



Los Angeles County Department of Regional Planning  
 320 West Temple Street  
 Los Angeles, California 90012  
 Telephone (213) 974-6443

**PROJECT NUMBER R2010-00808-(5)  
 RCUP 201000071 RENV 201000032**

**PUBLIC HEARING DATE**  
 9/21/2011

**AGENDA ITEM**  
 6

**RPC CONSENT DATE**

**CONTINUE TO**

**APPLICANT**

Renewable Resources Group

**OWNER**

Antelope Valley Water Storage, LLC &  
 WDS California II, LLC

**REPRESENTATIVE**

Rupal Patel

**PROJECT DESCRIPTION**

The applicant proposes a 650 megawatt (MW) alternating current (AC) photovoltaic generating facility located on approximately 4,782 acres in Kern and Los Angeles Counties, including 9 miles of 230-kV generation tie-line lines and transmission support towers, two operations and maintenance (O&M) buildings, and electrical equipment including: combiners; electrical inverters and transformers; and electrical substations with switchyards. The Los Angeles County portion of the project would consist of approximately 1,238 acres in the A-2 (Heavy Agriculture) Zone.

**REQUIRED ENTITLEMENTS**

A conditional use permit to authorize a solar PV electric generating plant on 1,280 acres in the A-2 (Heavy Agriculture) Zone.

**LOCATION/ADDRESS**

Between 115th Street West and 170th Street West, and between Avenue B and Rosamond Boulevard

**SITE DESCRIPTION**

The site plan for the Los Angeles County portion of the project depicts a photovoltaic solar generating facility on 1,280 acres of vacant farmland.

**ACCESS**

170th Street West

**ZONED DISTRICT**

Antelope Valley West

**ASSESSORS PARCEL NUMBER**

3258-001-001, 3258-001-025, 3258-001-029, 3258-001-031, 3258-001-040, 3261-001-003, 3258-001-024, 3258-001-028, 3258-001-030, 3258-001-038, 3261-001-002, 3261-001-004

**COMMUNITY**

Antelope Valley

**SIZE**

1280 Acres

**COMMUNITY STANDARDS DISTRICT**

N/A

**EXISTING LAND USE**

**EXISTING ZONING**

Project Site

Vacant farmland

A-2-5

North

Vacant farmland

Agricultural (Kern County)

East

Vacant farmland

A-2-2

South

Vacant farmland

A-2-5

West

Vacant farmland

A-1-2

**GENERAL PLAN/COMMUNITY PLAN**

Antelope Valley Areawide General Plan

**LAND USE DESIGNATION**

N1 (Non-Urban 1)

**MAXIMUM DENSITY**

0.5 du/ac

**ENVIRONMENTAL DETERMINATION**

As Responsible Agency pursuant to the California Environmental Quality Act, the County of Los Angeles through the Regional Planning Commission will consider the Environmental Impact Report adopted for this project by Kern County SCH# 2010031022.

**RPC LAST MEETING ACTION SUMMARY**

LAST RPC MEETING DATE	RPC ACTION	NEEDED FOR NEXT MEETING
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING/ABSENT

**TO BE COMPLETED ONLY ON CASES TO BE HEARD BY THE BOARD OF SUPERVISORS**

STAFF CONTACT PERSON: Adam Thurtell		
RPC HEARING DATE(S)	RPC ACTION DATE	RPC RECOMMENDATION
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING
STAFF RECOMMENDATION (PRIOR TO HEARING):		
SPEAKERS* (O) 0 (F) 0	PETITIONS (O) 0 (F) 0	LETTERS (O) 0 (F) 0

\*(O) = Opponents (F) = In Favor

**STAFF ANALYSIS**  
**PROJECT NO. R2010-00808-(5)**  
**CONDITIONAL USE PERMIT NO. 201000071**

**PROJECT DESCRIPTION**

The applicant, Renewable Resources Group, proposes a 650 megawatt (MW) alternating current (AC) photovoltaic ("PV") generating facility located on a total of approximately 4,782 acres in Kern and Los Angeles Counties. The project includes approximately 2,152 acres of solar panel arrays, 9 miles of 230-kV generation tie-line lines and transmission support towers, two operations and maintenance (O&M) buildings, and electrical equipment including combiners, electrical inverters and transformers, and electrical substations with switchyards.

The project site is located in both Los Angeles and Kern Counties, with the majority of the development, including a majority of the necessary infrastructure for the project located in Kern County. The Kern County portion includes approximately 3,544 acres, including two operations and maintenance (O&M) buildings. The Los Angeles County ("County") portion of the project would consist of approximately 1,238 acres in the A-2-5 (Heavy Agricultural - Five Acre Minimum) Zone.

Kern County is the Lead Agency for the project pursuant to the California Environmental Quality Act ("CEQA"). Los Angeles County is a Responsible Agency under CEQA, with permitting authority over that portion of the project that is located within the County. As Lead Agency, Kern County analyzed the environmental impacts of the project in the Environmental Impact Report ("EIR") (SCH No. 2010031022), which was certified by Kern County on August 2, 2011. Also on August 2, 2011, the Kern County Board of Supervisors approved the portion of the project located within Kern County.

**REQUIRED ENTITLEMENTS**

The applicant requests a conditional use permit ("CUP") to authorize a solar photovoltaic electric generating plant on 1,238 acres in the A-2-5 Zone. The project meets the definition of "electric generating plant" in the County Code Zoning Ordinance. Pursuant to Section 22.24.140 of the County Code, electric generating plants are a use subject to a conditional use permit in the A-2 Zone. The applicant is also proposing a yard modification, pursuant to Section 22.56.1700 of the County Code, to allow wildlife friendly fences seven feet in height along the perimeters of the project. This request is in keeping with the use proposed on the project and was committed to by the applicant as part of the EIR's mitigation measures.

**LOCATION**

Northeast of the intersection of Avenue B and 160th Street West, Antelope Valley West Zoned District.

### **SITE PLAN DESCRIPTION**

All portions of the overall project are bounded by 115th Street West on the east, 190th Street West on the west, Avenue B on the south, and Rosamond Boulevard on the north. The site plan for the County portion of the project depicts a 1,238 acre project area developed with photovoltaic solar panel arrays. The photovoltaic panels would cover approximately 557 acres and would generate 188 megawatts ("MWs") of power. In addition to the approximately 557 acres of photovoltaic solar panels, the County portion of the project will also include electrical equipment such as combiners, electrical inverters and transformers, which would be located on 675 square foot equipment pads. This equipment pads would be located at intervals at a rate of one pad per 1.5 MW block. Each 1.5 MW block measures 470' by 657'. The applicant proposes 60 feet of 34 kV collection line on the County portion of the project.

The Kern County portion of the project includes an approximately 3,544 acre project area, which includes approximately 1,595 acres of photovoltaic panels along with related electrical equipment and infrastructure. In addition to photovoltaic panels, the Kern County portion of the project also includes 9 miles of 230-kV generation tie-line lines and transmission support towers, two O&M buildings, and electrical substations with switchyards. This equipment would all be located on the Kern County portion of the project.

The applicant has a power purchase agreement with Southern California Edison (SCE), and has made an interconnection agreement to connect to the Whirlwind Substation, located on 170<sup>th</sup> Street West between Holiday Avenue and Rosamond Boulevard in Kern County. The associated generation-tie lines would all be located in Kern County.

### **ENVIRONMENTAL DETERMINATION**

The County is a Responsible Agency pursuant to CEQA. As a Responsible Agency, the County complies with CEQA by considering the EIR prepared and certified by Kern County as the Lead Agency and reaching the County's own conclusions on whether and how to approve the proposed project. During the environmental review process, the County reviewed and provided necessary comments on the EIR and proposed mitigation measures to address potentially significant impacts of those parts of the project proposed in the County. As a Responsible Agency, the County must consider the EIR (SCH No. 2010031022) prepared and certified for the project by Kern County on August 2, 2011, including Findings of Fact and Statement of Overriding Considerations and any necessary mitigation measures.

### **LEGAL NOTIFICATION AND PUBLIC OUTREACH**

Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, property posting, library posting, and posting on the County Department of Regional Planning's website.

### **PREVIOUS CASES/ZONING HISTORY**

There are no permits previously issued for the subject property.

### **STAFF EVALUATION**

The project site is located in a rural area of the Antelope Valley in the northern portion of the County. The largest communities in the vicinity of the project site are Rosamond, located, approximately 3 miles to the north, and Lancaster, approximately 21 miles to the southeast. The County Desert Pines Wildlife Sanctuary is approximately 12 miles to the south, the Arthur B. Ripley Desert Woodland State Park is approximately 11 miles to the south, bordering the Wildlife Sanctuary to the north, and the Antelope Valley Poppy Preserve State Park is approximately five miles to the southeast. Major transportation facilities in the vicinity of the project site include SR 14 (which runs in a generally north-south direction); SR 138/Avenue D (which run in an east-west direction); and several public, private, and military airports.

The water consumption for facility operations, including construction and periodic photovoltaic module washing and domestic (potable) use, would be supplied entirely from water wells located on the Kern County portion of the project and connected to the County portion.

Two similar solar PV projects, Antelope Valley Solar Ranch 1 and Alpine Solar, were recently approved by the County within the previous year. Antelope Valley Solar Ranch 1, a 2,300-acre, 230 MW photovoltaic solar energy generation facility, was approved on December 7, 2010, by the County Board of Supervisors. The Antelope Valley Solar Ranch 1 project is located approximately one mile south of the proposed project site. Alpine Solar, a 580-acre, 92 MW photovoltaic energy generation facility, was approved March 30, 2011, by the County Regional Planning Commission. The Alpine Solar project is located approximately four miles west of the proposed project site.

### **General Plan Consistency**

The proposed project is consistent with the County General Plan and the Antelope Valley Areawide General Plan N1 (Non-Urban 1) land use designation for the subject property. The project meets the definition of a "utility installation" referenced in the listing of non-urban non-residential land uses allowed in remote areas designated Non-Urban 1 (Antelope Valley Areawide General Plan, Pg. VI-5). As described below, the project also meets many of the stated goals and policies of the County General Plan and the Antelope Valley Areawide General Plan.

#### General Plan Policies

Policy Nos. 2 and 3 of the Conservation and Open Space Element promote solar energy. Policy No. 2 states: "Support the conservation of energy and encourage the development and utilization of new energy and encourage the development and utilization of new energy sources including geothermal, thermal waste, solar, wind and

ocean-related sources." (General Plan, pg. II-26) Policy No. 3 states: "Promote the use of solar energy to the maximum extent possible." (General Plan, pg. II-26) Relatedly, Policy No. 217 also encourages the use and development of alternative energy sources. Policy No. 217 states: "Promote use of alternative energy sources (including solar and wind) for heating and cooling." (Antelope Valley Areawide General Plan, pg. V-26)

The project proposes photovoltaic solar energy generation, consistent with these policies. The project within the County proposes to develop approximately 1,238 acres of previously disturbed property with photovoltaic solar panels and related infrastructure that is expected to generate approximately 188 MW of electricity for use in California. The project would assist in California meeting its renewable energy goals and mandates. The energy produced as a result of this project would be available to provide for the general needs of residents for electricity, and would be used indirectly for heating and cooling.

Policies No. 65 and 66 promote the development of energy generation facilities in a manner that will minimize impacts on the surrounding areas by undergrounding transmissions lines. Policy No. 65 states: "Encourage the locating of new power distribution networks, communication lines, and other service network facilities underground in urban areas. Transmission lines should be located underground where feasible." (Antelope Valley Areawide General Plan, pg. V-9.) Policy No. 66 states: "Maintain a long-range program for the underground relocation of overhead power distribution facilities, telephone lines and other utility services in urban areas." (Antelope Valley Areawide General Plan, pg. V-9)

The project proposes an above ground 34 kV collection line 60 feet in length. To remain consistent with previously approved renewable energy projects and with Policies No. 65 and 66, undergrounding of this collection line will be a condition of approval.

Policy No. 69 is intended to encourage projects to be development in a manner that would protect natural vegetation. Policy No. 141 is more specifically intended to protect Joshua trees, Juniper trees, and their habitat. Policy No. 69 states: "Protect significant vegetation such as the Joshua Tree." (Antelope Valley Areawide General Plan, pg. V-9) Policy No. 141 states: "Prohibit the harvesting of Joshua or Juniper trees for fuel purposes or for transplantation out of their normal habitat area." (Antelope Valley Areawide General Plan, pg. V-18)

The project site was chosen due to its historic use as farmland, and does not currently have Joshua Trees, Juniper trees, or other significant or sensitive natural vegetation. No Joshua trees will be disturbed as a result of this project, consistent with Policy No. 69.

Policy No. 71 is intended to encourage the location of new industry and employment opportunities within the Antelope Valley. Policy No. 71 states: "Encourage and support local efforts to attract new industry to the Antelope Valley. While the aero-space and other government related industries should continue to remain as major employment generators, emphasis should also be given to attracting other types of employers." (Antelope Valley Areawide General Plan, pg. V-10).

This project represents a growing trend of locating renewable energy projects in the northern County, which provide both construction related jobs as well as a number of direct and indirect employment opportunities, consistent with Policy No. 71.

Policies No. 114 and 135 encourage the development of project site in a manner that will preserve natural drainage patterns. Policy No. 114 states: "As an interim policy, pending construction of regional drainage facilities, require installation of appropriate systems and facilities to retain the increase in storm runoff due to development on the project site or equivalent mitigating measures." (Antelope Valley Areawide General Plan, pg. V-14) Policy No. 135 states: "Encourage development to utilize and enhance natural topographic features, thus establishing harmony between the natural and man-made environment." (Antelope Valley Areawide General Plan, pg. V-17)

The project design is intended to convey runoff to mirror existing flow patterns. The project does not intend to result in increased storm runoff, and the natural drainages on the project site will remain undeveloped. Therefore, the project is consistent with both Policies No. 135 and 136.

Policy No. 140 encourages the promotion of healthy air quality to ensure the health, well being, and enjoyment of life for Antelope Valley Residents. Policy No. 140 states: "Promote air quality that is compatible with health, well-being, and enjoyment of life. The public nuisance, property and vegetative damage, and deterioration of aesthetic qualities that result from air pollution contaminants should be prevented to the greatest degree possible." (Antelope Valley Areawide General Plan, pg. V-17)

The project itself represents a gradual shift from the use of fossil fuels to the use of renewable energy, which will lower emissions associated with fossil fuel usage and assist in reaching the State's renewable energy portfolio goals. Additionally, the project proposes a landscape plan that will result in the control of invasive species and the revegetation with and maintenance of native plants on the project site. Therefore, the project is consistent with Policy No. 140.

### **Zoning Ordinance and Development Standards Compliance**

The project meets the definition of "electric generating plant" in the County Zoning Code. Pursuant to Section 22.24.140, electric generating plants are a use subject to a conditional use permit in the A-2 Zone. The project is also subject to the development

standards and requirements for development on A-2 zoned property as well any generally applicable standards set forth in the Zoning Code. As discussed below, the project is consistent with the applicable requirements.

Fences and Walls: Pursuant to Section 22.48.160 of the County Code, all walls and fences shall be between three and one half feet in height and six feet in height, depending on the location within the property.

The applicant is proposing a yard modification to allow wildlife friendly fences seven feet in height along the perimeters of the project, in compliance with the National Electrical Safety Code (NESC). This request is in keeping with the use proposed on the project and was committed to by the applicant as part of the EIR's mitigation measures, and staff supports this request.

Yard requirements: Pursuant to Section 22.24.170 of the County Code, front yards in A-2 Zones shall not be less than 20 feet in depth, interior side yards not less than five feet, and rear yards not less than 15 feet. The project proposes 35-foot setbacks of structures along all external property boundaries, and therefore meets or exceeds all yard requirements notwithstanding the proposed yard modification for fence height.

Parking: Pursuant to Section 22.52.1220 of the County Code, where parking requirements for a use are not specified in the County Code, parking shall be provided in an amount determined to be adequate to prevent traffic congestion and excessive on-street parking. Whenever practical, such determination shall be based on the parking requirement for the most comparable use specified in the County Code. Because the parking requirement for the proposed project is not specified in the County Code, it has been determined that the most appropriate parking standard for the project is that applicable to an industrial use. Accordingly, under Section 22.52.1140 of the County Code, the applicable parking standard is either one parking space per two employees, or one parking space per 500 square feet, where in either case, one handicapped parking space per 40 standard parking spaces is required.

The project includes two operations and maintenance buildings, both of which will be located in Kern County. Therefore, no parking spaces are required for the County portion of the project.

### **Neighborhood Impact/Land Use Compatibility**

The proposed use is compatible with the predominant land use in the area. The adjacent neighboring parcels in all directions are zoned A-2 and are vacant. Farmland is the predominant use in the area. The project will not result in the permanent conversion of agricultural land since the development on the property will allow for the land to be used for farming in the future in the event the project is discontinued, and the project will not interfere with the continued use of the neighboring properties for farming or other agricultural uses. The project will be conditioned to include undergrounding of power

lines, in consideration of long term growth in the Antelope Valley and consistent with policy. The Antelope Valley Solar Ranch 1 project and the Alpine Solar project also included undergrounding of all transmission and generation-tie lines.

**Burden of Proof**

The applicant is required to substantiate all facts identified by Section 22.56.040 of the County Code. The Burden of Proof with applicant's responses is attached. Staff is of the opinion that the applicant has met the burden of proof.

**COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS**

The Department of Public Works and the Fire Department are completing review and additional information will be provided to the Commission in a supplemental mailing.

**PUBLIC COMMENTS**

No public comments have been received at this time.

**FEES/DEPOSITS**

If approved, fees identified in the attached project conditions will apply unless modified by the Regional Planning Commission.

**STAFF RECOMMENDATION**

The recommendation by staff will be provided in a supplemental mailing, along with any information received from the Fire Department and the Department of Public Works.

Prepared by Adam Thurtell, RPAII

Reviewed by Susan Tae, Supervising Regional Planner, Zoning Permits-North

Attachments:

Draft Findings

Draft Conditions of Approval

Applicant's Burden of Proof statement

Environmental Document: Mitigation Monitoring Reporting Program

Site Photographs

Site Plan

Land Use Map