**COUNTY OF GLENN**

**AGENDA ITEM TRANSMITTAL**

**MEETING DATE:** February 16, 2016

**Submitting Department(s):**
Board of Supervisors – Supervisor Leigh McDaniel

**Contact:** Supervisor McDaniel
**Phone:** 934-6400

**BRIEF SUBJECT/ISSUE DESCRIPTION:**
Extend the Alternative Energy Moratorium

**AGENDA PLACEMENT**

**APPOINTMENT – Appearances by:** (Specify Name & Title)
Supervisor Leigh McDaniel

**LEGAL/PERSONNEL/FISCAL**

- □ County Counsel
- □ Personnel
- □ Finance

**CLERK INSTRUCTIONS**

- □ Return Minute Order
- □ Return Certified Copy Of:
  - □ Other:

**AFFECTION DEPARTMENT(S)**

- □ Receive Concurrence

**PUBLIC HEARINGS & COMMITTEE VACANCIES**

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<td>□ Description Attached</td>
<td>□ 4/5ths Vote Required</td>
<td>□ Contract Report</td>
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**COMMITTEE VACANCIES**

- □ Vacancy Posted
- □ Application Attached

**RECOMMENDED ACTION/MOTION:**
Recommendation of Supervisor McDaniel to extend the alternative energy moratorium for six months until staff presents their suggested changes to Glenn County Code Chapter 15.330 (AE Exclusive Agricultural Zone) and any or all subsections regarding uses permitted with a conditional use permit in AE exclusive agricultural zones.

**Reviewed By (if applicable):**

- □ Department Head
- □ Personnel Director

**Department of Finance**

**cc:**
The following Minute Order of the Board of Supervisors is being sent to you for information or possible action. If you have any questions concerning this matter, please call the Board’s office.

**Minute Order of the Board of Supervisors**

**September 1, 2015 Regular Meeting**

**County of Glenn, State of California**

6. **Moratorium - Uses Permitted with a Conditional Use Permit**

   Also Present: Di Aulabaugh, Planning and Public Works Agency Deputy Director
   Matter: Pursuant to Minute Order 13 of the August 18, 2015 Board Meeting recommendation of Ms. Aulabaugh to allow staff to prepare information specific to Glenn County including a draft ordinance for permitting renewable energy projects in Glenn County, conduct a community stakeholders meeting; present results to Planning Commission and report back to the Board prior to the expiration of the moratorium.

   Proceedings:
   a. Mrs. Aulabaugh reviewed the aforesaid matter and advised of a timeline of events for the draft ordinance;
   b. Lisa Russell of Pristine Sun spoke in support of a Solar Ordinance and offered assistance from Pristine Sun;
   c. It was the general consensus of the Board to authorize staff to proceed as proposed.
BOARD REPORT

EXECUTIVE SUMMARY:
In accordance with Board direction staff met, reviewed the moratorium action taken by the Board at their Aug. 18 meeting and presents this report back to the Board.

RECOMMENDATION(S):
Allow staff to prepare information specific to Glenn County including a draft ordinance for permitting renewable energy projects in Glenn County, conduct a community stakeholders meeting; present results to Planning Commission and report back to the board prior to the expiration of the moratorium.

HISTORY AND BACKGROUND:
Leigh McDaniel, District 5 Supervisor presented the following item to the Board on their regular agenda August 18, 2015: Recommendation of Supervisor McDaniel to adopt a Moratorium prohibiting the Planning and Public Works Agency, and all of its departments/units, effectively immediately, from accepting, processing, and/or setting for hearing before the Glenn County Planning Commission any requests and/or applications for “Uses Permitted With a Conditional Use Permit” under Glenn County Code Chapter 15.330 (AE Exclusive Agricultural Zone) until said Agency reviews and submits, and the Board of Supervisors adopts by ordinance, changes to said Chapter 15.330 and any or all of its subsections, with particular emphasis on 15.330.040 and 15.330.050 to make said chapter more compatible with the intent of an Exclusive Agricultural Zone.

FISCAL/PERSOENNEL IMPACT(S):
Revenues for conditional use permits ($2,813 each permit) will be lost during the moratorium period. The estimate of revenues is unknown at this time.

ANALYSIS/DISCUSSION:
Staff from Planning & Public Works, Ag Commissioner and Cooperative Extension are working together, gathering information such as sample ordinances from counties that are similar in makeup to Glenn County, resource documentation from the Governor’s Office of Planning & Research on Renewable Energy in California, University research related to agricultural operations and accessory renewable energy projects. Supporting resource information identified at the time of this report:
- Glenn County General Plan (Energy Element)
- Glenn County Code (Unified Development Code – Title 15)
- http://casoilresource.lawr.ucdavis.edu/soilweb-apps/
- Statewide Model County Ordinance: The California County Planning Directors Association developed a Model Solar Energy Facility Permit Streamlining Ordinance, Model Renewable Energy Combining Zone Ordinance, and Solar Energy Facility Permit Streamlining Guide.
The following Minute Order of the Board of Supervisors is being sent to you for information or possible action. If you have any questions concerning this matter, please call the Board's office.

**Minute Order of the Board of Supervisors**

**August 18, 2015 Regular Meeting**

**County of Glenn, State of California**

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13. **Moratorium – Uses Permitted With a Conditional Use Permit**

Also Present: Leigh McDaniel, District 5 Supervisor

Matter: Recommendation of Supervisor McDaniel to adopt a Moratorium prohibiting the Planning and Public Works Agency, and all of its departments/units, effectively immediately, from accepting, processing, and/or setting for hearing before the Glenn County Planning Commission any requests and/or applications for "Uses Permitted With a Conditional Use Permit" under Glenn County Code Chapter 15.330 (AE Exclusive Agricultural Zone) until said Agency reviews and submits, and the Board of Supervisors adopts by ordinance, changes to said Chapter 15.330 and any or all of its subsections, with particular emphasis on 15.330.040 and 15.330.050 to make said chapter more compatible with the intent of an Exclusive Agricultural Zone.

Proceedings:

a. Supervisor McDaniel reviewed the aforesaid matter and requested the Planning Commission review the current code and come back to the Board with suggestions to clarify ag exclusive;

b. Supervisor Corum asked if there was going to be a time frame for this moratorium, whereby Supervisor McDaniel stated that he was going to leave that detail up to staff;

c. Planning and Public Works Agency Deputy Director Di Aulabaugh stated the Planning staff could come back to the Board with clarifying questions and suggestions by the September 1, 2015 Board Meeting;

d. Lisa Humphries, Manager of the Glenn County Farm Bureau, advised the farm bureau was willing to help in any way they can, thanked the Board for bringing this topic forward and stated they are comfortable with the moratorium but would request a timeline and date;

e. Principal Planner Mardy Thomas asked if there was one specific area of concern the Planning staff should be looking at as the moratorium as stated is quite broad, whereby Supervisor McDaniel stated his intent was to address power generation specifically and he would be okay with setting the moratorium for just power generation with the understanding that they would still come back with other vagueness in the code they would like to see improved;
The following Minute Order of the Board of Supervisors is being sent to you for information or possible action. If you have any questions concerning this matter, please call the Board’s office.

**Minute Order of the Board of Supervisors**  
**August 18, 2015 Regular Meeting**  
**County of Glenn, State of California**

f. Supervisor Corum suggested setting a 3 month moratorium; whereby Mrs. Aulabaugh suggested a 6 month moratorium due to timeframes of specific procedures;  
g. Glenn County resident Colleen Cecil spoke in support of a moratorium in regards to power generation;  
h. County Counsel Huston T. Carlyle, Jr. suggested all conditional use permits be looked at, not just those concerning power generation;  
i. On motion of Supervisor McDaniel, seconded by Supervisor Corum, it was unanimously ordered to approve a moratorium on ag exclusive power generation conditional use permits and request staff to come back on September 1, 2015 with suggested directions and this moratorium will be in place for a period of 6 months to this date.
COUNTY OF GLENN
AGENDA ITEM TRANSMITTAL

MEETING DATE: August 18, 2015

Brief Subject/Issue Description: Moratorium prohibiting any county action on requests/applications regarding Chapter 15.330.

Contact: Supervisor McDaniel
Phone: 934-6400

AGENDA PLACEMENT

Appointment - Appearances by: (Specify Name & Title)
Supervisor Leigh McDaniel

Required Minutes

Business - No
Consent
Correspondence
Reports & Notices

AFFECTED DEPARTMENT(S)

Receive Concurrency

ATTACHMENTS

Board Report
Letter
Minute Order
Contract
Transfer
Grant App.
Resolution
Ordinance
Proclamation
Policy Update
Code Update
Other

LEGAL/PERSONNEL/FISCAL

County Counsel
Personnel
Finance

CLERK INSTRUCTIONS

Return Minute Order
Return Certified Copy Of:

Other:

PUBLIC HEARINGS & COMMITTEE VACANCIES

Public Hearings:

Published
Affidavit on File w/Clerk
Affected Parties Notified

Committees:

Vacancy Posted
Application Attached

LEGISLATION

State
Federal

FUNDING SOURCE/IMPACT

General Fund Impact
Other:
Budgeted
Transfer Attached
4/5ths Vote Required
Contingency Request

CONTRACTS, LEASES & AGREEMENTS

New
Renewal
Amendment
Insurance Certificate
Contract Report

Date of Original Contract:
Contract No.:
Fiscal Year:

RECOMMENDED ACTION/MOTION:

By motion, adopt a Moratorium prohibiting the Planning and Public Works Agency, and all of its departments/units, effectively immediately, from accepting, processing, and/or setting for hearing before the Glenn County Planning Commission any requests and/or applications for "Uses Permitted With a Conditional Use Permit" under Glenn County Code Chapter 15.330 (AE Exclusive Agricultural Zone) until said Agency reviews and submits, and the Board of Supervisors adopts by ordinance, changes to said Chapter 15.330 and any or all of its subsections, with particular emphasis on 15.330.040 and 15.330.050 to make said chapter more compatible with the intent of an Exclusive Agricultural Zone.

Reviewed By (if applicable):

Department Head
Personnel Director
Department of Finance