



Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



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LOS ANGELES COUNTY RENEWABLE ENERGY ORDINANCE – PROJECT NO. R2014-01160-(1-5) – NOVEMBER 5, 2014 DISCUSSION – AGENDA ITEM NO. 7

INTRODUCTION

The Renewable Energy Ordinance (“Ordinance”) is a Countywide ordinance that amends Title 22 (Planning and Zoning) of the Los Angeles County (County) Code to establish provisions for renewable energy facilities. These include solar and wind facilities generating energy for on-site or off-site use (utility-scale) as well as temporary meteorological towers. The Ordinance will help the State of California (“State”) accomplish its established goals for meeting energy demand using renewable resources.

Background

In 2002, the State passed a requirement of procuring 20 percent of total energy procurement from eligible renewable energy resources by 2017. In 2006, the 20 percent deadline was accelerated to 2010. In 2011, the State established a new goal of 33 percent by 2020.

Since 2010 utility-scale solar and wind facilities have been proposed within the County, and specifically within the Antelope Valley. County Department of Regional Planning (DRP) staff heard concerns from local communities about these projects, and in 2011, developed a suitability map for renewable energy development as part of the draft Antelope Valley Area Plan. Due to concerns from various stakeholders regarding the proposed map, DRP staff shifted focus to a separate renewable energy ordinance.

In June 2013, the County received a grant from the California Energy Commission to complete the Ordinance and associated Environmental Impact Report (EIR). In October 2013 and May 2014, public drafts of the Ordinance were released for public review and comment.

Current Regulations

Currently, wind facilities for on-site use as well as temporary meteorological towers are regulated in the Code. **No specific regulations exist for utility-scale wind facilities, or solar facilities generating energy for on-site or off-site use.** Applying the closest use of “electric generating plant,” utility-scale solar and wind facilities are generally processed through the Conditional Use Permit (CUP) process.

PROPOSED ORDINANCE

Purpose

The Ordinance will establish provisions regulating solar and wind renewable energy in a manner that supports and facilitates these facilities while minimizing impacts to the environment.. This is necessary as the State relies increasingly on renewable energy, and yet renewable energy projects have unique issues that warrant more specific permitting and development standards than exist today.

The Ordinance will also provide a more consistent approach for processing utility-scale solar and wind facilities. As mentioned previously, utility-scale solar and wind facilities are generally processed through a CUP, depending on the property zoning. On a project-by-project basis, the County uses project conditions to minimize impacts to the surrounding environment. With the Ordinance, established development standards will provide more guidance to staff, applicants and the public.

The Ordinance also encourages the development of renewable energy facilities that generate energy for on-site use as well as structure-mounted facilities, such as on rooftops or over parking lots. There is great potential throughout the County for renewable energy facilities to generate energy using existing structures and built areas, which has less impact on the surrounding environment.

Key Areas

Based on past renewable energy projects and concerns heard from the community, staff has identified several key areas of focus for the Ordinance:

- **Aesthetics:** The Ordinance includes provisions to minimize visual impacts to local communities, such as minimum setbacks and height limit requirements. These help preserve scenic resources and the visual character of the surrounding area.
- **Biota Impacts:** The Ordinance includes provisions to minimize biota impacts to the surrounding environment, such as wildlife-permeable fencing and water quality protection requirements. Additionally, the Ordinance will prohibit utility-scale solar and wind facilities within Significant Ecological Areas as they are where the County’s most valuable resources have been identified.

Key Areas (Cont.)

- **Dust Control:** The Ordinance includes requirements related to dust control, such as prohibiting removal of vegetation root systems except where necessary, and using ground-protection practices such as construction mats and soil stabilizers. These minimize site disturbance and fugitive dust.

SCHEDULE

Status

The Ordinance is currently being revised to incorporate comments received from the public and address concerns raised by local communities. Environmental review for the Ordinance is also underway and the Draft EIR is currently being prepared.

Next Steps

DRP staff will continue to conduct outreach to interested town councils in the Antelope Valley and other stakeholders in November and December of 2014. The Draft EIR is scheduled to be released early 2015. The Ordinance is tentatively scheduled for Regional Planning Commission public hearing in January 2015, and to the Board of Supervisors tentatively in March 2015.

MC:SMT:JL

