

11 LAND USE AND PLANNING

INTRODUCTION

This chapter describes the existing land use and setting of the proposed project area. It describes the proposed project's consistency with State, regional, and local plans that are not already addressed in the other resource sections of this document. In addition, this chapter evaluates whether the proposed project would result in a physical division of an established community.

ENVIRONMENTAL SETTING

EXISTING LAND USES

The project site consists of approximately 2,704 acres total, of which 1,412 acres are within the proposed solar development area. The site is east of Grant Line Road, south of White Rock Road, and includes land on both the east and west sides of Scott Road. Most of the project site consists of rolling hills covered with grassland and oak trees, which has historically been used as grazing land for over 80 years associated with the Barton Ranch. The Barton Ranch Headquarters, which consists of 16 buildings and structures including the ranch house along with various barns, sheds, a tankhouse, and other outbuildings, are present on the southern portion of the project site on the west side of Scott Road.

SURROUNDING LAND USES

The northern portion of the project site is adjacent to, and partially within, an easement over the southern end of the Prairie City State Vehicular Recreation Area (SVRA), which is owned and operated by California State Parks (State Parks) Off-Highway Motor Vehicle Division. The Prairie City SVRA encompasses approximately 1,115 acres and accommodates a variety of off-highway vehicle (OHV) activities including trail riding on a range of terrain types; and tracks for motorcycles, all-terrain vehicles, 4x4 vehicles, recreational OHVs, karts, and quarter midgets. The Prairie City SVRA also offers several day-use picnic areas, and overnight camping is planned in the future.

Land east of the project site consists of undeveloped rolling grazing land. The southwest corner of the project site is approximately 1,000 feet from the former Sacramento Boys Ranch, which closed in 2010. The former Boys Ranch property is owned by Sacramento County and is currently not in use for any purpose. The Deer Creek Hills Nature Preserve is a 4,500-acre working cattle ranch southeast of the project site.

There is a large-lot rural residence with an associated horse barn and training facilities on an elevated knoll on Pleasant Hill Lane, approximately 0.75 mile west of the southwestern corner of the project site. Pleasant Hill Lane is accessed via Glory Lane, from Grant Line Road. Glory Lane and Pleasant Hill Lane are private roadways.

A Teichert aggregate plant is located approximately 0.75 miles southwest of the proposed switchyard and the northwestern end of the project site. The Teichert Quarry and the Stoneridge Quarry are located adjacent to the northeastern corner of the project site.

Mather Airport is approximately 6.3 miles southwest of the project site. There is also one smaller local airport in the project vicinity, Rancho Murieta Airport, located approximately 4.5 miles to the south. See Chapter 9, “Hazards and Hazardous Materials,” for a description of existing operations at the Mather Airport and Rancho Murieta Airport.

REGULATORY SETTING

FEDERAL

There are no federal plans, policies, regulations, or laws related to land use and planning that apply to the proposed project.

STATE

The California Planning and Zoning Law (Public Resources Code 65300 et. Seq) establishes standards and procedures governing the adoption and implementation of the County of Sacramento General Plan and zoning ordinances applicable to the proposed project.

LOCAL

SACRAMENTO COUNTY GENERAL PLAN

The *Sacramento County General Plan of 2005–2030* (Sacramento County 2020) was adopted on November 9, 2011. Portions of the County General Plan contain policies for urban development including urban communities and the infrastructure necessary to serve them. Other sections of the County General Plan describe strategies to recognize and preserve areas of open space and natural resources. As a whole, the General Plan reflects a balance between the amount and location of lands planned for urban uses and those planned to remain in a rural or natural setting.

The General Plan has policies related to the location and design of renewable energy facilities.

Policy EN-19. Support the development and use of renewable sources of energy, including but not limited to biomass, solar, wind, and geothermal.

Policy PF-66. The Board of Supervisors and the County Planning Commission may approve, or recommend approval wherein the county has jurisdiction, of development projects for energy facilities that are contrary to any of the policies in this section only when justification is provided through findings.

Policy PF-67. Cooperate with the serving utility in the location and design of production and distribution facilities to minimize visual intrusion problems in urban areas and areas of scenic and/or cultural value including the following:

- Recreation and historic areas.
- Scenic highways.
- Landscape corridors.
- State or federal designated wild and scenic rivers.
- Visually prominent locations such as ridges, designated scenic corridors, and open viewsheds.
- Native American sacred sites.

Policy PF-68. Cooperate with the serving utility in the location and design of energy production and distribution facilities in a manner that is compatible with surrounding land uses by employing the following methods when appropriate to the site:

- Visually screen facilities with topography and existing vegetation and install site-appropriate landscaping consistent with surrounding land use zone development standards where appropriate, except where it would adversely affect access to utility facilities, photovoltaic performance or interfere with power generating capability.
- Provide site-compatible landscaping.
- Minimize glare through siting, facility design, nonreflective coatings, etc. except for the use of overhead conductors.
- Site facilities in a manner to equitably distribute their visual impacts in the immediate vicinity.

Policy PF-69. Cooperate with the serving utility to minimize the potential adverse impacts of energy production and distribution facilities to environmentally sensitive areas by, when possible, avoiding siting in the following areas:

- Wetlands.
- Permanent marshes.
- Riparian habitat.
- Vernal pools.
- Oak woodlands.
- Historic and/or archeological sites and/or districts.

Policy PF-70. Cooperate with the serving utility so that energy production and distribution facilities shall be designed and sited in a manner so as to protect the residents of Sacramento County from the effects of a hazardous materials incident.

Policy PF-76. The County supports the generation and use of energy produced from renewable resources.

Policy PF-77. The County supports a variety of solar and other renewable energy sources, including:

- A dispersed system that feeds into the electric delivery system,
- On-site facilities that primarily supply energy for on-site uses, and
- Properly sited large, centralized facilities consistent with Policy PF-78.

Policy PF-78. Large multi-megawatt solar and other renewable energy facilities should be sited at locations that will minimize impacts. The following guidelines should be considered, though it [sic] recognized that each project is different and must be analyzed individually, and that other factors may affect the suitability of a site. Locational criteria for wind turbines should be determined on a case-by-case basis and referred to the Sacramento County Airport System and the FAA for review and comment.

- Desirable sites are those which will minimize impacts to county resources and will feed into the electrical grid efficiently, including:
- Lands with existing appropriate land use designations, e.g., industrial.
- Brownfield or other disturbed properties (e.g., former mining areas, mine tailings) or land that has been developed previously and has lost its natural values as open space, habitat or agricultural land.
- Sites close to existing facilities necessary for connection to the electrical grid to minimize the need for additional facilities and their impacts, and to improve system efficiency.
- Other sites may be used for siting renewable energy facilities after consideration of important natural and historic values of the land, including:
- Farmlands. Site on farmlands of the lowest quality, e.g., land classified by the DOC as “other land” or “grazing land”, then consider farmlands of local, unique or statewide importance. Avoid high-quality farmlands, especially land classified by the DOC as prime and lands under active Williamson Act contracts.

- **Habitat and Other Open Space Lands.** Site on lands with the lowest habitat and open space values, and consider how a site will affect conservation planning, e.g., the Conservation Strategy in the South Sacramento HCP. Avoid areas containing vernal pool complexes and associated uplands.
- **Scenic Values.** Site in areas of lowest scenic values and avoid visually prominent locations e.g., ridges, designated scenic corridors and designated historic sites.
- **Cultural Resources.** Site in areas that are known to have limited potential for containing cultural resources. Otherwise, avoid sites with known cultural resources.

Policy PF-79. New solar and other renewable energy facilities should be designed and developed so as to minimize impacts to sensitive biological resources such as oak woodlands and vernal pools, cultural resources (including designated historic landscapes), or farmlands as defined by the California DOC. Nearby farm operations shall not be negatively affected by renewable energy facilities, per the policies of the Right-to-Farm Ordinance and the Agricultural Element.

Policy PF-80. Locate solar facilities, and design and orient solar panels in a manner that addresses potential problems of glare consistent with optimum energy and capacity production.

Policy PF-92. Transmission lines should avoid to the greatest extent possible, cultural resources and biological resources such as wetlands, permanent marshes, riparian habitats, vernal pools, and oak woodlands. When routed through such areas, transmission lines should have maximum line spans and cross at the narrowest points which involve minimal cutting and cropping of vegetation, maintaining the drainage regime of wetland basins. Additionally, when feasible, such routes should be maintained to serve as biological dispersion corridors between areas of high biodiversity.

Policy PF-93. Protect native and non-native bird populations by incorporating electrocution prevention measures into the design of transmission towers.

Policy PF-95. Transmission lines should avoid paralleling recreation areas, historic areas, rural scenic highways, landscaped corridors, drainage basins, wetland mitigation, tree planting, and designated federal or state wild and scenic river systems, although these areas may be considered as options if facilities already exist there.

Policy PF-96. Locate transmission facilities in a manner that maximizes the screening potential of topography and vegetation.

Policy PF-97. Utilize monopole construction, where practicable, to reduce the visual impact on a corridor's middle and distant views.

URBAN SERVICES BOUNDARY AND URBAN POLICY AREA

The project site is located outside of the County's current Urban Services Boundary (USB) and Urban Policy Area (UPA).¹ The USB and the UPA are designed to promote maximum efficiency of land uses and protection of the County's natural resources. The USB allows for the permanent preservation of agriculture and rangelands, critical habitat and natural resources, while the UPA concentrates and directs growth within previously urbanized areas, limiting arbitrary and sprawling development patterns. These two growth boundaries work in tandem to manage and direct future development, as well as provide infrastructure and service providers with intermediate and ultimate growth boundaries to use to plan for future expansion.

LAND USE DESIGNATIONS

The project site is designated General Agricultural (80 acres) (GA-80) by the Sacramento County General Plan. This designation identifies land that is generally used for agricultural purposes, but less suited for intensive agricultural than Agricultural Cropland. The minimum size allowable is 80 acres, large enough to maintain an economically viable farming operation. Typical farming activities include dryland grain, and irrigated and dry land pasture. Constraints found in areas with this designation include shallow soils, uncertain water supply, moderate slopes, fair to poor crop yield, and farm unit fragmentation. The GA-80 designation allows single-family dwelling units at a density no greater than 80 acres per unit (Sacramento County 2020).

Page 3 of the Agricultural Element of the Sacramento County General Plan (Sacramento County 2020) allows solar facilities on agricultural land with appropriate measures to minimize impacts:

“Agriculture lands are likely to be impacted by the expansion of renewable energy sources because of the economic incentive programs and the need to provide cleaner energy. Much of rural Sacramento County is ideal for solar farms and other renewable facilities, however those facilities must be sited and designed to minimize impacts.”

Other uses, such as the proposed project, are permitted with approval of a Use Permit, as described below.

¹ The USB is the boundary of the urban area in the unincorporated County that provides a permanent boundary that is not modified except under extraordinary circumstances and is used as a planning tool for urban infrastructure providers for developing long-range master plans for future urbanization. The UPA defines the area expected to receive urban levels of public infrastructure and services within the 20-year planning period of the County General Plan. The UPA provides the geographic basis for infrastructure master plans, particularly for public water and sewerage, which require large capital investments and relatively long lead times for the installation of capital improvements.

SACRAMENTO COUNTY ZONING CODE

The Sacramento County Zoning Code was developed to encourage the most appropriate use of land; to conserve, protect, and stabilize the value of property; to provide adequate open spaces for light and air; to prevent undue concentration of population; to lessen congestion on the streets; to facilitate adequate provisions for community utilities such as transportation, water, sewerage, schools, parks, and other publicly owned facilities; and to promote the public health, safety, and general welfare.

As described above under “Land Use Designations,” the project site is currently zoned as AG-80 by Sacramento County. The AG-80 zoning designation is intended to eliminate encroachment of incompatible land uses with the long-term agricultural use; discourage the premature and unnecessary conversion of agricultural land to urban uses; assure the preservation and sustainability of agricultural lands that have a definite value as open space and for the production of agricultural products, so as to preserve an important physical, social, aesthetic, and economic asset of the residents of the County; and encourage the retention of sufficiently large agricultural lots to assure maintenance of viable agricultural units (Sacramento County 2023). The 80-acre minimum parcel size in this district anticipates agricultural use.

Permitted uses within the AG-80 zoning designation include raising and harvesting crops, commercial bee keeping, primary processing of agricultural products, stables and corrals, roadside crop sales, single-family dwelling units, farm worker housing, parks, wildlife preserves, and gas and oil wells (Sacramento County 2023).² Uses permitted with approval of a Use Permit include agricultural equipment repair, maintenance, and manufacturing; food processing industries; large wineries; places of worship; private schools; campgrounds; hunting clubs; major utilities; solar energy facilities; wind turbine facilities; and wireless communication towers (Sacramento County 2023).³

USE REGULATIONS

Chapter 3, “Use Regulations,” of the Sacramento County Zoning Code describes the land uses allowed in the County and the applicable use-specific standards.

Section 3.6.6.C, “Solar Energy Facilities,” regulates solar energy facilities, including solar panels (photovoltaic systems), solar thermal systems that convert solar energy to electricity by heating a working fluid to power a generator, and solar hot water systems designed to heat water for use by either domestic or commercial uses. Solar facilities are categorized as either accessory solar facilities, which are those necessary to meet on-

² See Table 3.1, “Allowed Uses,” in the Sacramento County Zoning Code (available: <https://planning.sacounty.net/LandUseRegulationDocuments/Pages/Sacramento%20County%20Zoning%20Code.aspx>).

³ Use Permits require review and approval in accordance with the Sacramento County Zoning Code and uses are subject to all applicable regulations, including use standards provided in Chapter 3, “Use Regulations,” and Chapter 5, “Development Standards,” of the Sacramento County Zoning Code. Each Use Permit application is evaluated as to its probable effects on adjacent properties and surrounding areas. Depending on the proposed use, approval of the Use Permit is provided by the Planning Director, Zoning Administrator, Planning Commission, or County Board of Supervisors.

site energy demands, or commercial solar facilities, which are solar facilities that produce energy for off-site use. The proposed project is categorized as Commercial II Solar Energy Facilities.⁴

Section 3.3.6.C lists the required application materials; setback, fencing, signage, and landscaping requirements; operations, reclamation, and decommissioning requirements; and provides for financial assurance guarantees for Commercial II Solar Facilities (Sacramento County 2023).

IMPACTS AND ANALYSIS

SIGNIFICANCE CRITERIA

Based on Appendix G of the CEQA Guidelines, the proposed project would have a significant impact related to land use and planning if it would:

- physically divide an established community, or
- conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

For an impact to be considered significant under this threshold, any inconsistency would also need to result in a significant adverse change in the environment not already addressed in the other resource sections of this document.

ISSUES NOT DISCUSSED FURTHER

Physically Divide an Established Community—There are no residential land uses within the solar development area of the project site. The division of an established community could result from the construction of a physical barrier to neighborhood access or the removal of a means of access. The project site is in a rural area of unincorporated Sacramento County, and the nearest established community is Consumnes, located 0.4 mile southwest of the western edge of the project site. The proposed project does not include any linear features, such as new roadways, or any physical feature that would create a barrier or would divide any existing community or hinder access to any existing community or residence. Improved (earthen or graveled) roads would be constructed throughout the site and between arrays. New overhead generation interconnection lines would be within the project site and/or transverse undeveloped parcels. These features would not physically divide an established community. Therefore, **no impact** would occur, and this topic is not addressed further in this EIR.

⁴ Per Section 7.3 of the Sacramento County Zoning Code Commercial II Solar Facilities are defined as photovoltaic technologies (solar panels) or solar thermal technologies producing energy for off-site use, covering more than 10 acres.

IMPACT LUP-1: CONSISTENCY WITH PLANS, POLICIES, AND REGULATIONS

Consistency issues between implementation of the proposed project and the County General Plan or other land use plans and policies (i.e., South Sacramento HCP, and the Mather Airport Land Use Compatibility Plan) are related to land use regulations, which are, in part, based on avoiding or otherwise restricting uses that would adversely impact resources at the project site or adjacent land uses. Pursuant to CEQA Guidelines section 15125(d), an EIRs must discuss inconsistencies between a proposed project and applicable land use plans. A project's inconsistency with policies of an applicable plan does not necessarily mean that the project will have a significant environmental impact.

County General Plan policies relevant to the proposed project are listed above under "Regulatory Setting" and evaluated below related to consistency with the proposed project.

County General Plan policies EN-19, PF-76, and PF-77 establish that the County will support the development and use of renewable sources of energy resources. The proposed project would support County General Plan policies EN-19, PF-76, and PF-77 by providing a local supply of solar energy for the Sacramento County region.

General Plan Policy PF-80 indicates that the County will locate solar facilities, and design and orient solar panels in a manner that addresses potential problems of glare, consistent with optimum energy and capacity production. As discussed in Chapter 3, "Aesthetics," the proposed project would not result in hazardous glare from any of the proposed solar arrays.

County General Plan policies PF-67 and PF-78 contain siting criteria for determining the location of production and distribution facilities and large megawatt solar facilities, respectively. Additionally, Policy PF-79 directs the County to design and develop new solar and other renewable energy facilities such that impacts to sensitive biological and cultural resources or farmlands are minimized. Policy PF-67 directs the County to minimize visual intrusion problems in areas of scenic and/or cultural value, such as scenic highways and scenic corridors. Chapter 3 of the EIR, "Aesthetics," presents a comprehensive evaluation of visual impacts, with a focus on the General Plan Policy CI-58, which establishes that the County will "[c]ontinue to provide scenic corridor protection for Scott Road from White Rock Road south to Latrobe Road" – a portion of the segment of Scott Road where the County will continue to provide scenic corridor protection is within the project site. As presented in Chapter 3, "Aesthetics", visual impacts would be reduced through mitigation requiring the preparation and implementation of a Landscape Screening and Irrigation Plan and an Oak Woodland and Native Tree Plan; however, visual impacts related to scenic vistas and scenic corridors would be significant and unavoidable. Policy PF-78 describes that desirable sites for large multi-megawatt solar and other renewable energy facilities are those which minimize impacts to County resources, such as lands with existing appropriate land use designations, brownfield of other disturbed properties, and sites closest to existing facilities necessary for connection to the existing electrical grid. As further described in Chapter 16, "Alternatives", proximity to existing electrical distribution infrastructure was a key factor in determining the

proposed project location and in evaluating alternative sites, which were not feasible considerations for this project. Similarly, other infill and brownfield sites were evaluated and also determined to not be feasible alternatives sites for this project due to various factors. Most of the project site, including all of the areas proposed for solar panels, along with the substation, BESS, and maintenance yard, are zoned AG-80 (agricultural use, 80-acre minimum parcel size). The AG-80 zoning permits one single-family residence per parcel, all agricultural uses, and accessory dwellings for agricultural employees; most institutional uses, including large commercial solar facilities, are allowed within areas zoned AG-80 if a conditional use permit is approved by the County Board of Supervisors (Sacramento County 2023). The proposed project includes a request for approval of the necessary conditional use permit, and if approved, the project would be consistent with the existing zoning. Additionally, the proposed project would feed into the electrical grid through a gen-tie line that would extend approximately 1.3 miles to an existing SMUD 230 kV powerline.

In addition to the "desirable sites" for utility-scale renewable energy facilities described in the first section of Policy PF-78, this policy also describes other sites which may be used for siting renewable energy facilities after consideration of important natural and historic values of the land, including farmlands, habitat and other open space lands, scenic values, and cultural resources. Consistent with Policy PF-78, the proposed project is sited on land classified by the Department of Conservation as "grazing land" and would not be sited on high-quality farmlands, as further described in Chapter 4, "Agricultural Resources." As discussed in Chapter 6, "Biological Resources", oak woodlands, seasonal wetlands, vernal pools, and seasonally inundated wetlands and non-wetland waters are present on the project site and design considerations and mitigation measures have been included to reduce potential biological resource impacts to a less-than-significant level. However, cumulative impacts related to oak tree removal would be significant and unavoidable. As described above, impacts to scenic vistas associated with implementation and siting of the proposed project are evaluated in Chapter 3, "Aesthetics", and would be significant and unavoidable. Potential impacts to cultural resources are discussed in Chapter 8 "Cultural and Paleontological Resources" and would be mitigated to a less-than-significant level. However, as discussed in Chapter 13 "Tribal Cultural Resources", while significant impacts to unique and spiritually significant tribal cultural resources (TCRs) would be minimized through implementation of mitigation to ensure the proper treatment of TCRs, impacts would be significant and unavoidable. In summary, natural and historic values of the land as outlined in Policy PF-78 were considered in the siting of the proposed project and adverse physical impacts are addressed, and mitigated to the extent feasible, in the respective technical chapters of this EIR.

Additionally, the proposed project is consistent with County General Plan policy PF-79, as the proposed project would be sited on grazing land (see Chapter 4, "Agricultural Resources"), avoid sensitive biological resources to the extent possible (see Chapter 6, "Biological Resources"), and avoid and preserve in place cultural resources (see Chapter 8, "Cultural and Paleontological Resources").

County General Plan policies PF-92, PF-93, PF-95, PF-96, and PF-97 contain guidance for the siting of transmission facilities such that impacts to biological, cultural, and visual resources are minimized, and areas such as those used for subsurface mining operations and recreation, historic, rural scenic highways, landscaped corridors, drainage basins, wetland mitigation, tree planting, and designated federal or state wild and scenic river systems are avoided. The proposed transmission lines run along the southern boundary of the Prairie City SVRA, which is an urban/developed land cover type; therefore, the proposed project is consistent with County General Plan policy PF-92. Additionally, as further described in the Chapter 6, “Biological Resources”, impacts to native and non-native bird populations related to electrocution would be reduced with implementation of mitigation to implement guidelines for electrical infrastructure development of an Avian Protection Plan; therefore, the proposed project would be consistent with County General Plan policy PF-93. The proposed transmission lines would not be located in historic areas, landscaped corridors, drainage basins, wetland mitigation, tree planting, or designated federal or state wild and scenic river systems. The proposed transmission lines would be located approximately 0.8-mile west of Scott Road, which is considered a scenic corridor, and would run 1.3-miles west along the southern boundary of the Prairie City SVRA. The proposed transmission lines would interconnect with existing SMUD facilities. While County General Plan policy PF-95 recommends avoidance of recreation areas and rural scenic highways, these areas may be considered as options if facilities already exist; therefore, the proposed project would be consistent with County General Plan ~~P~~olicy PF-95. Finally, the proposed project would be consistent with County General Plan policies PF-96 and PF-97, as the proposed transmission lines would be located approximately 0.8-mile west of Scott Road public right-of-way with varying topography, vegetation, and solar arrays between and would utilize monopole construction.

As described above, the project’s environmental impacts and the project’s consistency with other applicable plans are discussed in other resource and issue areas that are addressed in each technical chapter of this document, as appropriate. The technical chapters provide a detailed analysis of other relevant physical environmental effects that could result from implementation of the proposed project and identify mitigation measures, as necessary, to reduce impacts. While the proposed project would result in significant and unavoidable impacts to visual resources, TCRs, and cumulative tree impacts, as described above, County General Plan policy PF-66 permits the Board of Supervisors and County Planning Commission to approve development projects for energy resources that are contrary to any of the policies of the Public Facilities element when justification is provided through findings. In accordance with Policy PF-66, findings would be adopted as part of the Final EIR for the proposed project. Implementation of the proposed project would not conflict with adopted County General Plan policies or other land use plans, policies, or regulations that would generate adverse physical impacts beyond those addressed in detail in the environmental chapters of this document (i.e.,

agricultural resources, air quality, biological resources, cultural resources, etc.).⁵ Therefore, this impact would be **less than significant**.

The impact associated with the Reduced Footprint Project would be the same or reduced when compared to the original proposed project evaluated in the public review Draft EIR.

⁵ “The issue of whether a proposed project is consistent with a county's general plan is not a CEQA issue...” (*The Highway 68 Coalition v. County of Monterey, et al.* [6th Dist. 2017] Cal.App.5th).