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

(a) Purpose

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

- 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 10 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 means 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~~10 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 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, 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 comply with all relevant avoidance and minimization measures set forth in the Yolo Habitat Conservation Plan/Natural Communities Conservation Plan (HCP/NCCP). 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 subsections ~~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.~~

~~(9)~~(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.

(e) Permitted locations

(1) ~~Small~~ Ssolar 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 Accessory 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 (up to 10 acres)	SP	SP	SP	SP	SP	SP	SP/UP(m)	Sec. 8-2.1104(g)
Medium-sized solar energy system (10 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	

(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.

~~(3)~~(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~~.

~~(4)~~(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~~ a vegetative substrate, such as grassland or pollinator habitat, that is planted and maintained between and beneath the rows of panels.

~~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 10 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.

~~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.~~

~~(b) Definitions~~

~~Large solar energy system~~

~~"Large solar energy system" shall mean a utility-scale solar energy conversion system consisting of many ground–mounted solar arrays in rows, 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.~~

~~Very large solar energy system~~

~~"Very large solar energy system" shall mean a utility-scale solar energy conversion system consisting of many ground–mounted solar arrays in rows, 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.~~

~~(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).~~

~~(3) Large and very large scale solar energy systems are prohibited in the Public Open Space (POS) and Parks and Recreation (P-R) zones.~~

~~(e) Approvals required~~

~~(1) Large and very large solar energy systems may be approved through the issuance of a Major Use Permit by the Board of Supervisors, following a recommendation from the Planning Commission, provided the application is consistent with conditions and standards set forth in subsection 8-2.1105(f), below.~~

(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.

(2) ~~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.

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

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

(5) 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.

~~(5)~~(6) 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.

~~(1)~~(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 comply with applicable Yolo HCP/NCCP Avoidance and Minimization Measures and requirements in accordance with the California Department of Fish and Wildlife.

(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.