



August 2, 2010

MEMO TO: Agricultural Advisory Board

FROM: Department of Planning and Community Development

SUBJECT: **USE PERMIT APPLICATION NO. 2010-09 & LOT LINE ADJUSTMENT APPLICATION NO. 2010-10 - SCATEC WESTSIDE SOLAR RANCH - ALTERNATIVE AGRICULTURAL BUFFER AND SETBACKS**

The Stanislaus County Department of Planning and Community Development has received an application to establish a photovoltaic (PV) solar energy farm creating an aggregate peak power capacity of 50 megawatts (MW) of electricity on 384± acres of a 1,131± acre site, located at 22601 Davis Road, west of Interstate 5, in the Newman/Crows Landing area. The construction will be in two (2) phases. Each phase will be 25 MW, consisting of 80 blocks of trackers, with 93,000 PV panels on steel posts and aligned in rows utilizing single axis trackers and all required devices. Each block of trackers is made up of 20 rows of single axis trackers. Additional site improvements include: all weather fire access roads; a storage shed and/or office trailer; security fencing; construction staging area; and a transmission interconnect to an existing transmission line to a proposed PG&E substation. The applicant has proposed an alternative to the Agricultural Buffer and Setback Guidelines. The applicant's proposal and the County's Buffer and Setback Guidelines are outlined below:

Stanislaus County Buffer & Setback Guideline Requirements for New Non-Agricultural Uses:

- A minimum 150-foot wide buffer, measured from the property line of any adjoining property located in the A-2 zoning district, shall be incorporated. All buffers shall include solid fencing and vegetative screening consistent with the guidelines. In general, vegetative screen shall consist of two staggered rows of trees and shrubs characterized by evergreen foliage extending from the base of the plant to the crown.
- Fencing: The Agricultural Advisory Board, in September of 2008, supported a general alternative clarifying the intent of the fencing requirement is to prevent trespassing. As part of the general alternative, fencing is not required to be made up of a solid material, but is required to be at least 6-feet in height. Fencing may be installed around the perimeter of the non-agricultural use rather than the perimeter of the property lines containing the use.

Applicant's Proposal

The applicant is proposing an alternative buffer consisting of 20-feet from property lines to edge of tracker along the south and west project boundary lines. The north and east project boundary lines will implement the 150-foot buffer setback requirement. No vegetative screening is being proposed. Fencing will consist of 6-foot cyclone fencing for security purposes.

- The applicant feels the use, as proposed, is consistent with the current Agriculture designation of the project and the current adjacent agricultural land uses.

- The low impact and minimal employees of the Solar Farm suggest that an agricultural buffer is not warranted.
- The west boundary is bordered by land that consists of bare ground subject discing. Water restrictions have resulted in the property not being farmed.
- The south boundary is bordered by a Nature Conservancy property, vacant and inactive agricultural land, and Crow Creek. Crow Creek will provide a natural buffer.
- In the areas that are planned or are in active agricultural use today, a 150-foot buffer is being provided.
- The site's remote location and large scale serve to minimize conflicts resulting from normal agricultural practices as a consequence of the proposed new development.

Staff's Comments

The project site is currently fenced with post and wire fencing and is utilized for seasonal crops and orchards. The proposed project will be fenced (by phase) with 6-foot cyclone fencing as a security precaution. The orchard to the east and north of the project site will remain. The majority of the proposed phases will not meet the required agricultural buffer setbacks along exterior property lines; however, the applicant is proposing to maintain a 150-foot setback along the north and east property lines. Interior lot line setbacks have not been addressed due to the nature of the proposed development and the project site's single common ownership. Beyond the construction phase, the potential for impacts associated with on-site employees and related activities will be minimal.

On November 2, 2009 the Stanislaus County Agricultural Advisory Board considered and motioned to support the following Agricultural Buffer Alternatives as providing equal or greater protection than the Buffer and Setback Guidelines adopted in December of 2007 as Appendix 'A' of the Stanislaus County General Plan - Agricultural Element.

AGRICULTURAL BUFFER ALTERNATIVES

The December 2007 update to the Agricultural Element of the Stanislaus County General Plan established a buffer requirement for all new or expanding non-agricultural uses within or adjoining the A-2 zoning district. Appendix A of the Agricultural Element lays out guidelines for these buffers, which includes the following:

- ✓ A 150 ft buffer (300 feet for people intensive outdoor activities) from all property lines.
- ✓ A 6 ft high solid fence along the perimeter where a project adjoins agricultural property and 2 rows of vegetative screening (including evergreen trees and shrubs).
- ✓ Expansion of existing uses must provide fencing and vegetative screening in the area available and a 150-foot minimum building setback is required.

Any alternative to the currently adopted buffer standards must be reviewed and supported by the Stanislaus County Agricultural Advisory Board prior to Planning Commission consideration. ***These alternative standards shall be determined to provide equal or greater protection.***

*Planning staff would like the Agricultural Advisory Board to review and give its support to the following buffer alternative applicable to **all expanding non-agricultural uses** within the A-2 General Agriculture zoning district:*

- ✓ Allow the expansion of an existing non-agricultural use without a 150-foot setback or vegetative screening provided the expansion does not intensify the on-site activity.
- ✓ Allow riparian areas adjacent to rivers to serve as setbacks and vegetative screening.
- ✓ Allow permitted non-agricultural uses (including but not limited to legal non-conforming uses and homesites) adjoining the subject property to serve as part of the required setback area, provided the adjoining use is of a permanent nature which is not likely to be returned to agriculture. The overall distance from the requested use and the nearest agricultural operation (as defined by the Stanislaus County General Plan Agricultural Element) must be equal to or greater than the required setback distance. Vegetative screening shall not be required provided the minimum setback to the nearest agricultural operation is provided.

Additional alternative standards may be presented to the Agricultural Advisory Board for review and for a recommendation of approval to the Planning Commission. Ultimate approval will be based upon a determination of equal or greater protection.



July 22, 2010

Ms. Rachel Wyse
Assistant Planner
Stanislaus County Planning
and Community Development
1010 10th St., Ste. 3400
Modesto, CA 95354

Re: Scatec Westside Solar Ranch, Stanislaus County, CA
Use Permit No. 2010-09 and Lot Line Adjustment Application No. 2010-10

Dear Ms. Wyse:

This letter is being provided to the County to request an Agricultural Buffer Alternative for the Scatec Westside Solar Ranch project located west of I-5 and southwest of the Fink Road Landfill. We have attached an exhibit that depicts the proposed setbacks and adjacent land uses for your reference.

The applicant would like to propose an alternative buffer consisting of 20 foot from property line to edge of solar panel on the West and South property lines and a 150 foot buffer on the north and east property lines. No vegetative screening is being proposed. Fencing will consist of a 6 foot high cyclone fence for security purposes.

The 20-foot setback on the west and south boundaries includes a 20 foot wide perimeter access roadway. The 150-foot setback on the north property line consists of an existing 30 foot access road that will remain (the 30-feet lies between the Beltran Farm north property line and the proposed project north property line) and 120-feet from the project north property line to the nearest solar panel.

The applicant feels the agricultural buffer alternative proposed is justified for the following reasons:

1. The use that is proposed is consistent with the existing General Agriculture (A-2) zoning designation and also consistent with the adjacent Agricultural land uses surrounding the project.

mid-valley engineering

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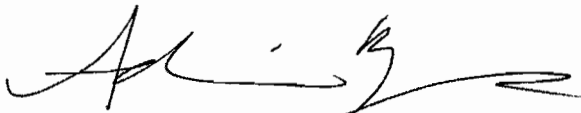
R. Wyse, Asst. Planner
Stanislaus County

2. The low impact of this type of development along with the limited number of employees that will operate the system would suggest that this buffer is not necessary or warranted.
3. The west boundary is bordered by land that consists of bare ground subject to discing. The property relies on the California Aqueduct for its annual water allocation which has been restricted over the last several years to 50% of normal. Thus the property has not been used for agricultural activities for several years.
4. The south boundary is bordered by a Nature Conservancy property, vacant / inactive Agricultural land and Crow Creek. Crow Creek will provide a natural buffer.
5. In the areas that are planned or are in active agricultural use today, a 150-foot buffer is being provided.
6. The sites remote location and large scale, serve to minimize conflicts resulting from normal agricultural practices as a consequence of the proposed new development.

We respectfully request your consideration of the proposed Agricultural Buffer Alternative for the Scatec Solar Ranch project.

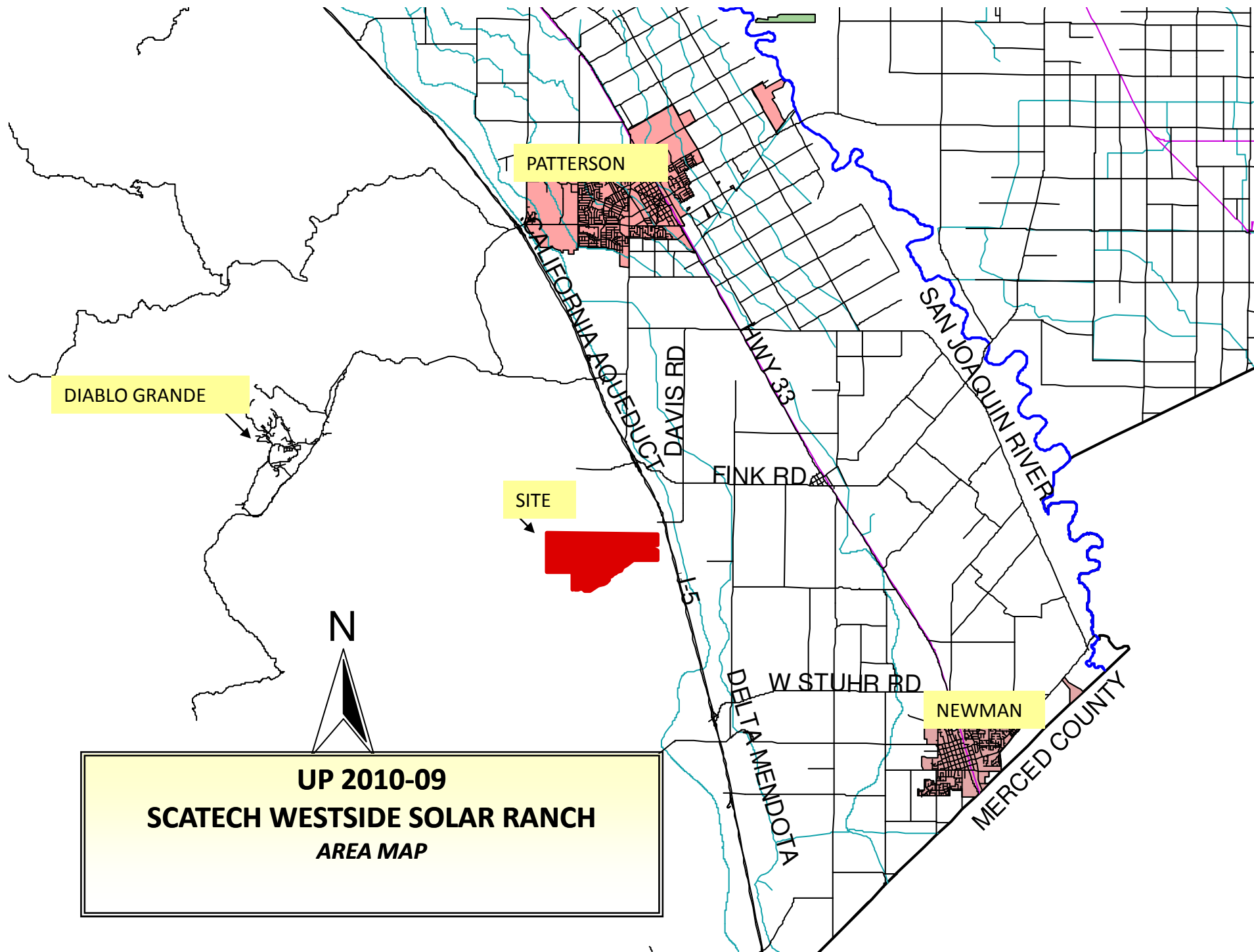
Should you have any questions or require additional information, please do not hesitate to contact us.

Sincerely,

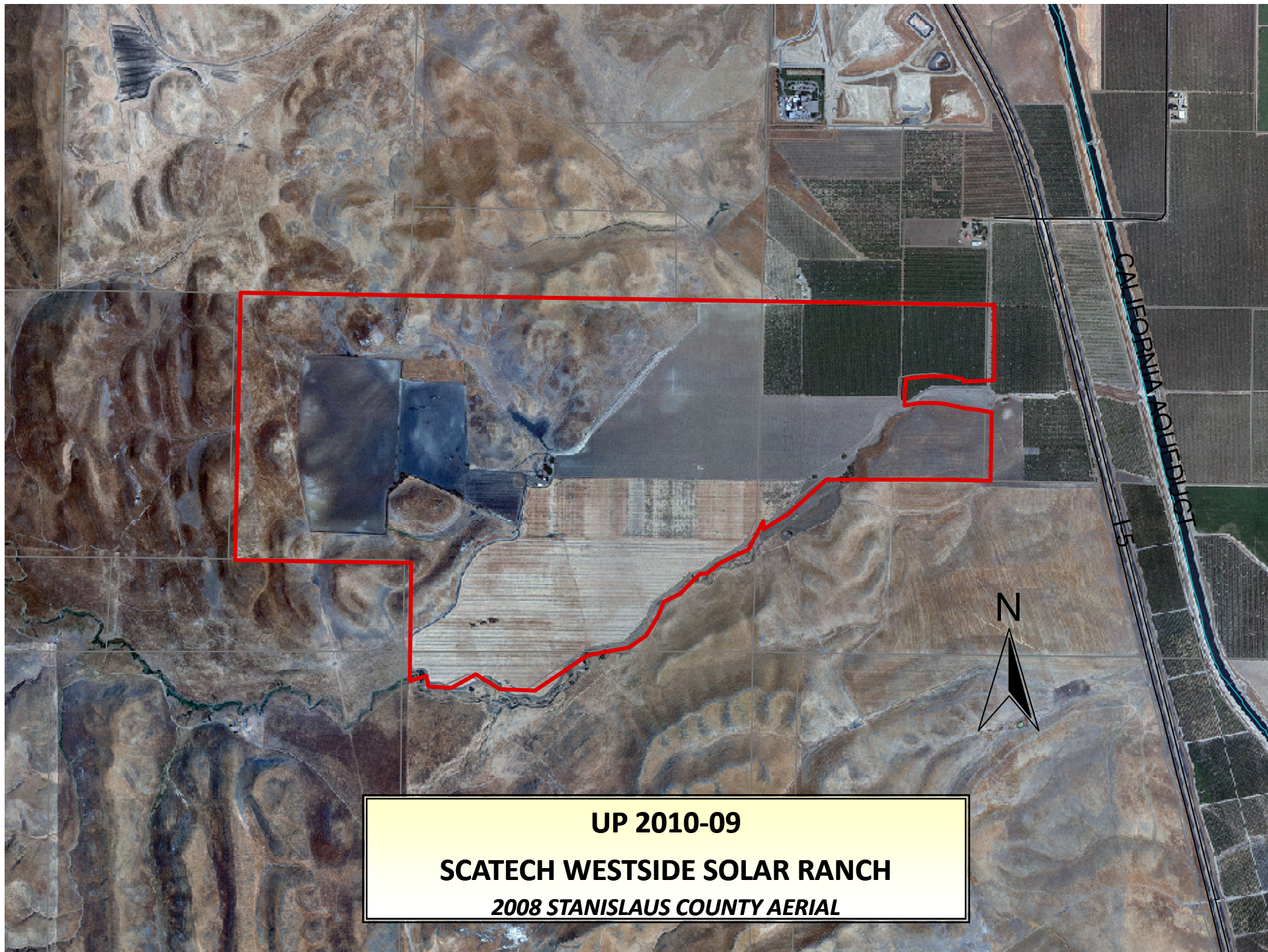


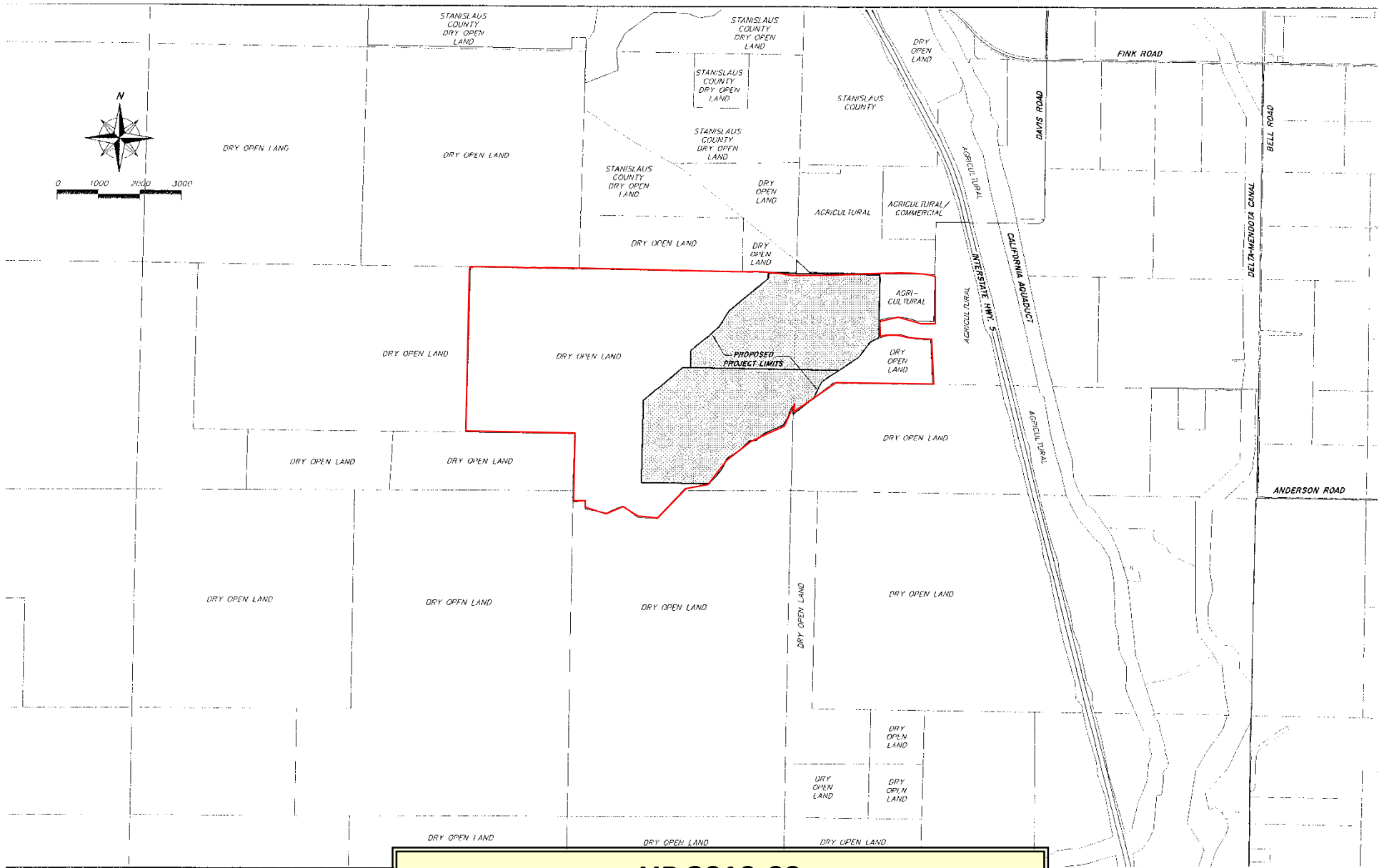
Adrienne Burns
Senior Project Manager
MVE | Civil Solutions

cc: Mike Wanebo, Scatec
Sean Tobin, MVE Civil Solutions



UP 2010-09
SCATECH WESTSIDE SOLAR RANCH
AREA MAP





UP 2010-09

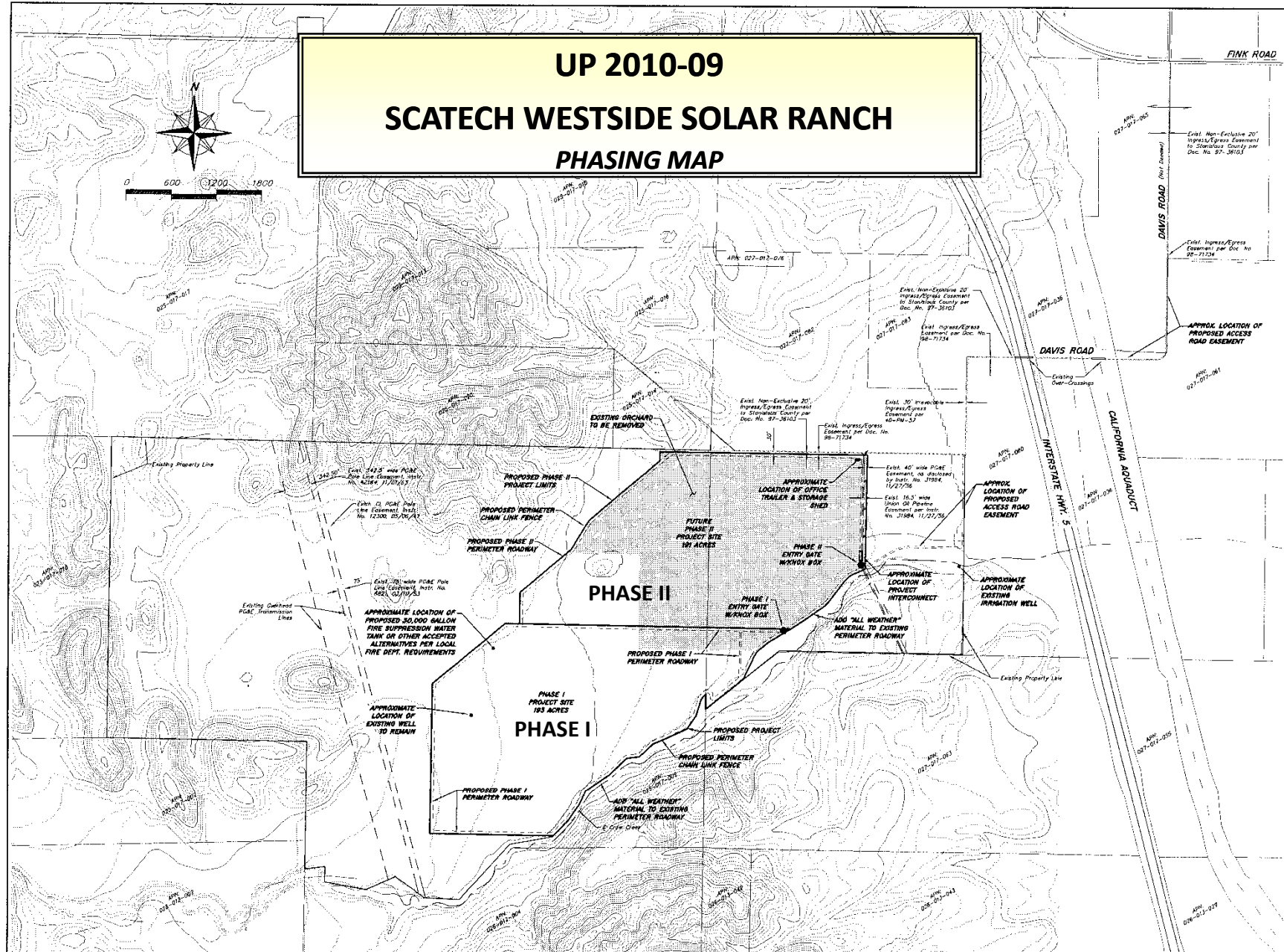
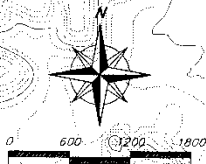
SCATEC WESTSIDE SOLAR RANCH

SITE & PROJECT BOUNDARY MAP

UP 2010-09

SCATECH WESTSIDE SOLAR RANCH

PHASING MAP



| Drawn By | TG | REVISIONS | | | | BY |
|----------|---------------------|-----------|------|------------|--|----|
| | | NO. | DATE | ISSUED FOR | | |
| Date: | 05/27/10 | | | | | |
| Scale: | 1"=1000' | | | | | |
| Job No.: | NC10008 | | | | | |
| Checked: | AB | | | | | |
| File: | DLK10008.PLOT PLANS | | | | | |



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UP 2010-09

SCATECH WESTSIDE SOLAR RANCH

SOLAR PANEL ELEVATION & LAYOUT

PRELIMINARY DESIGN. DO NOT USE FOR CONSTRUCTION

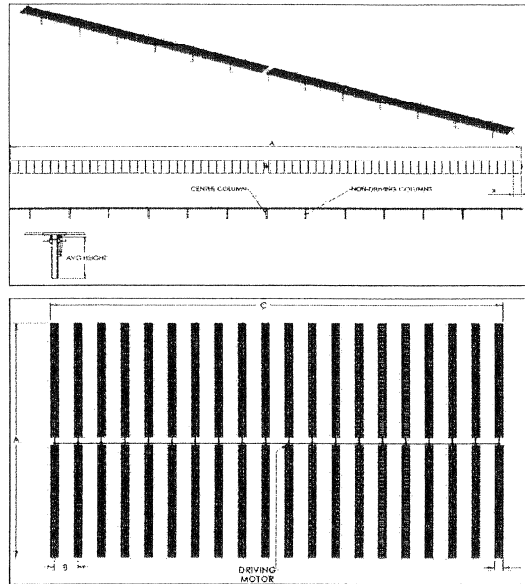
| System Block | |
|-----------------------|-------|
| Ground Coverage Ratio | 33.3% |
| Tracker Rows/Motor | 23 |

| Single-Motor Block Dimensions | Var. | Value |
|--------------------------------------|------|---------|
| Module Assembly Width (in) | X | 39.1 |
| Module Assembly Length (in) | Y | 77 |
| Tracker Array Length (ft) | A | 168.1 |
| Tracker Row Spacing (ft) | B | 19.90 |
| Tracker Array Width (ft) | C | 431.00 |
| Area needed/Block (ft ²) | | 72451.1 |
| Area needed/Block (acres) | | 1.66325 |
| DC Power/Tracker Row (W) | | 12960 |
| DC Power/Module (W) | | 270 |
| DC Power/Block (kW) | | 298.08 |
| DC Power/acre (kW) | | 179.22 |
| DC Power/ft ² (W) | | 4.11422 |

| Module Summary |
|--|
| Designed with SunTech 260-280W Modules |
| Mounted with Universal MW Clamps |
| 12 Modules Per String |
| 4 Strings Per Tracker |
| 48 Modules Per Tracker Row |

| Structural Summary |
|---|
| 13 Columns Per Tracker Row |
| 6" Pipe Size ERW for Center Column, |
| 1 per Tracker Row |
| 4" Pipe Size ERW for Non-Driving Columns, |
| 12 per Tracker Row |
| 48" Average Torque Tube Height |
| 65.5" Maximum Torque Tube Height |
| 45.2" Minimum Torque Tube Height, 18" Clearance |
| 20.9% Variability in Torque Tube Height |

| Wind Loading Summary | |
|------------------------------------|---|
| 90 mph Design Wind Speed, Exp C | |
| Importance Factor, I | 1 |
| Topographic Factor, K _z | 1 |



NOTE:
Pictures are for representation and reference only. The number of tracker rows, columns and lengths pictured may not be correct. Please refer to tables above for all dimensions and quantities. Lengths are to part edges and do not include spacing for access or service roads.

UP 2010-09 SCATECH WESTSIDE SOLAR RANCH SOLAR PANEL DESIGN

Checked: AD
File: 02_NC10000_DETA.SVG

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