



Alachua County Development Review Committee Staff Report

Project Number: DR23-000032

Preliminary and Final Development Plan for Origis Energy Substation Modification

SUBJECT: Origis Energy Substation Modification

DESCRIPTION: Substation modification to serve solar array facility

AGENT/APPLICANT: CHW, Inc.

PROPERTY OWNER: City of Gainesville

PROPERTY DESCRIPTION:

Location	12301 and 12345 SW Archer Road
Parcel Numbers	04626-001-034, 04626-003-006
Land Use	Rural Agriculture
Zoning	Agricultural (A)
Acreage	20.0

CHRONOLOGY:

Application Submittal	09/05/23
Insufficiency Reports Sent	09/26/23
Application Resubmitted	10/30/23
Sufficiency Determination	01/03/23
Preliminary and Final Development Plan Hearing	01/18/23

STAFF RECOMMENDATION: Recommend **approval with conditions** of the Preliminary and Final Development Plan

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DESCRIPTION OF PROPOSED PLAN:

This application proposes a combined Preliminary and Final Development Plan for a modification to an existing electric substation.

The Board of County Commissioners (BoCC) approved a Special Use Permit in 1972 (called a Public Use Permit at the time) to allow an electric transmission switching station on the subject property (application #1161; approved May 9, 1972). The zoning application was approved with the following two conditions:

1. That the entire site be fenced.
2. That the site be screened from SR-24 and County Rd. SW-23 with six feet dense evergreen foliage.

A substation was constructed on the property pursuant to the 1972 approval. The current application proposes a modification/addition to the existing substation. In October 2023, the Development Review Committee (DRC) approved a solar array facility on approximately 599 acres to the south of the substation property. The substation modification will serve the solar array facility.

The substation modification plan also includes stormwater management facilities, access improvement and electric utility routing. Staff reviewed the application for consistency with the Special Use Permit for the requirements it controls (buffers, fencing) and then reviewed other code requirements as applicable.

CONSISTENCY ANALYSIS:

Following is an analysis of the consistency of the proposed plan with the applicable policies of the Comprehensive Plan and Land Development Regulations.

COMPREHENSIVE PLAN:

FUTURE LAND USE ELEMENT

Florida State Statute 163.3205 provides for a solar facility approval process as follows:

163.3205 Solar facility approval process.—

- 1) *It is the intent of the Legislature to encourage renewable solar electrical generation throughout this state. **It is essential that solar facilities and associated electric infrastructure be constructed and maintained in various locations throughout this state in order to ensure the availability of renewable energy production, which is critical to this state's energy and economic future.***
- 2) *As used in this section, the term "solar facility" means a production facility for electric power which:*

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- a) *Uses photovoltaic modules to convert solar energy to electricity that may be stored on site, **delivered to a transmission system, and consumed primarily offsite.***
 - b) *Consists principally of photovoltaic modules, a mounting or racking system, power inverters, transformers, collection systems, battery systems, fire suppression equipment, and associated components.*
 - c) *May include accessory administration or maintenance buildings, electric transmission lines, substations, energy storage equipment, and related accessory uses and structures.*
- 3) *A solar facility shall be a permitted use in all agricultural land use categories in a local government comprehensive plan and all agricultural zoning districts within an unincorporated area and must comply with the setback and landscaped buffer area criteria for other similar uses in the agricultural district.*
 - 4) *A county may adopt an ordinance specifying buffer and landscaping requirements for solar facilities. Such requirements may not exceed the requirements for similar uses involving the construction of other facilities that are permitted uses in agricultural land use categories and zoning districts.*
 - 5) ***This section does not apply to any site that was the subject of an application to construct a solar facility submitted to a local governmental entity before July 1, 2021.***

Additionally, the Alachua County Comprehensive Plan has the following policies regarding this type of use:

Institutional Policies

Policy 5.1.1 of the Future Land Use (Institutional Uses) states that potential locations for major future institutional uses are identified on the Future Land Use Maps. Institutional uses may be allowed in other land use categories designated on the Future Land Use Map, and implemented in accordance with the guidance and policies within this Section 5.0 and within the Comprehensive Plan as a whole.

Policy 5.1.2 identifies public utility, communications or infrastructure services (e.g. utility transmission and distribution facilities) as an institutional use.

Objective 5.5 Public Utility, Communication or Infrastructure Services - Infrastructure and utility structures, such as communication towers, personal wireless service facilities, radio and television antennas, water and sewer, and energy generation and distribution facilities shall be designed and located to eliminate or minimize adverse visual impacts on the landscape.

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Energy Element

Energy Element Objective 7.1 states that Alachua County shall *encourage renewable energy production and a countywide system of distributed residential and commercial power generation*. The proposed substation modification will service solar arrays and is consistent with this policy.

Objective 7.2 of the Energy Element states that Alachua County shall *increase the use of solar and other forms of renewable energy by County residents, businesses and agricultural operations*. The construction of this facility will further this objective.

The proposed use is consistent with the Alachua County Comprehensive Plan and specifically the Institutional Policies and Policy 7.1.2 of the Future Land Use Element.

UNIFIED LAND DEVELOPMENT CODE:

ZONING DISTRICT AND USE REGULATIONS

The substation is considered a Major Utility (defined in Chapter 407 *Definitions*) and is allowed by Special Exception in all zoning districts (except Conservation C-1).

A substation was approved for this site in 1972 via a Public Use Permit, which would be the equivalent of what the County calls a Special Exception today. This application has been reviewing for consistency with the approved conditions:

1. That the entire site be fenced.
2. That the site be screened from SR 24 and CR SW 23 with six feet dense evergreen foliage.

The site is already fenced. Landscaping is proposed and is described in the Landscaping portion of the staff report.

NATURAL AND HISTORIC RESOURCES PROTECTION

There are no conservation areas within the subject area.

OPEN SPACE

Non-residential development is not required to provide Open Space, unless there are conservation resources present on site (ULDC 407.52 *Minimum open space requirement*). There are no conservation resources for the subject property, and therefore no Open Space is provided.

TREE PRESERVATION

No trees are proposed to be affected with this development.

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GENERAL DEVELOPMENT STANDARDS

LANDSCAPING AND BUFFERING

The 1972 Special Use Permit approval requires that the site be screened from SR 24 and CR SW-23 (SW 122nd Street) with six feet dense evergreen foliage. The landscape screening was not provided with the original substation. A row of wax myrtles is now proposed for the northern and eastern boundaries of the site which meets the condition.

The only other landscaping required for the site is to meet stormwater management facility landscape requirements; the proposed landscape plan demonstrates compliance with this.

No final certificate of occupancy shall be issued until the County has granted final approval and acceptance of the installed landscape as well as the protection of existing native vegetation. Final approval shall include as-built landscape plan certification from a registered landscape architect certifying that the landscaping is installed and functioning as intended, that prohibited and discouraged non-native vegetation listed in Table 406.16.2 has been removed, and that all of the provisions of this Chapter have been met. The land owner shall submit a Certificate of Compliance, in a form acceptable by the Director, to the County as a condition of issuance of a Certificate of Occupancy.

Landscape Irrigation Design and Maintenance Standards, Article II of Part II, Title 7, Chapter 79 of the Alachua County Code has been in effect since 4/1/16 with the latest revision effective 6/12/23. All new irrigation systems installed in Alachua County require County approval prior to installation, with applicable review and inspection fees. Irrigation professionals must submit required documents and pay fees through the [Alachua County Citizenserve Portal](#). For more information about the irrigation design standards and for a list of helpful resources, we encourage you to click [HERE](#), contact Water Resources staff at 352-264-6800, or email Irrigation@AlachuaCounty.us.

ACCESS MANAGEMENT

The proposed project provides one main access point on SW 107th Street.

WATER AND WASTEWATER SERVICES

No water or wastewater is proposed for this site.

STORMWATER MANAGEMENT

A small stormwater management facility is proposed for the subject property on the southern portion of the project area. It is designed to meet the requirements of Chapter 407, Article 9 *Stormwater Management*. They are also landscaped appropriately.

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CONCURRENCY

A Final Certificate of Levels of Service Compliance (CLSC) for all public facilities will be issued upon Final Development Plan Approval and will be valid for one year. Provided that construction has commenced within the allowable period, the project shall have reserved capacity for a period of no more than two years from commencement of construction.

STATE AND FEDERAL PERMIT

The issuance of a state or federal permit shall not obligate the County to grant approval of any local permit and shall not be deemed to satisfy the requirements of the ULDC. As well, the issuance of this permit does not indicate that Alachua County believes that the applicant has all federal and state permits necessary prior to commencing construction.

Because §125.022(4), F.S. makes it hard for local governments to coordinate their permitting activities with state and federal permitting agencies, the applicant is advised that conflict with a subsequently issued state or federal permit may cause a need to apply for an amendment to this development plan approval.

Upon approval of a development plan, the applicant shall obtain all required state and federal permits prior to commencement of the development. Upon issuance of a required state or federal permit, the applicant shall furnish a copy of such permit to the applicable County department.

DEVELOPMENT PLAN EXPIRATION:

According to Section 402.47(b) *Time limitation for expiration of development plans*, an approved Final Development Plan shall expire unless a complete application for a construction, building or other required permit has been accepted by the appropriate reviewing department within 12 months of the date of final approval and that such development is continuing in good faith. Applications for extension of time limit may be processed pursuant to Article 6 or Article 10 of Chapter 402 of the ULDC.

STAFF RECOMMENDATION

Staff has found the proposed Preliminary and Final Development Plan to be consistent with the Comprehensive Plan and requirements of the Unified Land Development Code.

Staff recommends **approval** with conditions of the Preliminary and Final Development Plan for Origis Energy Solar Facility.

CONDITIONS

1. The applicant shall obtain all required state and federal permits prior to commencement of the development. Upon issuance of a required state or federal permit, the applicant shall furnish a copy of such permit to the applicable

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County department.

2. Any utility changes that affect the approved development plan will require additional approvals by Alachua County subject to the Unified Land Development Code.

3. Prior to the installation of a new permanent irrigation system or addition to an existing system, an irrigation plan must be submitted to and approved by the Alachua County Environmental Protection Department through the [Alachua County Citizenserve Portal](#). The irrigation system shall comply with the Landscape Irrigation Design and Maintenance Standards found in Article VI of Part II, Title 7, Chapter 77 of the Alachua County Code. Temporary systems are exempt from the design standard requirements but must register through the Portal.