



REPORT TO COUNCIL

City of Sacramento

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915 I Street, Sacramento, CA 95814-2604
www.CityofSacramento.org

Public Hearings
October 5, 2010

**Honorable Mayor and
Members of the City Council**

Title: Army Depot Solar Project (P10-028)

Location/Council District: 8400 Okinawa Street; APN: 062-0010-029. (District 6)

Recommendation: Conduct a public hearing and upon conclusion adopt 1) a **Resolution** determining the project Exempt from review under the California Environmental Quality Act (CEQA); and 2) a **Resolution** approving the Army Depot Solar Project entitlements including a Re-Use Plan Amendment and Special Permit.

Contact: Heather Forest, Associate Planner, (916) 808-5008; Lindsey Alagozian, Senior Planner, (916) 808-2659

Presenter: Heather Forest, Associate Planner

Department: Community Development

Division: Current Planning

Organization No.: 21001010

Description/Analysis:

Issue: The applicant, Gregg Renkes of the U.S. National Depot Lands LLC., is requesting the approval of entitlements to locate solar energy collection equipment and ancillary facilities within the Agriculture/Open Space (A-OS-SPD) zone on property located within the Army Depot Special Planning District.

Applicant: Gregg Renkes of the U.S. National Depot Lands LLC.

Policy Considerations: The project site is designated as Industrial by the 2030 General Plan, which allows for the manufacturing of goods, flex space, and research and development, which is compatible with solar energy collection equipment. The Army Depot Re-Use Plan is proposed to be amended in order to allow the location of renewable energy equipment within the Open Space area of the Army Depot. The site is currently zoned Agriculture/Open Space (A-OS), which allows for the location of utilities and facilities such as the proposed

project, upon approval of a Special Permit. Staff supports the requests as the project is consistent with adopted applicable polices and goals of the General Plan.

Environmental Considerations: Environmental Planning Services staff has reviewed the project and has determined that construction and operation of the project as proposed would not have any significant effect on the environment, and the project is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15061(b)(3).

The proposed project will be constructed and operated in Depot Park and will supply electrical power for existing uses in Depot Park. No residential uses will be affected, and the project will not result in any adverse effects relating to noise, air quality or transportation. The project has been planned and will be developed to ensure that no adverse effects will occur relating to biological resources or water quality. The project will avoid areas in Depot Park that have been the subject of soil remediation in the past.

As designed and operated, it can be seen with certainty that the project will not have a significant effect on the environment, and the project is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15061(b)(3).

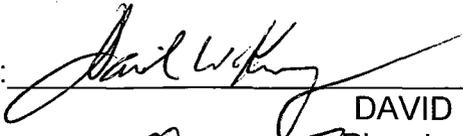
Sustainability Considerations: This project is consistent with the goals of the Sustainability Master Plan in that the proposed project will reduce the use of fossil fuels, reduce peak electrical demand, and provide long term affordable and reliable energy that has no price volatility.

Committee/Commission Action: On September 9, 2010 the City Planning Commission voted (8-0) to forward a recommendation of approval to the City Council for the development known as the Army Depot Solar Project.

Rationale for Recommendation: The Army Depot Solar project supports policies contained in the General Plan and is consistent with the Zoning Code. The project will promote sustainability and renewable energy systems within a redevelopment area. In addition, the solar energy collection equipment is compatible with the surrounding industrial land uses.

Financial Considerations: There are no financial considerations associated within this report.

Emerging Small Business Development (ESBD): No goods or services are being purchased under this report.

Respectfully submitted by: 
DAVID KWONG
Planning Director

Approved by: 
MAX FERNANDEZ
Director of Community Development

Recommendation Approved:

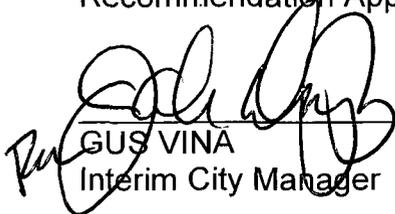

GUS VINA
Interim City Manager

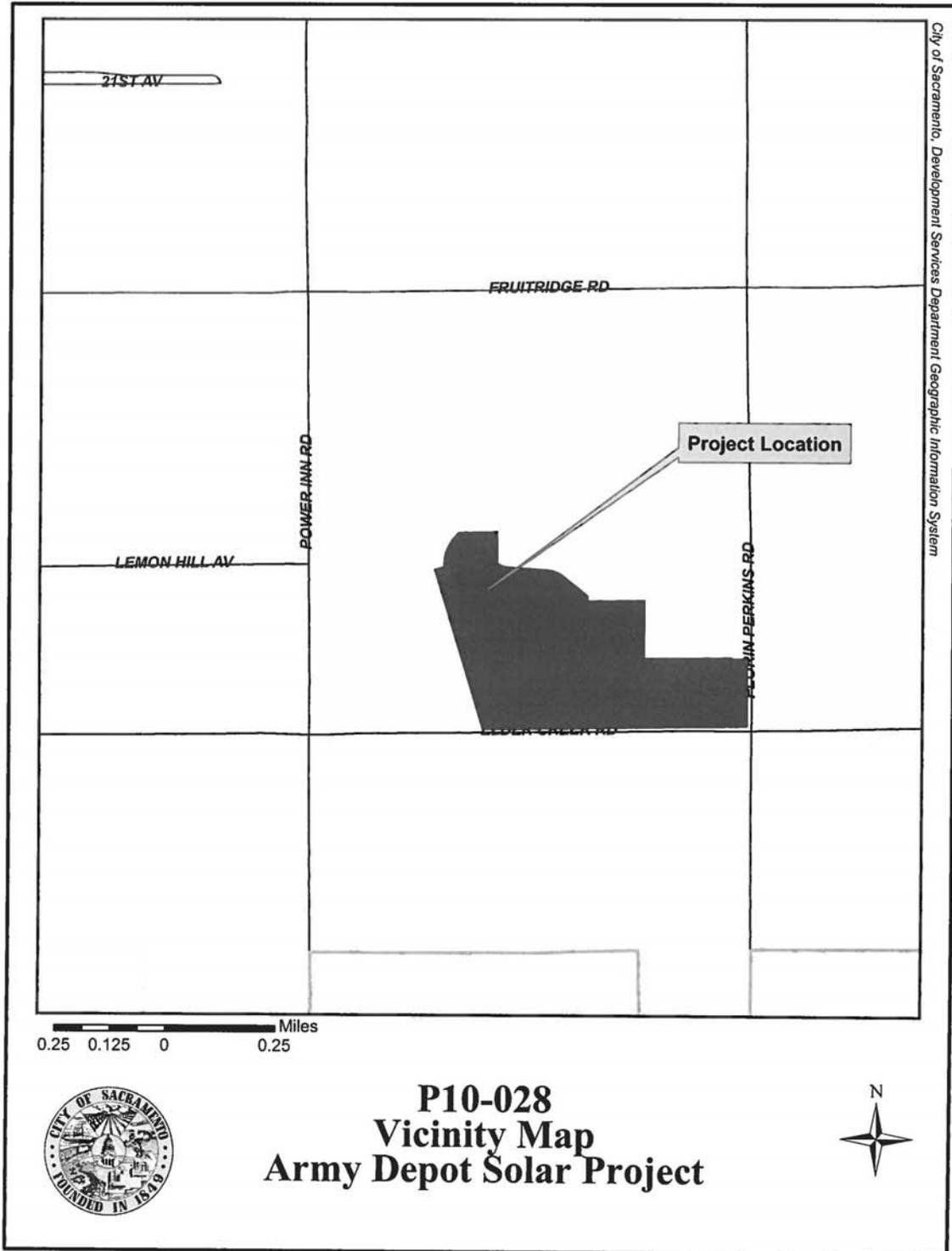
Table of Contents:

Staff Report Pg 1

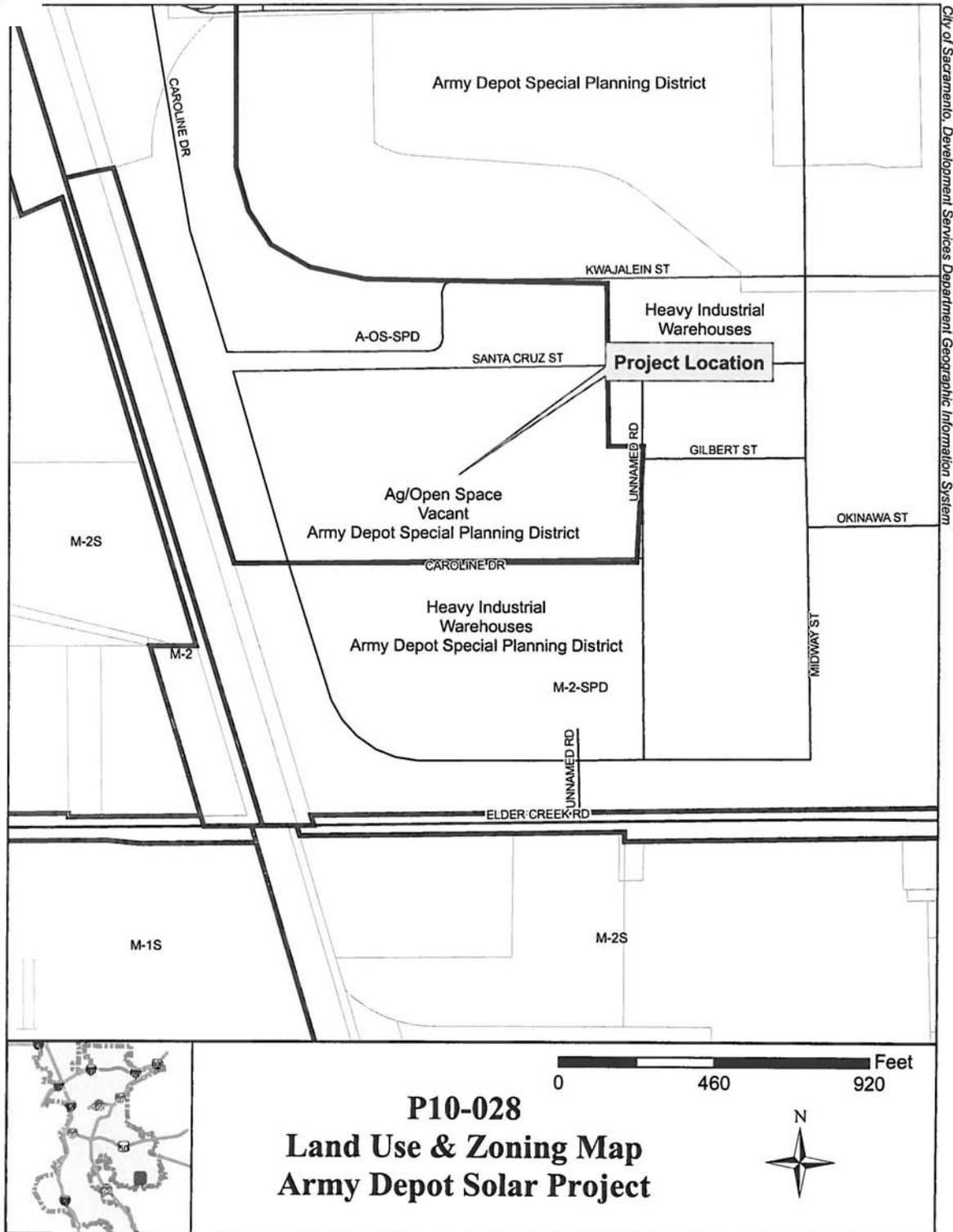
Attachments

- 1. Vicinity Map Pg 4
- 2. Land Use & Zoning Map Pg 5
- 3. Project Background/Summary Pg 6
- 4. Resolution for the Environmental Determination Pg 14
- 5. Resolution for the Project Entitlements Pg 15
 - Exhibit A: Proposed Text Amendment Pg 19
 - Exhibit B: District D Map Pg 21
 - Exhibit C: Site Plan Pg 22
 - Exhibit D: Solar Panel Detail Pg 23
 - Exhibit E: Solar Panel Detail Pg 24
 - Exhibit F: Solar Panel Detail Pg 25
 - Exhibit G: Open Space Parcel Number 3 Pg 26

Attachment 1 – Vicinity Map



Attachment 2 – Land Use & Zoning Map



Attachment 3 – Project Background/Summary

Applicant: Gregg Renkes, U.S. National Depot Lands LLC., 16 Business Park Way, Sacramento, CA 95828, (206) 328-2000

Owner: Same as applicant

**Background:**

The Sacramento Army Depot is located approximately seven miles southeast of downtown Sacramento. The Depot occupies 485 acres, of which 259 are developed. The property is located entirely within the limits of the City of Sacramento. The site has 76 permanent buildings housing industrial, warehouse and office uses. The land uses surrounding the Depot are predominantly industrial, with a few small commercial, residential, and vacant parcels.

The Base Realignment and Closure Act of 1990 (BRAC II) was proposed and ratified by February of that year to close or realign 36 military bases. The recommendations within the Act, placed the Sacramento Army Depot on the closure list. As stipulated by the Act, the Sacramento Army Depot was to be closed no later than July 1997, with its workload redistributed among other Depot System Command Installations and the Sacramento Air Logistics Center at McClellan Air Force Base. The Sacramento Army Depot closed in the summer of 1995.

On April 21, 1992, the City Council, by resolution, created the Sacramento Army Depot Reuse Commission (Reuse Commission). The staff report accompanying the resolution specified that the primary mission of the Reuse Commission was single-fold: to increase economic development activity in Sacramento. The mission statement for the Reuse Commission was as follows:

To produce a Reuse Plan which will increase economic and employment opportunities consistent with land-use zoning for interim and long-term use.

The resolution creating the Reuse Commission outlined the following primary goals for the Reuse Plan:

- To diversify the Sacramento economy.
- To facilitate employment of displaced Sacramento Army Depot employees.
- To provide employment opportunities for Sacramento's residents.
- To provide jobs which increase income levels for Sacramentans.
- To strengthen the local tax base for Sacramento.
- To determine highest and best land use to serve the highest overall return.

Additionally, the resolution specified the following secondary goals:

- To create a multi-purpose plan, including public uses, that will attract high quality

enterprises.

- To create a quality environment with compatible uses.
- To be compatible with land uses in the surrounding area.
- To maximize the ability to support infrastructure and operational costs.

Based upon the Reuse Commission's recommendations, the City Council adopted the Sacramento Army Depot Reuse Plan (Land Use Plan) on November 1, 1994. The entitlements specifically approved included:

- A) Draft Environmental Impact Report
- B) Army Depot Reuse Plan
- C) General Plan Amendment of 406 acres from Public/Quasi-Public to 83.1 acres of Parks/Open Space and 322.0 acres of Industrial.
- D) South Sacramento Community Plan Amendment of 83.1 acres from Industrial to Open Space.
- E) Rezone of 83.1 acres from Heavy Industrial (M-2-SPD) to Agriculture/Open Space (A-OS-SPD).

The Land Use Plan includes development standards and design guidelines that:

- Define districts within the reuse area;
- Specify appropriate land uses within the development;
- Encourage reuse of existing structures for building "recycling";
- Specify design parameters of new structures;
- Define a continuous pedestrian circulation system that encourages walking and alternative modes of transportation;
- Provide a strong tree and landscape concept that creates a pedestrian-scaled and tree-shaded environment; and
- Sensitively integrate natural resource areas as open space within the reuse area.

The Army Depot was designated as a redevelopment area, adopted by City Council in 1995, with the redevelopment designation set to expire in 2025. In 1993, the City Council adopted the provisions of the Sacramento Army Depot Special Planning District (SPD). The purpose of the SPD for the Sacramento Army Depot is to guide the establishment of land uses during the development of the Sacramento Army Depot reuse plan.

Today, the Sacramento Army Depot (Depot Park) contains many industrial businesses, office spaces, and large open spaces, consistent with the approved Land Use Plan and Special Planning District development standards. The Depot Park is owned and managed by U.S. National Leasing, LLC (USNL) and its affiliate U.S. National Depot Lands, LLC (USDL).

The current request is to allow a text amendment of the Reuse Plan/Land Use Plan, and concurrent Special Permit in order to locate solar energy collection equipment and ancillary facilities on approximately 18 acres within the Army Depot. Specifically, within

the Land Use Plan, District D (one of the open space areas, see Exhibit B, District D Map), the applicant is requesting to add text which will allow for the placement of renewable energy equipment and ancillary facilities. The addition of such language will allow the applicant to request the approval of a Special Permit in order to locate the facilities within the Agriculture/Open Space (A-OS) area. The applicant has stated that the energy collected will be used to provide power directly to businesses within the Army Depot.

The 18 acre site is predominantly vacant, with four small abandoned and deteriorated residential buildings that made up the old Base Commander's residence, a water treatment plant and warehouse building, six fenced production wells, and eight monitoring wells. The abandoned structures will be demolished as a part of the proposed project. The area is completely fenced and separate from the daily industrial activities of the Army Depot/Depot Park.

Public Outreach and Comments:

The project was routed to the Army Depot Redevelopment Area Committee (RAC), and the RAC stated support for the proposed project. Notice of the Planning Commission hearing was also sent to all property owners within five-hundred (500) feet of the project site and City staff did not receive formal comments from the general public.

Summary:

General Plan:

The 2030 General Plan Update was adopted by City Council on March 3, 2009. The 2030 General Plan's goals, policies, and implementation programs define a roadmap to achieving Sacramento's vision to be the most livable city in America. The 2030 General Plan Update designation of the subject site is Industrial, which provides for, "...the manufacturing of goods, flex space, and research and development that are attractive, compatible with adjoining nonindustrial uses, and well-maintained." As the proposed project will not result in changes to the existing operations of the Army Depot, the overall site will remain consistent with the Industrial designation. By utilizing solar energy collection equipment on the site, to be used by the Army Depot, the proposed project is consistent with the following General Plan Goal and Policy related to land use:

- **Goal LU 2.6 City Sustained and Renewed.** Promote sustainable development and land use practices in both new development and redevelopment that provide for the transformation of Sacramento into a sustainable urban city while preserving choices (e.g., where to live, work, and recreate) for future generations.
- **Policy LU 2.6.2 Redevelopment and Revitalization Strategies.** The City shall employ a range of strategies to promote revitalization of distressed, under-utilized, and/or transitioning areas, including:

- Targeted public investments.
- Development incentives.
- Redevelopment assistance.
- Public-private partnerships.
- Revised development regulations and entitlement procedures.
- Implementation of City- or SHRA- sponsored studies and master plans.

The 2030 General Plan also contains policies related to energy resources, which the proposed project is consistent with, such as:

- **Policy U 6.1.6 Renewable Energy.** The City shall encourage the installation and construction of renewable energy systems and facilities such as wind, solar, hydropower, geothermal, and biomass facilities.
- **Policy 6.1.7 Solar Access.** The City shall ensure, to the extent feasible, that sites, subdivisions, landscaping, and buildings are configured to maximize solar access.

Approval of the project will promote sustainability and renewable energy systems within a redevelopment area, and thus the project is overall consistent with the 2030 General Plan.

Army Depot Reuse Plan Amendment:

In order to locate renewable energy equipment and ancillary facilities within the open space areas of the Army Depot, the Army Depot Reuse Plan text is proposed to be amended. Specifically, the following changes will be made, which are highlighted in yellow:

1. Army Depot Reuse Plan, page 1-13, amend the description of District D to read as follows:

DISTRICT D

The area to the west of the existing warehouses and the area to the south of the Department of Corrections site is District D. This district is an open space area protecting existing sensitive natural resources and the existing baseball field south of the Department of Corrections. It is anticipated that active and passive open space use, pedestrian and bicycle trails, and habitat mitigation will be sensitively integrated in this area. **In addition, renewable energy installations appropriately designed and scaled to be consistent with the open space character and natural resource preservation purposes of District D may be allowed.** District D has a total of 83.1 acres, which includes 63.8 acres of habitat preservation, and 19.3 acres of existing ball field.

2. Army Depot Reuse Plan, Page 9-8 through 9-9, amend the description of District D to read as follows:

DISTRICT D

The area to the west of the existing warehouses and the area to the south of the Department of Corrections site is District D (Exhibit 9.15.). This district is an open space area protecting existing sensitive natural resources and the existing baseball field south of the Department of Corrections. It is anticipated that active and passive open space use, pedestrian and bicycle trails, and habitat mitigation will be sensitively integrated in this area. **In addition, renewable energy installations appropriately designed and scaled to be consistent with the open space character and natural resource preservation purposes of District D may be allowed.** District D has a total of 83.1 acres, which includes 63.8 acres of habitat preservation, and 19.3 acres of existing ball field.

3. Army Depot Reuse Plan, Page 9-21, amend Section 1 under District D to read as follows:

1. Goal

This area includes the baseball field area to the south of the Department of Corrections and the area on the west side of the Army Depot which is designated as an open space and natural resource protection area. It is anticipated that active and passive open space uses, pedestrian and bicycle trails and habitat mitigation will be sensitively integrated in this area. **In addition, renewable energy installations appropriately designed and scaled to be consistent with the open space character and natural resource preservation purposes of District D may be allowed.** The habitat preservation areas and the little league field have the same zoning designation of Agriculture-Open Space (A-OS SPD). The development of the two areas, however, is different. **With the exception of appropriately designed and scaled renewable energy installations,** the habitat preservation areas will have no structures, and only minor ancillary uses. The little league field will contain active recreation uses.

4. Army Depot Reuse Plan, Page 9-22, amend Section 3 under District D to read as follows:

3. Allowed/Prohibited Uses

In the habitat preservation areas, the accessory uses that are customarily incidental to any of the approved uses shall be permitted in discrete open space areas. These include picnic structures, benches, and the like. **In addition, renewable energy installations appropriately designed and scaled to be consistent with the open space character and natural resource preservation purposes of District D may be allowed.** Under no circumstances shall any building or structure, except for those noted above or necessary for public accommodation or maintenance, be

permitted.

The uses within the little league open space area are active recreation uses and any accessory structures necessary for public accommodation or maintenance.

5. Army Depot Reuse Plan, Page 9-23, added Section 5 under District D to read as follows:

5. Renewable Energy

The development and use of renewable energy is encouraged as part of a sustainable approach to the redevelopment of the industrial facilities. In furtherance of this goal, utilities and related facilities including solar energy equipment and ancillary facilities may be permitted in discrete open space areas where appropriately designed and scaled to be consistent with the open space character and natural resource preservation purposes of District D.

The above text changes will allow for the siting of renewable energy equipment and ancillary facilities upon an unused open space portion of the Army Depot. City staff supports the request as the overall use and conditions of the site will not be altered, and it supports goals and policies in the General Plan related to sustainability and alternative energy sources.

Special Permit:

The site proposed for the location of the solar equipment is an approximately 18 acre area, located in the southwest corner of the Army Depot (see Exhibit C, Site Plan). The proposed site is a part of a larger 48.21 acre parcel known as "Parcel 2B" within the Army Depot, which was conveyed to the City in 2005. This area required soil and groundwater remediation due to prior uses by the military on the project site. The site chosen for the solar equipment installation is the area that was subject to most of the remediation activities, some of which related to groundwater are ongoing. The solar equipment site previously contained the base commander's residence with a landscaped yard, the South Post Burn Pits and the base Oxidation Lagoons. During remediation, a ground water treatment facility was constructed in the area, along with groundwater production wells and monitoring wells. These facilities remain active and the solar equipment installation will accommodate access for their continued operation.

The entire solar equipment site was graded and contaminated soil was removed from the Oxidation Lagoons and Burn Pits and moved to the Correction Action Management Unit (CAMU). The CAMU consists of buried concrete stabilized contaminated soil with ten feet of clean soil over the top. The CAMU exists on the site as a mound that rises about four feet from the surrounding ground level. After the excavation of the Burn Pits and Oxidation Lagoons was completed and the CAMU constructed, clean soil was

brought in to the area and compacted to 95%. The area was then hydroseeded with non-native grasses.

The deed conveying "Parcel 2B" to the City contained covenants and reservations affecting the portion of the solar equipment site where the CAMU and former burn pits are located. The applicant has therefore proposed to locate the solar equipment upon the non-restricted portion (Phase I), with the potential for the placement upon the restricted portion (Phase II, as shown on the site plan, Exhibit C). The project has been conditioned so that development in Phase I is allowed upon written confirmation that there will be no construction activity within the land described as "Open Space Parcel Number 3" (see Exhibit G, Open Space Parcel Number 3) and that all required approvals and/or permits regarding endangered species, jurisdictional wetlands, or water quality have been obtained from applicable resource agencies. The project has also been conditioned so that development in Phase II is allowed upon written notice and evidence acceptable to the City that either: a) no permits or approvals are required from the Secretary of the Army, acting on behalf of the United States of America, or from resource agencies with authority regarding endangered species, jurisdictional wetlands, or water quality, or b) that such approvals and/or permits have been obtained as required.

The applicant has stated that installation of the solar equipment includes minor trenching of conduit and small concrete pads, with the solar energy equipment designed to rest on helical screw piles. The piles are rotated into the ground and may be removed in the same manner, leaving minimal footprint. The solar equipment includes photovoltaic modules, inverters, disconnects, wire, conduit, junction boxes, mounting hardware, and monitoring equipment. Each row of solar equipment spans approximately 75-feet out from the central drive on each side. The system will track 90 degrees during a day (45° West to 45° East), rotating approximately 1 degree every five minutes. The maximum height above grade for the tracker at a full tilt of 45° will not exceed eight feet. The entire site is fenced and protected by security personnel on duty twenty-four hours a day, seven days a week.

USNL controls all electrical distribution infrastructures located within the Army Depot/Depot Park and the facility currently uses over 12 million kWh per year. The power generated by the solar equipment will go directly into the distribution system controlled by USNL. This power will be used by USNL pursuant to a power purchase agreement with an affiliate created to own and operate the solar equipment installation (Golden State Energy, LLC). The applicant has stated that overall, such solar installation could reduce the current Depot Park electricity usage of 12 million kWh per year by 5 million kWh per year, or a 40% reduction. The applicant has also stated that the proposed project is supported by the Sacramento Municipal Utility District (SMUD) and has received SMUD Board approval for significant funding from the solar energy initiative program.

The Zoning Code indicates that a Special Permit is required to locate utilities and facilities within the Agriculture/Open Space (A-OS) zone. In evaluating special permit proposals of this type, the City Council is required to make the following findings:

A. Sound Principles of Land Use. A special permit shall be granted upon sound principles of land use.

Staff finds that approval of the Special Permit is appropriate as the overall use and function of the site does not change due to the renewable energy equipment installation, as the proposed location is predominantly vacant, fenced off from public use, and compatible with nearby industrial land uses. Furthermore, the renewable energy collection equipment will provide an energy source directly to the Army Depot, ensuring its sustainability as a viable industrial center.

B. Not Injurious. A special permit shall not be granted if it will be detrimental to the public health, safety or welfare, or if it results in the creation of a nuisance.

The approval of the Special Permit to locate renewable energy collection equipment within the Agriculture/Open Space zone will not be detrimental to the public welfare and will not result in the creation of a public nuisance in that the site is predominantly vacant, and not surrounded by sensitive land uses such as residential uses. In addition, the proposal has been reviewed by all applicable internal and external departments, all of which have found that the plans comply with development policies and standards for renewable energy collection equipment and ancillary facilities.

C. Must Relate to a Plan. A special permit use must comply with the objectives of the general or specific plan for the area in which it is to be located.

The proposed project is consistent with the General Plan policies relating to sustainability and utilities, and is consistent with the Zoning Code. Additionally, the proposed project meets the goals and objectives of the Army Depot Special Planning District.

Planning Commission Hearing: As stated previously, the Planning Commission unanimously voted (8-0) to forward a recommendation of approval to the City Council. Additionally, City Staff is unaware of opposition to the project.

Notice of Hearing: As required by sections 17.200.010(C)(2) and 17.212.035 of the City Code, a ten day notice of the public hearing has been given by publication, posting and mail (500').

Attachment 4 – Resolution for the Environmental Determination



RESOLUTION NO. 2010-

Adopted by the Sacramento City Council

**DETERMINING PROJECT EXEMPT FROM REVIEW UNDER
THE CALIFORNIA ENVIRONMENTAL QUALITY ACT
THE ARMY DEPOT SOLAR PROJECT (P10-028)
(8400 OKINAWA STREET)
(APN: 062-0010-029)**

BACKGROUND

1. On September 9, 2010, the City Planning Commission conducted a public hearing on and recommended approval of the Army Depot Solar project, and
2. On September 28, 2010, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.200.010(C)(2)(a), (b), and (c), and received and considered evidence concerning the Army Depot Solar project (P10-028).

**BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL
RESOLVES AS FOLLOWS:**

- Section 1. Based on the determination and recommendation of the City's Environmental Planning Services Manager and the oral and documentary evidence received at the hearing on the Project, the City Council finds that the Project is exempt from review under Section 15061(b)(3) the California Environmental Quality Act Guidelines as follows:

The proposed project will be constructed and operated in Depot Park and will supply electrical power for existing uses in Depot Park. No residential uses will be affected, and the project will not result in any adverse effects relating to noise, air quality or transportation. The project has been planned and will be developed to ensure that no adverse effects will occur relating to biological resources or water quality. The project will avoid areas in Depot Park that have been the site for soil remediation in the past.

As designed and operated, it can be seen with certainty that the project will not have a significant effect on the environment, and the project is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15061(b)(3).



Attachment 5 – Resolution for the Project Entitlements

RESOLUTION NO. 2010 –

Adopted by the Sacramento City Council

ADOPTING FINDINGS OF FACT AND APPROVING THE AMENDMENT TO THE SACRAMENTO ARMY DEPOT REUSE PLAN AND THE ARMY DEPOT SOLAR PROJECT (P10-028) (APN: 062-0010-029)

BACKGROUND

1. On September 9, 2010, the City Planning Commission conducted a public hearing on, and recommended approval of the Army Depot Solar project (P10-028).
2. On September 28, 2010, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.200.010(c)(2)(a), (b), and (c), and received and considered evidence concerning the Army Depot Solar project (P10-028).

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

Section 1. Based on the verbal and documentary evidence received at the hearing on the Army Depot Solar project, the City Council approves the amendment to the Sacramento Army Depot Reuse Plan and the project entitlements based on the findings of fact and subject to the conditions of approval as set forth below.

Section 2. The City Council approves the project entitlements based on the following findings of fact:

A. Army Depot Reuse Plan Amendment: The Army Depot Reuse Plan Amendment as set forth in Exhibit A, to allow the installation of renewable energy equipment within District D, is approved based on the following Findings of Fact:

1. The Army Depot Reuse Plan Amendment conforms to the General Plan goals and policies related to the Industrial land use designation;
2. The Army Depot Reuse Plan Amendment does not change the type or intensity of land use on the subject property or within the Army Depot;
3. The Army Depot Reuse Plan Amendment meets the purposes and criteria stated in the City Zoning Ordinance to promote an integrated and well-designed development; and

4. The Army Depot Reuse Plan Amendment will not be injurious to the public welfare, nor to other property in the vicinity of the development in that any new development will be subject to all applicable development standards within the Zoning and Building codes.

B. Special Permit: The Special Permit to allow renewable energy equipment and ancillary facilities on approximately 18 acres in the Agriculture/Open Space (A-OS-SPD) zone is approved based on the following Findings of Fact:

1. Granting the Special Permit is based upon sound principles in land use in that the overall use and function of the site does not change due to the renewable energy equipment installation, as the proposed location will be vacant. Furthermore, the renewable energy collection equipment will provide an energy source directly to the Army Depot, ensuring its sustainability as a viable industrial center.
2. Granting the Special Permit will not be detrimental to the public health, safety, or welfare, nor result in the creation of a nuisance in that the site will be vacant, and not surrounded by sensitive land uses such as residential uses. In addition, the proposal has been reviewed by all applicable internal and external departments, all of which have found that the plans comply with development policies and standards for renewable energy collection equipment and ancillary facilities.
3. The proposed project is consistent with the General Plan policies relating to sustainability and utilities, and is consistent with the Zoning Code. Additionally, the proposed project meets the goals and objectives of the Army Depot Special Planning District.

Section 3. The City Council approves the project entitlements subject to the following conditions of approval:

B. Special Permit: The Special Permit to allow renewable energy equipment and ancillary facilities on approximately 18 acres in the Agriculture/Open Space (A-OS-SPD) zone is approved subject to the following conditions of approval:

Planning:

1. Applicant shall obtain all necessary building permits prior to commencing construction.
2. Prior to issuance of a building permit for Phase 1 (as identified on the Site Plan, Exhibit C), the applicant shall provide written confirmation that there will be no construction activity within the land described as "Open Space Parcel No. 3" (Exhibit G) and that all required approvals and/or permits, if any, regarding endangered species, jurisdictional wetlands, or water quality have been obtained from applicable resource agencies.

3. Prior to issuance of a building permit for Phase 2 (as identified on the Site Plan, Exhibit C), the applicant shall submit written notice and evidence acceptable to the City that either: a) no permits or approvals are required from the Secretary of the Army, acting on behalf of the United States of America, or from resource agencies with authority regarding endangered species, jurisdictional wetlands, or water quality, or b) that such approvals and/or permits have been obtained as required.

Building:

4. The applicant shall obtain a building permit prior to construction.
5. The applicant shall provide engineering calculations and details for the proposed work upon submittal for a building permit.

Utilities:

6. This project is greater than 1 acre in size; therefore, the project is required to comply with the State "NPDES General Permit for Stormwater Discharges Associated with Construction Activity" (State Permit). To comply with the State Permit, the applicant will need to file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) and prepare a Stormwater Pollution Prevention Plan (SWPPP) prior to construction. A copy of the State Permit and NOI may be obtained from www.swrcb.ca.gov/stormstr/construction.html. The SWPPP will be reviewed by the DOU prior to issuing a grading permit. The following items shall be included in the SWPPP: (1) vicinity map, (2) site map, (3) list of potential pollutant sources, (4) type and location of erosion and sediment BMP's, (5) name and phone number of person responsible for SWPPP and (6) certification by property owner or authorized representative.
7. The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance requires the applicant to prepare erosion and sediment control plans for both during and after construction of the proposed project, prepare preliminary and final grading plans, and prepare plans to control urban runoff pollution from the project site during construction.
8. Per the Letter of Map Revision effective February 18, 2005, of the FIRM (Flood Insurance Rate Map), the parcel is located in a shaded Zone X area, defined as areas of 500-year flood, areas of 100-year flood with average depths of less than 1 foot or with drainage areas less than 1 square mile, and areas protected by levees from 100-year flood. Accordingly, the project site lies in an area with no flood restrictions.

Fire:

9. A clear brush area of 10 feet is required for ground mounted photovoltaic arrays. Per office of The State Fire Marshal Solar Photovoltaic Installation Guidelines.

10. All turning radii for fire access shall be designed as 35' inside and 55' outside.
11. Roads used for Fire Department access shall have an unobstructed width of not less than 20' and unobstructed vertical clearance of 13'6" or more. *Since the proposed area for the Photovoltaic system is undeveloped land, and there is limited access from surrounding access roads, interior access roads will be required.*
12. Fire Apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. CFC 503.2.3
13. The furthest projection of the exterior wall of a building shall be accessible from within 150 ft of an approved Fire Department access road and water supply as measured by an unobstructed route around the exterior of the building. (CFC 503.1.1) *This shall apply to the PV system.*
14. Timing and Installation. When fire protection, including fire apparatus access roads and water supplies for fire protection, is required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction.
15. Existing access gates shall be provided with approved Knox padlocks.
16. Comply with the California Department of Forestry and Fire Protection Office of the State Fire Marshal Solar Photovoltaic Installation Guidelines.

Section 4. Exhibits A, B, C, D, E, F, and G are part of this Resolution.

Exhibit A –Text Amendment



Depot Park Solar Project (P10-028)

**Proposed Amendments to
Army Depot Reuse Plan (M94-020) (Resolution 94-648)**

1. Army Depot Reuse Plan, page 1-13, amend the description of District D to read as follows:

DISTRICT D

The area to the west of the existing warehouses and the area to the south of the Department of Corrections site is District D. This district is an open space area protecting existing sensitive natural resources and the existing baseball field south of the Department of Corrections. It is anticipated that active and passive open space use, pedestrian and bicycle trails, and habitat mitigation will be sensitively integrated in this area. **In addition, renewable energy installations appropriately designed and scaled to be consistent with the open space character and natural resource preservation purposes of District D may be allowed.** District D has a total of 83.1 acres, which includes 63.8 acres of habitat preservation, and 19.3 acres of existing ball field.

2. Army Depot Reuse Plan, Page 9-8 through 9-9, amend the description of District D to read as follows:

DISTRICT D

The area to the west of the existing warehouses and the area to the south of the Department of Corrections site is District D (Exhibit 9.15.). This district is an open space area protecting existing sensitive natural resources and the existing baseball field south of the Department of Corrections. It is anticipated that active and passive open space use, pedestrian and bicycle trails, and habitat mitigation will be sensitively integrated in this area. **In addition, renewable energy installations appropriately designed and scaled to be consistent with the open space character and natural resource preservation purposes of District D may be allowed.** District D has a total of 83.1 acres, which includes 63.8 acres of habitat preservation, and 19.3 acres of existing ball field.

3. Army Depot Reuse Plan, Page 9-21, amend Section 1 under District D to read as follows:

1. Goal

This area includes the baseball field area to the south of the Department of Corrections and the area on the west side of the Army Depot which is designated as an open space and natural resource protection area. It is

anticipated that active and passive open space uses, pedestrian and bicycle trails and habitat mitigation will be sensitively integrated in this area. In addition, renewable energy installations appropriately designed and scaled to be consistent with the open space character and natural resource preservation purposes of District D may be allowed. The habitat preservation areas and the little league field have the same zoning designation of Agriculture-Open Space (A-OS SPD). The development of the two areas, however, is different. With the exception of appropriately designed and scaled renewable energy installations, the habitat preservation areas will have no structures, and only minor ancillary uses. The little league field will contain active recreation uses.

4. Army Depot Reuse Plan, Page 9-22, amend Section 3 under District D to read as follows:

3. Allowed/Prohibited Uses

In the habitat preservation areas, the accessory uses that are customarily incidental to any of the approved uses shall be permitted in discrete open space areas. These include picnic structures, benches, and the like. In addition, renewable energy installations appropriately designed and scaled to be consistent with the open space character and natural resource preservation purposes of District D may be allowed. Under no circumstances shall any building or structure, except for those noted above or necessary for public accommodation or maintenance, be permitted.

The uses within the little league open space area are active recreation uses and any accessory structures necessary for public accommodation or maintenance.

5. Army Depot Reuse Plan, Page 9-23, added Section 5 under District D to read as follows:

5. Renewable Energy

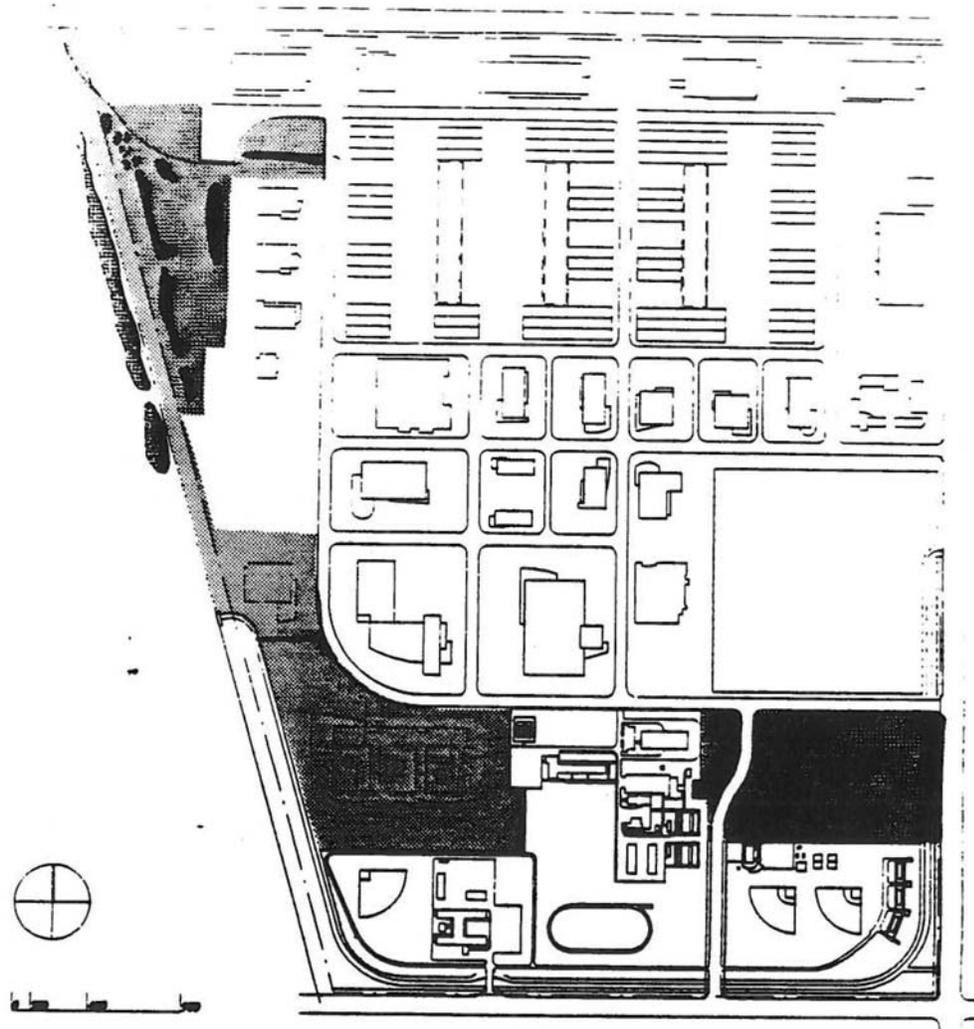
The development and use of renewable energy is encouraged as part of a sustainable approach to the redevelopment of the industrial facilities. In furtherance of this goal, utilities and related facilities including solar energy equipment and ancillary facilities may be permitted in discrete open space areas where appropriately designed and scaled to be consistent with the open space character and natural resource preservation purposes of District D.

Exhibit B – District D Map



ATTACHMENT F DISTRICT D

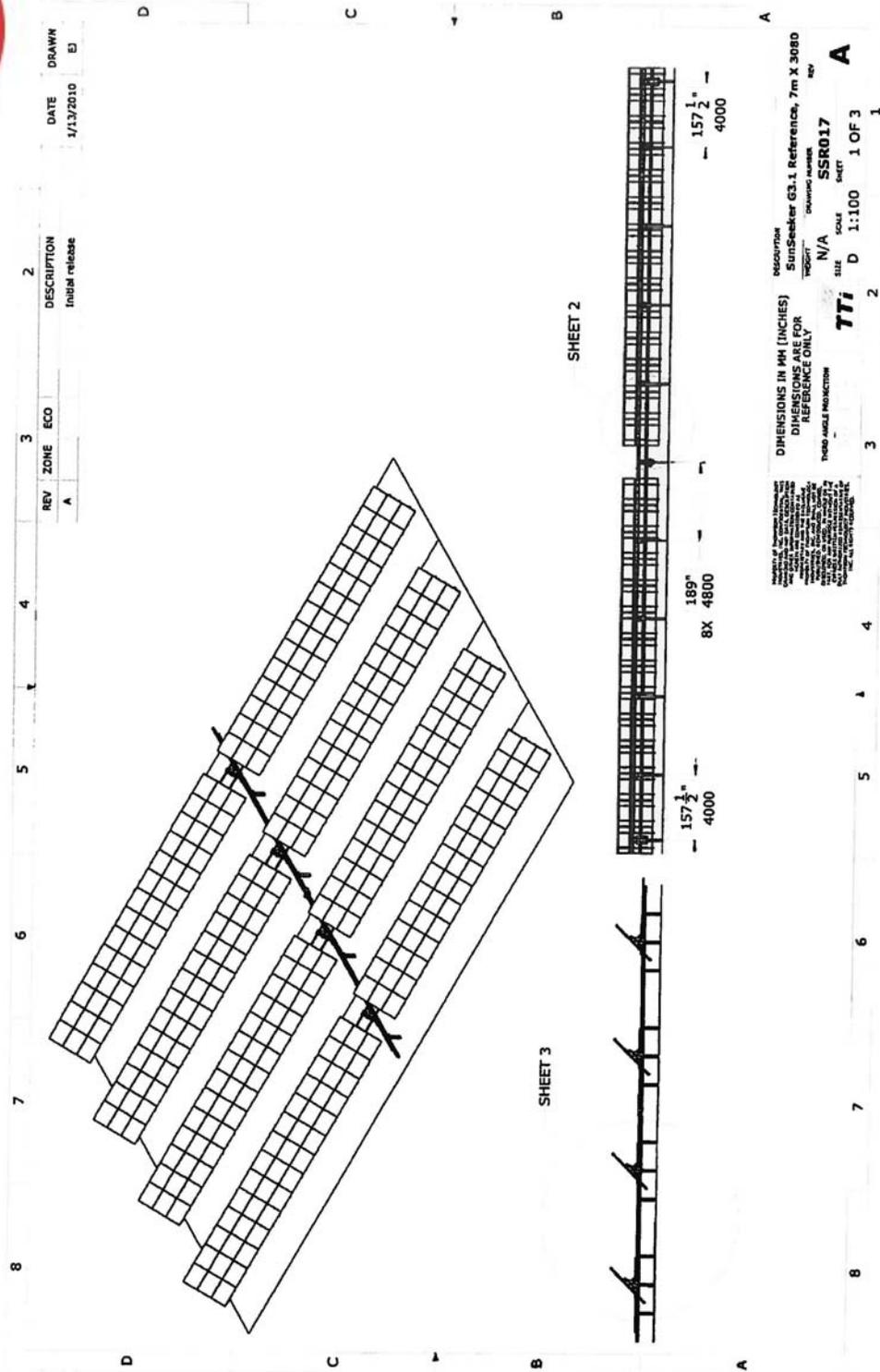
District "D"



Wetland-like and Fairy Shrimp Habitats

LPA

Exhibit D – Solar Panel Detail



P10-028
APRIL 14, 2010

