1.5	1.5	2.5	2.5	2.5
Napa County	0	2.0	2.0	2.0	2.0	2.0
San Francisco County	4.5	14.4	14.4	14.4	14.4	14.4
Santa Clara County	0	27.0	29.5	29.5	29.5	29.5
Solano County	2.0	13.3	29.8	17.8	25.7	32.0
Sonoma County	0	6.4	14.2	14.2	14.2	15.2

Source: [California Solar Energy Statistics and Data \(energy.ca.gov\)](https://energy.ca.gov/)

COMMERCIAL SOLAR (PV) GENERATION BY BAY AREA COUNTY

	2020 (MW)	2020 Statewide PV Capacity Rank	Statewide Rank in Land Area
Contra Costa County	42.5	16	51
Alameda County	17.8	22	50
Marin County	2.5	35 (T)	55
Napa County	2.0	38	48
San Francisco County	14.4	25	58
Santa Clara County	29.5	20	37
Solano County	32.0	19	46
Sonoma County	15.2	24	29

Source: [California Solar Energy Statistics and Data \(energy.ca.gov\)](https://energy.ca.gov/)