



**SAN BENITO COUNTY  
AGENDA ITEM  
TRANSMITTAL FORM**

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**Item Number: 8.3**

**MEETING DATE:** 08/20/2025

**DEPARTMENT:** RESOURCE MANAGEMENT AGENCY

**AGENDA ITEM PREPARER:** Abraham Prado

**SUBJECT:**

**RESOURCE MANAGEMENT AGENCY - A. PRADO, DIRECTOR - PLANNING AND BUILDING -  
Consider a request for a periodic compliance review of the Development Agreement by and  
Between the County of San Benito and Panoche Valley Solar, LLC per Section 19.11.012 of the  
San Benito County code dated November 3, 2015.**  
**SBC FILE NUMBER: 790**

**AGENDA SECTION:**

REGULAR AGENDA

**BACKGROUND/SUMMARY:**

On May 13, 2025, the County of San Benito contacted multiple developers of projects with a development agreement in the County of San Benito to inform them that per Section 19.11.012 "Periodic Compliance Review" of the County of San Benito, the San Benito County Planning Commission will be conducting a periodic compliance review of the Development Agreement. To facilitate the review, the county requested all information and documents from the developer's ascertaining compliance with the development agreement. Panoche Valley Solar, LLC provided the attached periodic compliance packet for the development agreement by and between the County of San Benito and Panoche Valley Solar, LLC dated November 10, 2010 and first amendment to the development agreement dated January 11, 2018, for the Panoche Valley Solar project.

The Panoche Valley Solar development agreement consists of an up-to 247 MW (Megawatt), solar power electric generation facility located on a footprint of up to approximately 1,888 acres (including underground electrical conduits) of an approximate total 2,506 acre project site. In addition, up to approximately 26,118 acres located outside the boundaries of the property ("potential mitigation lands") are also subject to the provisions of this agreement.

Per Section 19.11.012(B) of the San Benito County Code, the developer shall be given the opportunity to be heard orally or in writing regarding performance under the agreement. If the Planning Commission finds the developer to be in full compliance with all terms and conditions of the agreement, it shall adopt a written resolution certifying compliance with the development agreement through the applicable period of review. If the Planning Commission finds that good faith compliance with all terms and conditions of the agreement has not been demonstrated, the Commission shall refer the matter along with its recommendation to the Board of Supervisors.

**STRATEGIC PLAN GOALS: 1. Operational Development & Excellence**

Yes

**STRATEGIC PLAN GOALS: 2. Planning And Sustainable Growth**

Yes

**STRATEGIC PLAN GOALS: 3. Technology**

No

**STRATEGIC PLAN GOALS: 4. Community Engagement**

Yes

**STRATEGIC PLAN GOALS: 5. Health & Safe Community**

Yes

**STAFF RECOMMENDATION:**

Staff recommends that the Planning Commission review the periodic compliance report ascertaining compliance with the Development Agreement By and Between the County of San Benito and Panoche Valley Solar, LLC and determine whether to adopt the attached resolution.

**ATTACHMENTS:**

[Resolution Panoche Valley Solar Farm Development Agreement Compliance](#)

[1. Ascertaining Development Agreement Panoche Valley Solar.pdf](#)

[2. Panoche Valley Solar, LLC - 1stAm Dev Agr.pdf](#)

[3a. Annual Report Panoche Valley Preserve FY 2023 - 2024.pdf](#)

[3b. Annual Panoche Valley Preserve Fiscal Year 2023 - 2024.pdf](#)

[4. Con Edison Clean Energy Bus Invoices and Paid Amounts.pdf](#)

[5. Con Edison Clean Energy Bus Invoices and Paid Amounts.pdf](#)

[6. Online Freelance Newspaper Article June 11, 2015.pdf](#)

[7. Powerpoint Slides Renewal Energy Panoche Elementary School.pdf](#)

[8. Con Edison Clean Energy Bus Invoices and Paid Amounts.pdf](#)

[9. Con Edison Clean Energy Bus Invoices and Paid Amounts.pdf](#)