

Attachment 7

Board Resolution to the Comprehensive Plan

**RESOLUTION OF THE SANTA BARBARA COUNTY BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA**

IN THE MATTER OF ADOPTING AMENDMENTS TO) THE LAND USE ELEMENT OF THE SANTA BARBARA) COUNTY COMPREHENSIVE PLAN BY ADDING A) UTILITY-SCALE SOLAR PHOTOVOLTAIC FACILITY) POLICY AND OVERLAY; AMENDING THE CUYAMA) VALLEY RURAL REGION LAND USE DESIGNATIONS) MAP BY CHANGING THE LAND USE DESIGNATION) OF A 167 ACRE PORTION OF ASSESSOR’S PARCEL NO.) 149-140-076 FROM COMMERCIAL AGRICULTURE (CA)) TO AGRICULTURE-II; AND AMENDING THE) COMPREHENSIVE PLAN LAND ELEMENT MAP FOR) THE CUYAMA VALLEY (COMP-9) TO APPLY THE) UTILITY-SCALE SOLAR PHOTOVOLTAIC FACILITY) OVERLAY TO ASSESSOR’S PARCELS NOS.) 149-150-029, 149-150-030, 149-150-031, 149-150-032 AND) A 167 ACRE PORTION OF 149-140-076.)	RESOLUTION NO. 14-_____ CASE NOS: 13GPA-00000-00001 13GPA-00000-00002
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WITH REFERENCE TO THE FOLLOWING:

- A. On December 20, 1980, by Resolution No. 80-566, the Board of Supervisors of the County of Santa Barbara adopted the Comprehensive Plan (General Plan) for the County of Santa Barbara.
- B. On April 12, 2011, the Board of Supervisors adopted Resolution No. 11-178 and Resolution 11-179 initiating amendments to Section 35-1, the County Land Use Development Code, of Chapter 35, Zoning, of the County Code, to allow for large and small scale solar photovoltaic projects to be located on land zoned Agriculture-II, 40 acre minimum lot area (AG-II-40).
- C. During the environmental analysis of the above-referenced initiated amendments to the Land Use Development Code, the proposed Comprehensive Plan amendments and the limitation of utility-scale solar photovoltaic facilities on up to 600 acres of land zoned Agriculture-II (AG-II) in the Cuyama Valley Rural Region were developed in order to comply with Government Code Section 65860 that requires that County zoning ordinances shall be consistent with the General Plan.
- D. The proposed amendments are consistent with the Santa Barbara County Comprehensive Plan and the requirements of California Planning, Zoning, and Development laws.
- E. Public agencies, California Native American Indian Tribes, civic, education, and other community groups, public utility companies, and citizens have been provided the opportunity for involvement pursuant to Section 65351 of the Government Code.
- F. The County conducted consultations with Native American tribes as required by Government Code Section 65352.3 and 65352.4.
- G. The County Planning Commission held a duly noticed hearing, as required by Section 65353 of the Government Code on the proposed amendment at which hearing the

amendments were explained and comments invited from the persons in attendance and has endorsed and transmitted a written recommendation to the Board of Supervisors pursuant to Government Code Section 65354.

- H. This Board has held a duly noticed public hearing, as required by Section 65355 of the Government Code on the proposed amendments, at which hearing the proposed amendments were explained and comments invited from the persons in attendance.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The above recitations are true and correct.
2. Whereas the Board of Supervisors now finds consistent with the authority of Government Code Section 65358 that it is in the interest of orderly development of the County and important to the preservation of the health, safety, and general welfare of the residents of said County to amend the Land Use Element of the Santa Barbara County Comprehensive Plan's as follows:

- A. Amend the Alternate Energy and Land Use section of the Land Use and Energy section of Section III, Major Issues, to add the following text as a final paragraph:

In 2005, the Governor of California issued Executive Order S-3-50 setting a goal of reducing the State's greenhouse gas emissions 80 percent below 1990 levels by 2050. The Legislature followed with adoption of the California Renewable Energy Resources Act of 2006 requiring all California utilities to generate 33 percent of their electricity from renewable sources by 2020, with intermediate targets of a 20 percent reduction by the end of 2013 and 25 percent by end of 2016. The County has initiated a number of programs which collectively encourage local reduction of greenhouse gas emissions and support the State's greenhouse gas emission mandates.

- B. Amend Section IV, Goals and Policies by adding the following policy section as a new Policy 13 of the Land Use Development Policies:

13. Utility-Scale Solar Photovoltaic Facility Policy.

As the Cuyama Valley Rural Region has the highest level of solar insolation in the County, conversion of agricultural lands for the development of Utility-Scale Solar Photovoltaic Facilities in the Rural Area of the Cuyama Valley Rural Region shall be allowed as a means of balancing Comprehensive Plan goals and policies that encourage the use of renewable energy and preservation of agricultural lands. To limit agricultural conversions, utility-scale solar photovoltaic facilities are limited to 600 acres by the electrical transmission/distribution system capacity available as of the date of adoption of this policy.

Implementing Procedures:

- a) Utility-Scale Solar Photovoltaic Facilities may be conditionally allowed with discretionary approval of a Utility-Scale Solar Photovoltaic Facility Overlay, on Agricultural II (A-II) and Agricultural Commercial (AC) land use designated lands, in the Agriculture II (AG-II) zone, within the Rural Area of the Cuyama Valley Rural Region, consistent with the Uniform Rules for Agricultural Preserves and Farmland Security Zones, and in

conformance with the Land Use Development Code permit approvals and related development standards.

- b) The extent of such conversion is limited to a maximum of 600 acres on Agricultural II (A-II) and Agricultural Commercial (AC) land use designated lands, in the Agriculture II (AG-II) zone within the Rural Area of the Cuyama Valley Rural Region.

- C. Amend the Overlay Symbols for Rural Areas Only section of Land Use Definitions to add the following new overlay:

Utility-Scale Solar Photovoltaic Facility Overlay - The purpose of this overlay is to conditionally allow Utility-Scale Solar Photovoltaic Facilities on land with an Agricultural II (A-II) or Agricultural Commercial (AC) land use designation in the designated rural areas of the Cuyama Valley, not including Existing Rural Developed Neighborhoods. The Overlay furthers the *Comprehensive Plan, Energy Element* Goal 5 and Policies 5.2, 5.4, 5.13 and 5.13.2 that encourage the use of alternative/renewable energy and the development of related businesses in Santa Barbara County.

Any application or proposal for a Comprehensive Plan amendment to designate an area on eligible land in the Cuyama Valley as Utility-Scale Solar Photovoltaic Facility Overlay shall satisfy the following criteria:

1. The application or proposal shall be accompanied by an application for a Conditional Use Permit for solar photovoltaic energy production in compliance with all applicable zoning ordinances.
2. The proposed site shall be located within the Rural Area of the Cuyama Valley Rural Region on land designated Agriculture II (A-II), or Agricultural Commercial (AC) if consistent with the Uniform Rules for Agricultural Preserves and Farmland Security Zones, and zoned Agricultural II (AG-II).

- D. Amend the existing definition of Rural Area in the Boundary Lines section of Land Use Definitions to read as follows:

Rural Area: An area shown on the land use map within which development is limited to agriculture and related uses, mineral (including oil) extraction and related uses and activities, Utility-Scale Solar Photovoltaic Facilities if located in the Rural Area of the Cuyama Valley Rural Region, recreation (public or private), low density residential and related uses and uses of a public or quasi-public nature. The minimum lot size permitted within this area is 40 acres, with the sole exception of any parcel(s) to be owned and used solely by a public agency, consistent with the "Public Facilities" Policies of this Element. Existing smaller lot neighborhood developments are permitted within the Rural Area only in designated locations.

- E. Amend Subsection a) of the existing definition of Urbanization or Urban Development in the Other Definitions section of Land Use Definitions to read as follows:

- a) Any type of commercial or industrial use, excepting only those limited uses which may be permitted within the Rural and Inner-Rural Areas under the

Coastal Dependent Industry designation, the "Overlay Symbols" of Mineral Resource Area or Spa, any of the "Overlay Symbols for Rural Areas Only" (Mineral Resource Industry, Agricultural Industry, Waste Disposal Facility, Petroleum Resource Industry, Utility-Scale Solar Photovoltaic Facilities if located in the Rural Area of the Cuyama Valley Rural Region), and/or the Conditional Use Permit provisions of the applicable County Zoning Ordinance (which explicitly require a finding of consistency with the Comprehensive Plan);

- F. Amend the Other Definitions section of Land Use Definitions to add the following new definitions to read as follows:

Solar Photovoltaic System - A type of Solar Energy System that uses semiconductor technology to directly convert sunlight into electricity, including thin film and crystalline silicon technology.

Utility-Scale Solar Photovoltaic Facilities - Facilities that are connected to the electrical grid on the utility side of the electric meter and are built for the primary purpose of generating and selling wholesale power. The electricity generated by the facility is not primarily used for on-site activities (such as farming or domestic water heating).

- G. Amend the Cuyama Valley Rural Region Land Use Designations Map to change the land use designation for a 167 acre portion of Assessor's Parcel No. 149-140-076 from Agriculture Commercial (AC) to Agriculture II, 100 acre minimum lot size (A-II-100) as shown on attached Exhibit A.
- H. Amend the Cuyama Valley Area (COMP-9) Map to designate Assessor's Parcel Nos. 149-150-029, 149-150-030, 149-150-031, 149-150-032, and 167 acre portion of 149-140-076 with the Utility-Scale Solar Photovoltaic Facility Overlay as shown on attached Exhibit B.
3. In compliance with the provisions of Section 65356 of the Government Code, the above described changes are hereby adopted as amendments to the Land Use Element of the Santa Barbara County Comprehensive Plan.
4. Pursuant to provisions of Government Code Section 65357(a), the Clerk of the Board is hereby directed to send copies of the documents amending the Santa Barbara County Comprehensive Plan, including the diagrams and text, to all public entities specified in Government Code Section 65352 and any other public entities that submitted comments on the amendment to the general plan during its preparation.
5. Pursuant to provisions of Government Code Section 65357(b), the Clerk of the Board is hereby directed to make the documents amending the Santa Barbara County Comprehensive Plan, including the diagrams and text, available to the public for inspection.
6. The Chair and the Clerk of this Board are hereby authorized and directed to sign and certify all maps, documents, and other materials in accordance with this Resolution to reflect the above described action by the Board.

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this _____ day of _____, 2014 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

STEVE LAVAGNINO, CHAIR
BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA

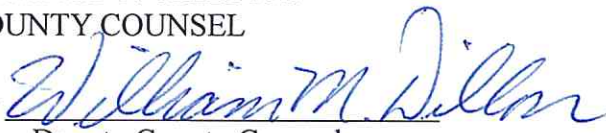
ATTEST:

MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By _____
Deputy Clerk

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
COUNTY COUNSEL

By 
Deputy County Counsel

EXHIBITS:

- A. 13GPA-00000-00001/13GPA-00000-00002 Cuyama Valley Rural Region Land Use Map
- B. 13GPA-00000-00001/13GPA-00000-00002 Cuyama Valley Area (COMP-9) Map

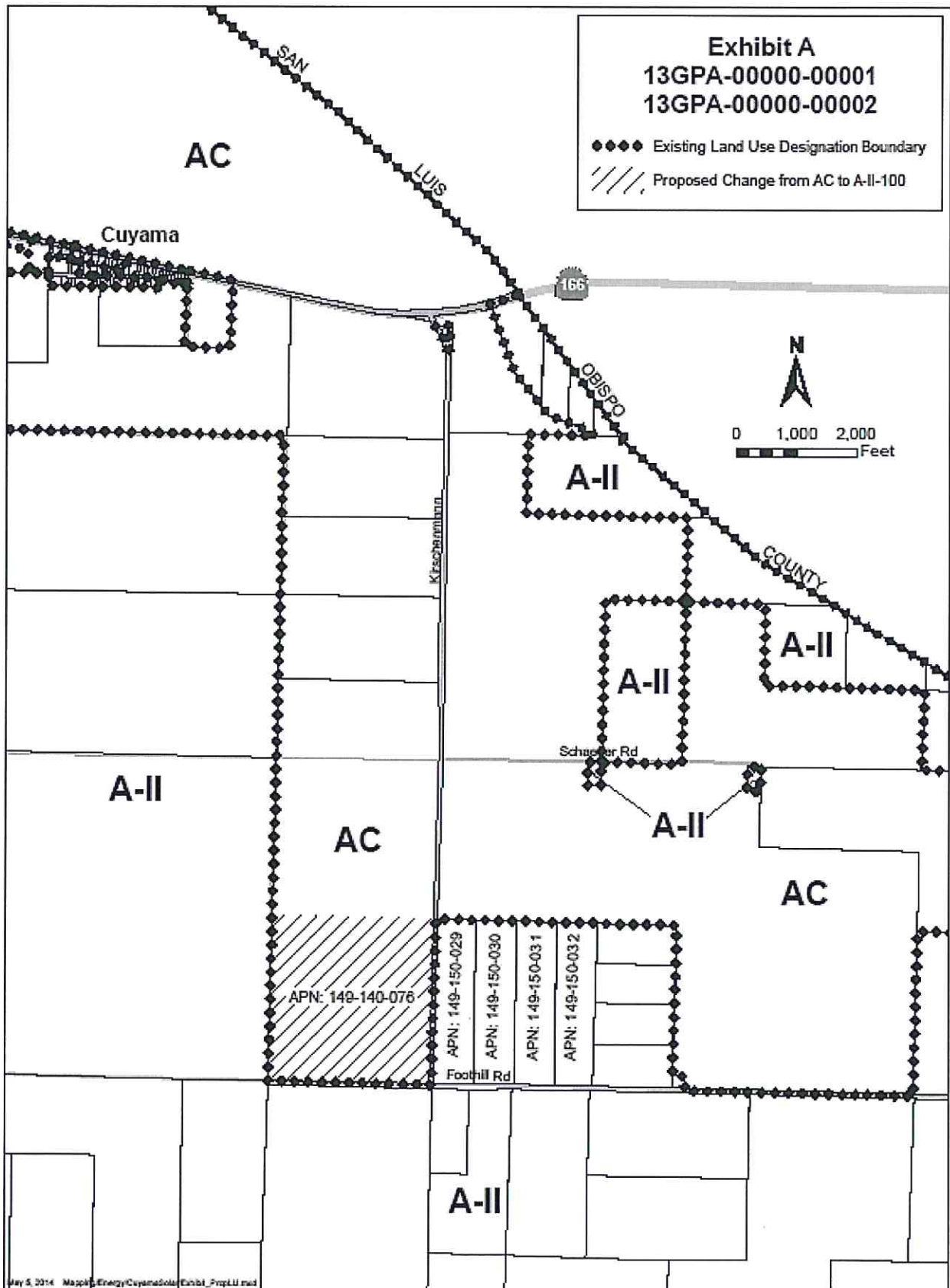
EXHIBIT A:

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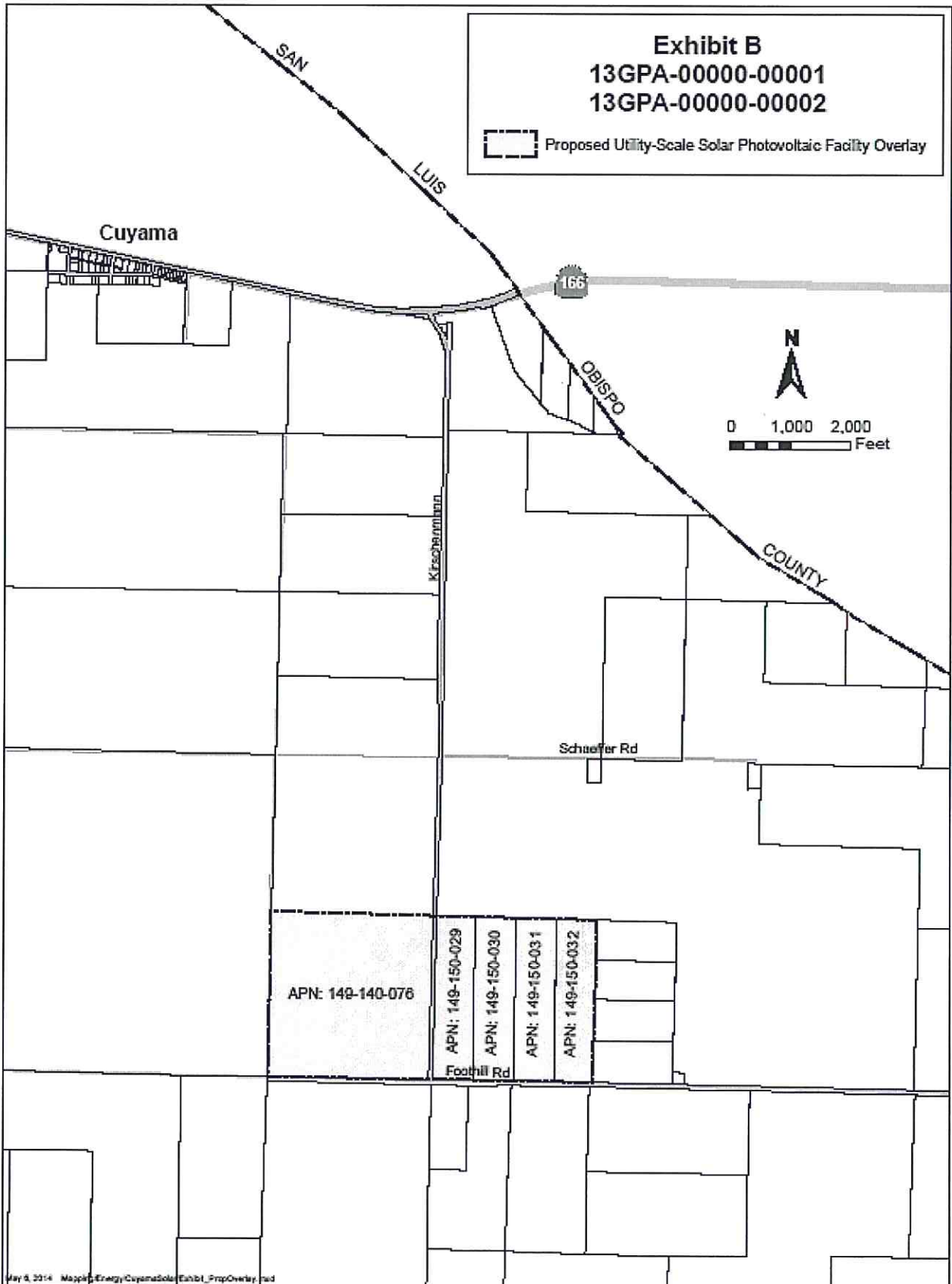
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EXHIBIT B:

13GPA-00000-00001/13GPA-00000-00002 Cuyama Valley Area (COMP-9) Map

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