Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

March 5, 2015

TO: Pat Modugno, Vice-Chair
Esther L. Valadez, Commissioner
David W. Louie, Commissioner
Curt Pedersen, Commissioner

FROM: Jay Lee, AICP
Community Studies North Section

LOS ANGELES COUNTY DRAFT RENEWABLE ENERGY ORDINANCE – PROJECT NO. R2014-01160-(1-5) – MARCH 18, 2015 – AGENDA ITEM NO. 5

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 a set of procedures and standards for review and permitting of solar and wind energy projects. These include solar and wind projects generating energy for on-site (small-scale) or off-site (utility-scale) use as well as temporary meteorological towers.

Background

Steps are being taken at the federal and state level to increase renewable energy production. At the federal level, the Energy Policy Act of 2005 requires the U.S. Department of Energy to study and report on existing natural energy resources, in support of renewable energy production. At the state level, the California Renewables Portfolio Standard program, as established in 2002 and modified in 2006 and 2011, requires investor-owned utilities, electric service providers, and community choice aggregators to increase procurement from eligible renewable energy resources to 33 percent of total procurement by 2020. In addition, the California Solar Rights Act promotes the widespread use of solar energy by protecting access to sunlight and limiting the regulation of solar energy systems.

Within the County, utility-scale solar and wind energy facilities have been proposed since 2010, and specifically within the Antelope Valley. In late 2010 the AV Solar Ranch One project became the first utility-scale solar energy facility to be approved in the County, and 11 other applications for utility-scale solar energy facilities have since been approved. In 2011, after hearing concerns from the community including fugitive dust, water usage, and aesthetics, County Department of Regional Planning (DRP) staff developed a draft suitability map for renewable energy development as part of the draft Antelope Valley Areawide General Plan (AV Area Plan) Update.

Based on concerns raised from various stakeholders regarding the map, DRP staff subsequently determined that an ordinance, separate from the AV Area Plan Update, was necessary to address their concerns. In June 2013 the County received a grant from the

California Energy Commission to complete the Ordinance and associated Environmental Impact Report (EIR).

Purpose

The purpose of the Ordinance is to facilitate the development of solar and wind energy projects to help meet state and federal goals for renewable energy production while minimizing safety hazards and environmental impacts. This is necessary as the State relies increasingly on renewable energy, and yet renewable energy projects raise unique issues that warrant more specific permitting and development standards than exist today.

The specific objectives of the Ordinance are as follows:

- Facilitate the use of renewable energy within the County pursuant to existing and future statewide goals;
- Assist the County in furthering federal goals under the Energy Policy Act of 2005;
- Reduce the potential for energy shortages and outages by facilitating local energy supply;
- Clarify the approval process for the development and operation of solar and wind energy systems and facilities;
- Minimize the potential for land use conflicts and environmental impacts that may arise through the development of solar and wind energy systems and facilities;
- Encourage the development of small-scale and structure-mounted solar and wind energy systems and facilities through a streamlined and standardized permit review process; and
- Allow temporary meteorological towers with a Minor Conditional Use Permit (CUP) for the purposes of collecting data to determine appropriate locations for wind energy.

GENERAL PLAN/COMMUNITY PLAN CONSISTENCY

1980 General Plan

The Ordinance supports various goals, objectives, and policies of the adopted 1980 General Plan related to conservation of resources and the environment, land use compatibility, and protection of scenic resources. Please see Attachment 3 for a list of these goals, objectives, and policies.

Also, the adopted Economic Development Element cites the availability of energy as essential to economic growth and all sectors of the economy, the County is in an advantageous position to utilize solar energy, and that maintaining a strong economy is dependent upon the greater utilization of solar energy and other sources for meeting energy needs.

The Ordinance will facilitate and support the development of solar and wind energy projects, which will help develop alternative energy sources while conserving non-renewable resources. The Ordinance also includes provisions to minimize water use; protect Significant Ecological Areas (SEAs); reduce impacts to birds and bats through setback, height, and design requirements; and minimize impacts to scenic resources through fencing, landscaped buffer,

and lighting requirements. Therefore, the Ordinance is consistent with the adopted 1980 General Plan.

Draft 2035 General Plan

The Draft 2035 General Plan, which will replace the 1980 General Plan, has been recommended for approval by the Commission, and is awaiting public hearing before the County Board of Supervisors. The Ordinance has also been analyzed for its consistency with the Draft 2035 General Plan in anticipation of its upcoming approval.

In addition to goals and policies related to reduction of noise impacts, the Ordinance supports various goals and policies of the Draft 2035 General Plan related to:

- Land use compatibility with rural communities, military operations, and airport operations;
  The Ordinance includes provisions to minimize land use conflicts through landscaped buffer areas, fencing, setbacks, and other requirements. The Ordinance also includes provisions to minimize disruptions of military and airport operations through consultation requirements, visual markers, and other requirements.

- Protection from exposure to harmful air pollutants;
  The Ordinance includes provisions to minimize exposure to harmful air pollutants through grading and erosion requirements, and other measures to reduce ground disturbance during construction and operation of the project.

- Conservation of open space, biological resources, and natural habitats; and
  The Ordinance includes provisions to conserve open space, biological resources, and natural habitats through setback requirements, prohibition of ground-mounted utility-scale energy projects in SEAs, water use requirements, and other measures. The Ordinance also includes provisions to protect scenic resources through setback, siting, height, and lighting requirements.

- Use of renewable energy, provision of adequate public utilities, and economic development.
  The Ordinance will facilitate and support the development of solar and wind energy projects, which will encourage the use of renewable energy and the development of the renewable energy economic sectors.

Please see Attachment 3 for a list of these goals and policies. Therefore, the Ordinance is consistent with the Draft 2035 General Plan.

1986 Antelope Valley Areawide General Plan

As many utility-scale energy projects are located in the Antelope Valley, the Ordinance has also been analyzed for consistency with the adopted 1986 Antelope Valley Areawide General Plan.

The Ordinance supports various policies of the 1986 Antelope Valley Areawide General Plan related to protection of environmentally sensitive areas, conservation of natural resources, land

use compatibility, use of alternative energy sources, and air quality. Please see Attachment 3 for a list of these policies.

The Ordinance will facilitate and support the use of alternative energy sources, namely solar and wind. The Ordinance includes provisions to protect environmentally sensitive areas and conserve natural resources through setback requirements, protection of SEAs, and other measures. The Ordinance also includes provisions to promote land use compatibility through landscaped buffer areas, fencing, setbacks, noise limits, and other requirements. The Ordinance also includes provisions to maintain air quality through minimization of ground disturbance. Therefore, the Ordinance is consistent with the 1986 Antelope Valley Areawide General Plan.

Draft Antelope Valley Areawide General Plan Update

The draft AV Area Plan Update, which will replace the 1986 Antelope Valley Areawide General Plan, has been heard by the County Board of Supervisors in November 2014, and the Board indicated their intent to approve the project. The draft AV Area Plan Update has not been adopted as of time of writing. However, adoption is expected soon and the draft AV Area Plan Update proposes several goals and policies specifically related to renewable energy. Please see Attachment 3 for a list of these goals and policies.

The Ordinance encourages projects that generate energy for on-site use and those that are mounted to structures, which will reduce dependence on utility-scale energy projects. The Ordinance includes provisions to minimize disruptions of military and airport operations through consultation requirements, visual markers, and other requirements. The Ordinance also includes provisions to reduce environmental impacts associated with utility-scale energy projects through measures related to water use, impacts to birds and bats, protection of SEAs, and other measures. The Ordinance also includes provisions to minimize impacts on surrounding communities through height, setback, decommissioning procedures, and buffering requirements, and other measures. Therefore, the Ordinance is consistent with the draft AV Area Plan Update.

PROPOSED ORDINANCE

In summary, the Ordinance will accomplish the following:

- Revise and add definitions related to solar and wind energy projects;
- Establish the permitting process for each type of solar and wind energy project in each zone; and
- Provide regulations for each type of solar and wind energy project.

In addition, the Ordinance includes amendments to the Minor CUP provisions of the County Code.

Definitions

The Ordinance will add and revise definitions related to solar and wind energy projects by amending Chapter 22.08 (Definitions) of the County Code. These amendments are necessary

as renewable energy is a relatively new technology, and Title 22 has not been updated accordingly. Currently, Title 22 only provides a definition for temporary meteorological towers and small-scale wind energy systems, which is called a "wind energy conversion system, non-commercial (WECS-N)". No definitions exist for the other types of solar and wind energy projects.

The Ordinance adds a definition for:

- Small-scale solar energy systems,
- Small-scale wind energy systems,
- Structure-mounted utility-scale solar energy facilities,
- Ground-mounted utility-scale solar energy facilities,
- Structure-mounted utility-scale wind energy facilities, and
- Ground-mounted utility-scale wind energy facilities.

The Ordinance will also define terms related to these projects including "decommissioning", "guy wires", "solar array", and "wind tower". Lastly, the definition of "meteorological tower, temporary (Temp MET Tower)" will be revised and replace the definition of WECS-N.

Establishing a clear and updated definition of each type of solar and wind energy project will provide clarity to DRP staff, applicants, and the public regarding the nature and scope of these projects.

Permitting

The Ordinance will also establish the permitting process for each type of solar and wind energy project in each zone by amending Chapters 22.20 (Residential Zones), 22.24 (Agricultural Zones), 22.28 (Commercial Zones), 22.32 (Industrial Zones), and 22.40 (Special Purpose and Combining Zones) of the County Code.

Currently, small-scale solar energy systems, and utility-scale solar and wind energy facilities are not listed as uses in Title 22. Small-scale solar energy systems are considered an accessory use and are permitted. Utility-scale solar and wind energy facilities are considered an "electric generating plant" and are generally processed through a CUP. Temporary meteorological towers and small-scale wind energy systems are listed as uses within Title 22, with temporary meteorological towers as a Director's review and small-scale wind energy systems as a CUP in zones that allow them.

The Ordinance will amend these chapters so that the types of solar and wind energy systems and facilities are listed as uses in zones that allow them. Therefore, the permitting process for each type of solar and wind energy project in each zone will be clearer. Please see Attachment 2 for a table of the proposed permit requirements of each type of project by zone.

Through the permitting process, the Ordinance encourages the development of solar and wind energy projects that generate energy for on-site use as well as those mounted on structures such as rooftops and vehicle shade covers. The permitting process is generally easier and quicker for these types of projects. Projects that generate energy for off-site use as well as – ground-mounted require a higher level of review. The Ordinance recognizes that there is great potential throughout the County for solar and wind energy projects to generate energy using

existing structures and built areas, which has less impact on the surrounding environment, and is reflected within the permitting structure of the Ordinance.

Part 15 – Renewable Energy

The Ordinance will also establish regulations for each type of solar and wind energy project by amending Part 15 (Non-Commercial Wind Energy Conversion Systems and Temporary Meteorological Towers) of Chapter 22.52 (General Regulations) of the County Code. Currently, Part 15 only regulates temporary meteorological towers and small-scale wind energy systems. No specific regulations exist for small-scale solar energy systems and utility-scale solar and wind energy facilities. As mentioned previously, utility-scale solar and wind energy facilities are generally processed through a CUP. The County uses project conditions to minimize impacts to the surrounding environment on a project-by-project basis, which has resulted in a wide range of outcomes for utility-scale projects. Some projects have done a better job than others in minimizing impacts to the environment and surrounding communities.

In addition to establishing limited standards for small-scale solar energy projects, the Ordinance will provide a more consistent approach for processing utility-scale solar and wind energy facilities by establishing development standards and conditions of approval that will give more guidance to DRP staff, applicants and the public. Based on past utility-scale projects and concerns heard from the community, DRP staff identified several key areas of focus for the utility-scale portion of the Ordinance:

- **Dust control:** The Ordinance includes provisions 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.

- **Water use:** The Ordinance includes provisions related to water use, such as regulating the amount and source of water used during construction and operation. These minimize excessive water use and encourage conservation of valuable water resources.

- **Aesthetics:** The Ordinance includes provisions to minimize visual impacts to local communities, such as minimum setbacks, height limit requirements, fencing and landscaped buffer requirements, and the undergrounding of transmission lines. These help preserve scenic resources and the visual character of the surrounding area.

- **Safety:** The Ordinance includes provisions to minimize safety hazards associated with utility-scale projects, such as requirements related to aviation safety, decommissioning, and lighting.

- **Biota impacts:** The Ordinance includes provisions to minimize biota impacts to the surrounding environment, such as wildlife-permeable fencing and measures to reduce impacts to birds and bats. Additionally, the Ordinance will prohibit ground-mounted utility-scale solar and wind energy facilities within Significant Ecological Areas as they are where the County's most valuable resources have been identified.

Providing specific and enforceable provisions for each type of solar and wind energy project will help the County regulate these projects in a manner that minimizes impacts to the environment and surrounding communities.

Other Zoning Code Amendments

The Ordinance will also amend other chapters in the County Code to update the Minor CUP process to require a public hearing in compliance with State law, and ensure that all references to solar and wind energy are consistent with the terminology used in Part 15.

ENVIRONMENTAL DOCUMENT

A Draft Environmental Impact Report (EIR) has been prepared for this project and is attached as Attachment 4. The Draft EIR assessed the direct, indirect and cumulative environmental effects of the proposed project in those areas listed below, both at a project level for uses permitted by right, and at a programmatic level for uses subject to further discretionary action. The Draft EIR analyzed the following areas:

- Aesthetics
- Agricultural and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation and Traffic
- Utilities and Service Systems

The Draft EIR concludes that impacts listed below are potentially significant and unavoidable after mitigation, or cumulatively significant:

- Aesthetics
- Agricultural and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Noise
- Transportation and Traffic
- Utilities and Service Systems

The Draft EIR also identifies three alternatives as required by CEQA. These are:

- No Project Alternative
- Reduced Small-Scale Solar Energy Systems Alternative
- Reduced Utility-Scale Solar and Wind Energy Facilities Alternative

The Reduced Utility-Scale Solar and Wind Energy Alternative, which requires a higher level of review for structure-mounted utility-scale solar and wind energy facilities and greater setbacks for ground-mounted utility-scale wind and solar energy facilities, was identified as the environmentally superior alternative.

This Draft EIR along with the Mitigation Monitoring and Reporting Program was made available to the public on February 20, 2015. Pursuant to California Environmental Quality Act (CEQA), the public review period is currently ongoing, and will end on April 6, 2015. DRP has received one comment on the Draft EIR so far. A Final EIR will be prepared that includes responses to all public comments received during the public comment period. The Final EIR will be before the County Board of Supervisors for their consideration as part of the public hearing for this proposed project (anticipated in May 2015).

COMMENTS AND RECOMMENDATIONS

DRP staff has received many comments and recommendations regarding previous drafts of the Ordinance that were made available for public review.

DRP staff has received extensive comments and recommendations for the Ordinance, including concerns with concentration of utility-scale energy projects in the Antelope Valley, fencing, landscaping, siting, ground disturbance, fugitive dust and Valley Fever, impacts to birds and bats, glare, lighting, guy wires, setbacks, migratory pathways, and conservation of habitat. Comments were also received regarding decommissioning, undergrounding of transmission lines, preference for small-scale energy projects, water usage, noise, height, safety hazards and hazardous materials, visual impacts, maintenance and enforcement, low-frequency vibration and shadow flicker, electromagnetic radiation, and other concerns.

The Ordinance has been revised from previous drafts to address many of these concerns. For example, the fencing and perimeter landscaping requirements have been strengthened to provide better buffering and ground coverage. Additional setback and project design requirements have been included to better protect biological resources, namely bird and bat species. The decommissioning requirements have been strengthened to ensure that projects are adequately decommissioned when necessary. Water usage requirements have been included to better monitor the use of water. Definitions of types of projects have also been revised to provide greater clarity on the scope of these projects, and additional findings have been included to better address certain areas of concern. Provisions related to enforcement procedures and a list of application materials have been included to ensure better implementation of the Ordinance.

The latest draft of the Ordinance (and as analyzed in the Draft EIR) was made available to the public on February 20, 2015. As of time of writing, DRP has received two comments and requests for amendments to the Ordinance. This correspondence will be reviewed, and any additional evaluation will be provided in a supplemental memo to your Commission.

OUTREACH AND NOTIFICATION

DRP staff began this effort in 2011. Since then, the Department has conducted extensive outreach across a wide and diverse range of stakeholders. These include the Rural Town Councils in the Antelope Valley, community groups, industry groups, individual property owners and environmental advocates. DRP staff has made themselves accessible to all interested parties in order to provide information and receive comments and feedback, which were incorporated into the Ordinance when appropriate.

Key meetings and important milestones during the development of the Ordinance include:

- November 2011: DRP staff conducted three focus group sessions, one each for renewable energy developers, residents, and environmental organizations.
- October 2013: DRP staff released the first draft of the Ordinance for public review and comment and conducted a community meeting to provide an overview of the Ordinance and receive feedback.
- May 2014: DRP staff released the second draft of the Ordinance for public review and comment.
- September 2014 to January 2015: DRP staff met with various Rural Town Councils in the Antelope Valley, including the Three Points-Liebre Mountain Town Council, Antelope Acres Town Councils, Oso Town Council, and Fairmont Town Council, and the Association of Rural Town Councils to receive feedback on the second draft of the Ordinance.

In addition, from 2012 until present DRP staff has met with various stakeholders including the military, aerospace industry, private property owners, energy advocates, and environmental organizations.

County Departments also consulted throughout the process include the Chief Executive Office, Department of Public Works, Fire Department, Department of Parks and Recreation, and Department of Public Health.

On February 20, 2015, a notice of public hearing and availability of the Draft EIR was mailed to approximately 300 stakeholder individuals and organizations as well as emailed to approximately 2,300 addresses. Furthermore, the Draft EIR and draft Ordinance were made available on the DRP web site, in 14 County libraries, at DRP's main office, and all DRP field offices. The Notice of Availability of the EIR and the Notice of Public Hearing were published in the L.A. Times (full run) on February 16, 2015, Acton Agua Dulce Weekly News and Glendale News-Press on February 18, 2015, and Los Angeles Daily Journal, Antelope Valley Press, La Opinion, and The Signal Newspaper on February 19, 2015.

STAFF SUMMARY

In conclusion, the Ordinance establishes provisions regulating solar and wind energy projects in a manner that supports and facilitates these projects to help the State meet its established renewable energy goals while minimizing impacts to the environment and addressing community concerns. The Ordinance defines each type of solar and wind energy project and establishes regulations for each type to provide a more consistent approach for processing them and greater clarity for DRP staff, applicants, and the public. The Ordinance also establishes a comprehensive permitting process that encourages projects generating energy for on-site use and those that are mounted to structures, which have fewer impacts on the environment. Lastly, the Ordinance amends the County Code to comply with state requirements regarding hearing procedures.

As of time of writing, there are additional modifications staff is recommending for the Ordinance. These modifications further clarify the Ordinance provisions, and include changes such as

clarifying certain definitions, and amending the Minor CUP fee. A further discussion of these modifications, as well as any proposed after consideration of the correspondence received, will be included in a supplemental memo to your Commission.

STAFF RECOMMENDATION

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

Staff recommends that your Commission close the public hearing; and recommend the Ordinance be recommended for approval and adoption by the Los Angeles County Board of Supervisors.

I MOVE THAT THE REGIONAL PLANNING COMMISSION CLOSE THE PUBLIC HEARING, AND RECOMMEND TO THE LOS ANGELES COUNTY BOARD OF SUPERVISORS APPROVAL AND ADOPTION OF PROJECT NO. R2014-01660-(1-5).

MC:SMT:JL

Attachments: 1: Draft Renewable Energy Ordinance
2: Permitting Summary Table
3: General Plan/Community Plan Policies
4: Draft Environmental Impact Report (CD)
5: Comments on the Draft Renewable Energy Ordinance
6: Comments on the Draft Environmental Impact Report

ATTACHMENT 1: DRAFT RENEWABLE ENERGY ORDINANCE

This is the third draft of this ordinance. The first draft was released on October 3, 2013 and the second draft was released in April, 2014. This third draft includes some revisions based on the feedback received on the second draft. This draft ordinance is intended to provide baseline standards for solar and wind energy projects. Where a discretionary permit is required, project conditions and/or mitigation measures will be required to address site specific needs.

Please send your questions and comments regarding this draft ordinance via email or postal mail to:

Contact: Jay Lee
Email: jalee@planning.lacounty.gov
Postal Mail: LA County Department of Regional Planning
Attn: Jay Lee
320 W Temple St 13th Flr
Los Angeles CA 90012

Comments on this draft are due _____.

ORDINANCE NO. _____

An ordinance amending Title 22 ï Planning and Zoning ï of the Los Angeles County Code related to the establishment of regulations for small-scale solar energy systems, small-scale wind energy systems, utility-scale solar energy facilities, utility-scale wind energy facilities, and temporary meteorological towers; and other related amendments.

SECTION 1. Section 22.08.040 D is hereby amended to read as follows:

22.08.040 D

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-- ñDecommissioningò means the discontinuance of a permitted use and removal of all structures, equipment, footings, and fencing associated therewith from a property, which includes safe storage, dismantling, disposal, and/or recycling; and site restoration.

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SECTION 2. Section 22.08.070 G is hereby amended to read as follows:

22.08.070 G

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-- ñGuy wiresò means wires or cables used to support a wind tower as defined by Section 22.08.230, or other structures that require the use of such wires or cables for support.

SECTION 3. Section 22.08.130 M is hereby amended to read as follows:

22.08.070 M

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-- ñMeteorological tower, temporary (Temp Met Tower)ò means a facility consisting of a tower and related wind-measuring devices, which is used ~~solely~~ to measure winds preliminary to construction of a ~~non-commercial~~small-scale wind energy ~~conversion~~ system or utility-scale wind energy facility.

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SECTION 4. Section 22.08.190 S, is hereby amended to read as follows:

22.08.190 S

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-- ñSmall-scale solar energy systemò means a system where solar energy is used to generate direct electrical or thermal energy primarily for on-site use. Such system may be affixed either to the ground or to a structure other than the systemôs mechanical support structure, such as a building or carport. . Any energy generated by such system that exceeds the on-site energy demand may be used off-site.

-- ñSmall-scale wind energy systemò means a system where wind energy is used to generate direct electrical energy primarily for on-site use. Such system may be affixed to either the ground or to a structure other than the systemôs mechanical support structure, such as a building or carport. Such system has a rated capacity of 50 kilowatts or fewer. Any energy generated by such system that exceeds the on-site energy demand may be used off-site.

-- ñSolar arrayò means the mechanically integrated assembly of modules or panels with a support structure and foundation, tracker, and other components, as required to generate direct electrical or thermal energy using solar energy. Solar arrays

do not include concentrated solar thermal devices, which use lenses or mirrors to focus or reflect a large area of sunlight onto a small area.

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SECTION 5. Section 22.08.210 U is hereby amended to read as follows:

22.08.210 U

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-- Utility-scale solar energy facility, ground-mounted. ñGround-mounted utility-scale solar energy facilityò means a facility affixed to the ground where solar energy is used to generate direct electrical or thermal energy primarily for off-site use. This definition includes all on-site and off-site equipment and accessory structures related to the facility, including but not limited to solar arrays, mounting posts, substations, electrical infrastructure, transmission lines, operations and maintenance buildings, and other accessory structures.

-- Utility-scale solar energy facility, structure-mounted. ñStructure-mounted utility-scale solar energy facilityò means a facility affixed to a structure that is separate from the facilityôs mechanical support structure, such as a building or carport, where solar energy is used to generate direct electrical or thermal energy primarily for off-site use. This definition includes all on-site and off-site equipment and accessory structures related to the facility, including but not limited to solar arrays, mounting posts, substations, electrical infrastructure, transmission lines, operations and maintenance buildings, and other accessory structures.

-- Utility-scale wind energy facility, ground-mounted. ñGround-mounted utility-scale wind energy facilityò means a facility affixed to the ground where wind

energy is used to generate direct electrical energy primarily for off-site use. This definition includes all on-site and off-site equipment and accessory structures related to the facility, including but not limited to wind towers, mounting posts, substations, electrical infrastructure, transmission lines, operations and maintenance buildings, and other accessory structures.

-- Utility-scale wind energy facility, structure-mounted. ñStructure-mounted utility-scale wind energy facilityò means a facility affixed to a structure that is separate from the facilityôs mechanical support structure, such as a building or carport, where wind energy is used to generate direct electrical energy primarily for off-site use. This definition includes all on-site and off-site equipment and accessory structures related to the facility, including but not limited to wind towers, mounting posts, substations, electrical infrastructure, transmission lines, operations and maintenance buildings, and other accessory structures.

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SECTION 6. Section 22.08.230 W is hereby amended to read as follows:

22.08.230 W

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~~-- ñWind energy conversion system, non-commercial (WECS-N)ò means a facility consisting of a tower, wind turbine generator with blades, guy wires and anchors, and associated control and conversion electronic equipment to convert wind movement into electricity, with a rated capacity of not more than 50 kW; and that is incidental and subordinate to another use on the same parcel. A facility shall be considered a WECS-N only if it supplies electrical power solely for on-site use, except that when a parcel on~~

~~which a WECS-N is installed also received electrical power supplied by a utility company, excess electrical power generated by the WECS-N and not presently needed for on-site use may be used by the utility company in exchange for a reduction in the cost of electrical power supplied by that company to the parcel for on-site use, as long as no net revenue is produced by such excess electrical power.~~

-- ñWind towerò means the vertical component, including blades if any, of a small-scale wind energy system, a utility-scale wind energy facility, or a temporary meteorological tower that elevates the wind turbine generator and attached blades above the ground.

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SECTION 7. Section 22.20.080 is hereby amended to read as follows:

22.20.080 Accessory Uses.

Property in Zone R-1 may be used for the following accessory uses:

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-- Signs as provided in Part 10 of Chapter 22.52.

-- Small-scale solar energy system, in accordance with Part 15 of Chapter 22.52.

SECTION 8. Section 22.20.100 is hereby amended to read as follows:

22.20.100 Uses Subject to Permits.

Property in Zone R-1 may be used for:

A. The following uses, provided a conditional use permit has first been obtained, as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

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-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale wind energy system, in accordance with Part 15 of Chapter 22.52.

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-- Subdivision directional signs subject to the limitations and conditions of Part 8 of Chapter 22.56.

-- Meteorological tower, temporary, in accordance with Part 15 of Chapter 22.52.

-- Townhouses, subject to the conditions of Section 22.56.255.

-- Utility-scale solar energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

-- Water reservoirs, dams, treatment plants, gaging stations, pump stations, wells and tanks, except those wells and tanks related to a shared water well, and any other use normal and appurtenant to the storage and distribution of water.

~~-- Wind energy conversion systems, non-commercial, in conformance with the standards and requirements specified in Part 15 of Chapter 22.52.~~

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SECTION 9. Section 22.20.170 is hereby amended to read as follows:

22.20.170 Permitted Uses.

Property in Zone R-2 may be used for:

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-- Small family homes, children.

-- Utility-scale solar energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

SECTION 10. Section 22.20.180 is hereby amended to read as follows:

22.20.180 Accessory Uses.

Property in Zone R-2 may be used for:

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C. Small-scale solar energy system, in accordance with Part 15 of Chapter 22.52.

SECTION 11. Section 22.20.200 is hereby amended to read as follows:

22.20.200 Uses Subject to Permits.

Property in Zone R-2 may be used for:

A. The following uses, provided a conditional use permit has first been obtained, as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

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-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale wind energy system, in accordance with Part 15 of Chapter 22.52.

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-- Telephone repeater stations.

-- Temporary meteorological tower, in accordance with Part 15 of Chapter 22.52.

-- Townhouses, subject to the conditions of Section 22.56.255.

-- Utility-scale wind energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

-- Water reservoirs, dams, treatment plants, gaging stations, pump stations, wells and tanks, except those wells and tanks related to a shared water well, and any other use normal and appurtenant to the storage and distribution of water.

~~-- Wind energy conversion systems, non-commercial, in conformance with the standards and requirements specified in Part 15 of Chapter 22.52.~~

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SECTION 12. Section 22.20.260 is hereby amended to read as follows:

22.20.260 Permitted Uses.

Property in Zone R-3-( )U may be used for:

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-- Townhouses.

-- Utility-scale solar energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

SECTION 13. Section 22.20.270 is hereby amended to read as follows:

22.20.270 Accessory Uses.

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C. Small-scale solar energy system, in accordance with Part 15 of Chapter 22.52.

SECTION 14. Section 22.20.290 is hereby amended to read as follows:

22.20.290 Uses Subject to Permits.

Property in Zone R-3-( )U may be used for:

A. The following uses, provided a conditional use permit has first been obtained, as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

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-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale wind energy system, in accordance with Part 15 of Chapter 22.52.

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-- Telephone repeater stations.

-- Temporary meteorological tower, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

-- Water reservoirs, dams, treatment plants, gaging stations, pump stations, wells and tanks, except those wells and tanks related to a shared water well, and any other use normal and appurtenant to the storage and distribution of water.

~~-- Wind energy conversion systems, non-commercial, in conformance with the standards and requirements specified in Part 15 of Chapter 22.52.~~

é

SECTION 15. Section 22.20.340 is hereby amended to read as follows:

22.20.340 Permitted Uses.

Property in Zone R-4-( )U may be used for:

é

-- Townhouses.

-- Utility-scale solar energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

SECTION 16. Section 22.20.350 is hereby amended to read as follows:

22.20.350 Accessory Uses.

é

C. Small-scale solar energy system, in accordance with Part 15 of Chapter 22.52.

SECTION 17. Section 22.20.370 is hereby amended to read as follows:

22.20.370 Uses Subject to Permits.

Property in Zone R-4-( )U may be used for:

A. The following uses, provided a conditional use permit has first been obtained, as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

é

-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale wind energy system, in accordance with Part 15 of Chapter 22.52.

é

-- Telephone repeater stations.

-- Temporary meteorological tower, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

-- Water reservoirs, dams, treatment plants, gaging stations, pump stations, wells and tanks, except those wells and tanks related to a shared water well, and any other use normal and appurtenant to the storage and distribution of water.

~~-- Wind energy conversion systems, non-commercial, in conformance with the standards and requirements specified in Part 15 of Chapter 22.52.~~

é

SECTION 18. Section 22.20.410 is hereby amended to read as follows:

22.20.410 Permitted Uses.

Property in Zone R-A may be used for:

é

-- Small family homes, children.

-- Utility-scale solar energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

SECTION 19. Section 22.20.420 is hereby amended to read as follows:

22.20.420 Accessory Uses.

é

C. Small-scale solar energy system, in accordance with Part 15 of Chapter 22.52.

SECTION 20. Section 22.20.440 is hereby amended to read as follows:

22.20.440 Uses Subject to Permits.

Property in Zone R-A may be used for:

A. The following uses, provided a conditional use permit has first been obtained, as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

é

-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale wind energy system, in accordance with Part 15 of Chapter 22.52.

é

-- Telephone repeater stations.

-- Temporary meteorological tower, in accordance with Part 15 of Chapter 22.52.

-- Townhouses, subject to the conditions of Section 22.56.255.

-- Utility-scale wind energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

-- Water reservoirs, dams, treatment plants, gaging stations, pump stations, wells and tanks, except those wells and tanks related to a shared water well, and any other use normal and appurtenant to the storage and distribution of water.

~~-- Wind energy conversion systems, non-commercial, in conformance with the standards and requirements specified in Part 15 of Chapter 22.52.~~

é

SECTION 21. Section 22.24.070 is hereby amended to read as follows:

22.24.070 Permitted Uses.

Premises in Zone A-1 may be used for:

A. The following uses:

é

-- Small family homes, children.

-- Utility-scale solar energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

é

SECTION 22. Section 22.24.080 is hereby amended to read as follows:

22.24.080 Accessory Uses.

Property in Zone A-1 may be used for:

é

D. Small-scale solar energy system, in accordance with Part 15 of Chapter 22.52.

SECTION 23. Section 22.24.100 is hereby amended to read as follows:

22.24.100 Uses Subject to Permits.

Property in Zone A-1 may be used for:

A. The following uses, provided a conditional use permit has first been obtained, as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

é

-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale wind energy system, in accordance with Part 15 of Chapter 22.52.

é

-- Telephone repeater stations.

-- Temporary meteorological tower, in accordance with Part 15 of Chapter 22.52.

é

-- Townhouses, subject to the conditions of Section 22.56.255.

-- Utility-scale wind energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

é

B. The following uses, provided the specified permit has first been obtained, and while such permit is in full force and effect in conformity with the conditions of such permit for:

é

~~-- Wind energy conversion systems, non-commercial, in conformance with the standards and requirements specified in Part 15 of Chapter 22.52.~~

SECTION 24. Section 22.24.120 is hereby amended to read as follows:

22.24.120 Permitted Uses.

Premises in Zone A-2 may be used for:

é

D. The following additional uses:

é

-- Parks, playgrounds and beaches, with all appurtenant facilities customarily found in conjunction therewith.

-- Utility-scale solar energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

é

SECTION 25. Section 22.24.130 is hereby amended to read as follows:

22.24.130 Accessory Uses.

Property in Zone A-2 may be used for:

é

D. Small-scale solar energy system, in accordance with Part 15 of Chapter 22.52.

SECTION 26. Section 22.24.150 is hereby amended to read as follows:

22.24.150 Uses Subject to Permits.

Property in Zone A-2 may be used for:

A. The following uses, provided a conditional use permit has first been obtained, as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

é

-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale wind energy system, in accordance with Part 15 of Chapter 22.52.

é

-- Telephone repeater stations.

-- Temporary meteorological tower, in accordance with Part 15 of Chapter 22.52.

é

-- Townhouses, subject to the conditions of Section 22.56.255.

-- Utility-scale solar energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

é

B. The following uses, provided the specified permit has first been obtained, and while such permit is in full force and effect in conformity with the conditions of such permit for:

é

~~-- Wind energy conversion systems, non-commercial, in conformance with the standards and requirements specified in Part 15 of Chapter 22.52.~~

SECTION 27. Section 22.28.030 is hereby amended to read as follows:

22.28.030 Permitted Uses.

Premises in Zone C-H may be used for the following:

A. Services.

é

-- Stations ï Bus, railroad, and taxi.

-- Utility-scale solar energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

é

SECTION 28. Section 22.28.040 is hereby amended to read as follows:

22.28.040 Accessory Uses.

Premises in Zone C-H may be used for:

é

-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale solar energy system, in accordance with Part 15 of Chapter 22.52.

SECTION 29. Section 22.28.060 is hereby amended to read as follows:

22.28.060 Uses Subject to Permits.

Premises in Zone C-H may be used for:

A. The following uses, provided a conditional use permit has first been obtained, as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

é

-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale wind energy system, in accordance with Part 15 of Chapter 22.52.

é

-- Telephone repeater stations.

-- Temporary meteorological tower, in accordance with Part 15 of Chapter 22.52.

é

-- Travel trailer parks as provided in Part 6 of Chapter 22.52.

-- Utility-scale solar energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

é

SECTION 30. Section 22.28.080 is hereby amended to read as follows:

22.28.080 Permitted Uses.

Premises in Zone C-1 may be used for:

A. The following commercial uses, provided all sales are retail and all goods sold except genuine antiques are new:

é

2. Services.

é

-- Union halls.

-- Utility-scale solar energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

é

SECTION 31. Section 22.28.090 is hereby amended to read as follows:

22.28.090 Accessory Uses.

Premises in Zone C-1 may be used for:

é

B. The following additional accessory uses:

é

-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale solar energy system, in accordance with Part 15 of Chapter 22.52.

é

SECTION 32. Section 22.28.110 is hereby amended to read as follows:

22.28.110 Uses Subject to Permits.

Premises in Zone C-1 may be used for:

A. The following uses, provided a conditional use permit has first been obtained, as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

é

-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale wind energy system, in accordance with Part 15 of Chapter 22.52.

é

-- Tasting rooms, remote, subject to the applicable provisions of Part 23 of Chapter 22.52.

-- Temporary meteorological tower, in accordance with Part 15 of Chapter 22.52.

é

-- Travel trailer parks as provided in Part 6 of Chapter 22.52.

-- Utility-scale solar energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

é

SECTION 33. Section 22.28.130 is hereby amended to read as follows:

22.28.130 Permitted Uses.

Premises in Zone C-2 may be used for:

A. The following commercial uses, provided all sales are retail and all goods sold except genuine antiques are new:

é

2. Services.

é

-- Union halls.

-- Utility-scale solar energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

é

SECTION 34. Section 22.28.140 is hereby amended to read as follows:

22.28.140 Accessory Uses.

Premises in Zone C-2 may be used for:

é

C. The following additional accessory uses:

-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale solar energy system, in accordance with Part 15 of Chapter 22.52.

SECTION 35. Section 22.28.160 is hereby amended to read as follows:

22.28.160 Uses Subject to Permits.

Premises in Zone C-2 may be used for:

A. The following uses, provided a conditional use permit has first been obtained, as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

é

-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale wind energy system, in accordance with Part 15 of Chapter 22.52.

é

-- Tasting rooms, remote, subject to the applicable provisions of Part 23 of Chapter 22.52.

-- Temporary meteorological tower, in accordance with Part 15 of Chapter 22.52.

é

-- Travel trailer parks as provided in Part 6 of Chapter 22.52.

-- Utility-scale solar energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

é

SECTION 36. Section 22.28.180 is hereby amended to read as follows:

22.28.180 Permitted Uses.

Premises in Zone C-3 may be used for:

A. The following commercial uses, provided a commercial appearance is maintained by office or window display:

é

2. Services.

é

-- Union halls.

-- Utility-scale solar energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

é

SECTION 37. Section 22.28.190 is hereby amended to read as follows:

22.28.190 Accessory Uses.

Premises in Zone C-3 may be used for:

é

C. The following additional accessory uses:

é

-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale solar energy system, in accordance with Part 15 of Chapter 22.52.

SECTION 38. Section 22.28.210 is hereby amended to read as follows:

22.28.210 Uses Subject to Permits.

Premises in Zone C-3 may be used for:

A. The following uses, provided a conditional use permit has first been obtained, as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

é

-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale wind energy system, in accordance with Part 15 of Chapter 22.52.

é

-- Tattoo parlor.

-- Temporary meteorological tower, in accordance with Part 15 of Chapter 22.52.

é

-- Travel trailer parks as provided in Part 6 of Chapter 22.52.

-- Utility-scale solar energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

é

SECTION 39. Section 22.28.230 is hereby amended to read as follows:

22.28.230 Permitted Uses.

Premises in Zone C-M may be used for:

A. The following commercial uses:

é

2. Services.

é

-- Union halls.

-- Utility-scale solar energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

é

SECTION 40. Section 22.28.090 is hereby amended to read as follows:

22.28.240 Accessory Uses.

Premises in Zone C-M may be used for:

é

C. The following additional accessory uses:

-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale solar energy system, in accordance with Part 15 of Chapter 22.52.

SECTION 41. Section 22.28.260 is hereby amended to read as follows:

22.28.260 Uses Subject to Permits.

Premises in Zone C-M may be used for:

A. The following uses, provided a conditional use permit has first been obtained, as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

é

-- Skating rinks, ice or roller.

-- Small-scale wind energy system, in accordance with Part 15 of Chapter 22.52.

é

-- Tattoo parlor.

-- Temporary meteorological tower, in accordance with Part 15 of Chapter 22.52.

é

-- Travel trailer parks as provided in Part 6 of Chapter 22.52.

-- Utility-scale solar energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

é

SECTION 42. Section 22.28.290 is hereby amended to read as follows:

22.28.290 Permitted Uses.

A. Premises in Zone C-R may be used for:

1. Services.

é

-- Tourist information centers.

-- Utility-scale solar energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

é

SECTION 43. Section 22.28.300 is hereby amended to read as follows:

22.28.300 Accessory Uses.

Premises in Zone C-R may be used for:

é

C. Small-scale solar energy system, in accordance with Part 15 of Chapter 22.52.

SECTION 44. Section 22.28.320 is hereby amended to read as follows:

22.28.320 Uses Subject to Permits.

Premises in Zone C-R may be used for:

A. The following uses, provided a conditional use permit has first been obtained, as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

é

-- Ski lifts, tows, runs, and warming huts.

-- Small-scale wind energy system, in accordance with Part 15 of Chapter 22.52.

é

-- Telephone repeater stations.

-- Temporary meteorological tower, in accordance with Part 15 of Chapter 22.52.

-- Theaters, drive-in.

-- Utility-scale solar energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

é

SECTION 45. Section 22.32.110 is hereby amended to read as follows:

22.32.110 Accessory Uses.

Premises in Zone M-1 1/2 may be used for the following accessory uses:

é

-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale solar energy system, in accordance with Part 15 of Chapter 22.52.

SECTION 46. Section 22.32.130 is hereby amended to read as follows:

22.32.130 Uses Subject to Permits.

Premises in Zone M-1 1/2 may be used for:

A. The following uses, provided a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit:

...

-- Signs, outdoor advertising, subject to the provisions of Part 10 of Chapter 22.52.

-- Small-scale wind energy system, in accordance with Part 15 of Chapter 22.52.

é

-- Tattoo parlor.

-- Temporary meteorological tower, in accordance with Part 15 of Chapter 22.52.

-- Theaters and other auditoriums having a seating capacity exceeding 3,000 seats.

-- Utility-scale solar energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

é

SECTION 47. Section 22.32.170 is hereby amended to read as follows:

22.32.170 Accessory Uses.

Premises in Zone M-2 or Zone M-4 may be used for the following accessory uses:

é

-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale solar energy system, in accordance with Part 15 of Chapter 22.52.

SECTION 48. Section 22.32.190 is hereby amended to read as follows:

22.32.190 Uses Subject to Permits.

A. The following uses, provided that a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit, except that in Zone M-4 a conditional use permit is required for uses in subdivisions 1, 2, and 3 of this subsection A only where the use listed is located within 300 feet of a public school, public park or a residential or A-1 Zone:

é

6. Uses.

-- Small-scale wind energy system, in accordance with Part 15 of Chapter 22.52.

-- Temporary meteorological tower, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale solar energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

é

SECTION 49. Section 22.32.280 is hereby amended to read as follows:

22.32.280 Accessory Uses.

Premises in Zone M-2 1/2 may be used for the following accessory uses:

é

-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale solar energy system, in accordance with Part 15 of Chapter 22.52.

SECTION 50. Section 22.40.190 is hereby amended to read as follows:

22.40.190 Permitted Uses.

Premises in Zone R-R may be used for:

A. The following commercial uses:

...

2. Services.

é

-- Tourist information centers.

-- Utility-scale solar energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

é

SECTION 51. Section 22.40.200 is hereby amended to read as follows:

22.40.200 Accessory Uses.

Premises in Zone R-R may be used for:

A. The following accessory uses:

...

-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale solar energy system, in accordance with Part 15 of Chapter 22.52.

é

SECTION 52. Section 22.40.220 is hereby amended to read as follows:

22.40.220 Uses Subject to Permits.

Premises in Zone R-R may be used for:

A. The following uses, provided a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit:

...

-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale wind energy system, in accordance with Part 15 of Chapter 22.52.

é

-- Telephone repeater stations.

-- Temporary meteorological tower, in accordance with Part 15 of Chapter 22.52.

-- Townhouses, subject to the conditions of Section 22.56.255.

-- Utility-scale solar energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

é

SECTION 53. Section 22.40.260 is hereby amended to read as follows:

22.40.260 Accessory Uses.

Premises in Zone W may be used for the following accessory uses:

é

-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale solar energy system, structure-mounted, in accordance with Part 15 of Chapter 22.52.

SECTION 54. Section 22.40.280 is hereby amended to read as follows:

22.40.280 Uses Subject to Permits.

Premise in Zone W may be used for:

A. The following uses, provided a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit:

é

-- Restaurants and other eating establishments, including food take-out.

-- Small-scale solar energy system, ground-mounted, in accordance with Part 15 of Chapter 22.52.

é

SECTION 55. Section 22.40.410 is hereby amended to read as follows:

22.40.410 Permitted Uses.

é

C. Permitted uses in Zone O-S, accessory to a principal use listed under Subsection B of this section, Section 22.40.420.B, Section 22.40.430.A, and Section 22.40.430.B: Small-scale solar energy system, structure-mounted, in accordance with Part 15 of Chapter 22.52.

SECTION 56. Section 22.40.430 is hereby amended to read as follows:

22.40.430 Uses Subject to Permits.

A. The following uses, provided a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit:

é

-- Energy generating or storage devices, including but not limited to geothermal devices.

é

-- Ski lifts, tows, runs, and warming huts on a lot or parcel of land having as a condition of use an area of not less than five acres.

-- Small-scale solar energy system, ground-mounted, in accordance with Part 15 of Chapter 22.52.

é

SECTION 57. Section 22.44.113 is hereby amended to read as follows:

22.44.113 Agua Dulce Community Standards District.

é

D. Community-wide Development Standards.

é

8. Significant Ridgeline Protection. For purposes of this section, ridgelines are defined as the line formed by meeting the tops of sloping surfaces of land, and significant ridgelines are defined as ridgelines which are highly visible and dominate the landscape. The locations of the significant ridgelines within this CSD are shown on the map following this section and the criteria used for their designation are provided in the appendix following this section.

a. The highest point of any structure, excluding chimneys, rooftop antennas, amateur radio antennas, roof-mounted solar panels, and small-scale wind energy ~~conversion~~ systems, shall be located at least 50 vertical feet and 50 horizontal feet from a significant ridgeline; and

é

SECTION 58. Section 22.44.113 is hereby amended to read as follows:

22.44.113 Altadena Community Standards District.

é

C. Community-wide Development Standards.

é

2. Hillside Management.

é

d. Significant Ridgeline Protection. Ridgelines are defined as the line formed by the meeting of the tops of sloping surfaces of land. Significant Ridgelines are highly visible ridgelines that dominate the landscape. The locations of the significant ridgelines within the CSD are shown on the map following this Section.

i. The highest point of any structure shall be located at least 50 vertical feet and 50 horizontal feet from a significant ridgeline, excluding chimneys, rooftop antennas, amateur radio antennas, roof-mounted solar panels, and small-scale wind energy ~~conversion~~ systems.

é

SECTION 59. Section 22.44.133 is hereby amended to read as follows:

22.44.133 Santa Monica Mountains North Area Community Standards District.

é

D. Community-wide Development Standards.

é

5. Significant Ridgeline Protection.

é

b. The highest point of a structure that requires any permit shall be located at least 50 vertical feet and 50 horizontal feet from a significant ridgeline, excluding chimneys, rooftop antennas, small-scale wind energy ~~conversion~~ systems, and amateur radio antennas.

é

SECTION 60. Section 22.44.143 is hereby amended to read as follows:

22.44.143 Elizabeth Lake and Lake Hughes Community Standards District.

é

D. Community-Wide Development Standards.

é

4. Utilities.

é

b. Utility Devices.

i. Small-Scale Solar Energy Systems~~Utility Devices~~.

(A) Ground-mounted small-scale solar energy systems shall be placed at least five (5) feet from the nearest property line; and

(B) Ground-mounted small-scale solar energy systems less than ten (10) feet in height shall be set back an additional three (3) feet from the nearest property line for every one foot less than ten (10) feet in height.

é

10. Significant Ridgeline Protection.

é

b. The highest point of a structure shall be located at least one hundred-fifty (150) vertical feet and one hundred-fifty (150) horizontal feet in a southerly direction from a significant ridgeline, excluding chimneys, rooftop antennas, amateur radios, and small-scale wind energy ~~conversation~~ systems.

c. No portion of any structure shall be located less than fifty (50) horizontal feet in a northerly direction from a significant ridgeline, excluding amateur radio antennas, chimneys, rooftop antennas, and small-scale wind energy ~~conversion~~ systems.

é

SECTION 61. Section 22.44.144 is hereby amended to read as follows:

22.44.144 San Francisquito Canyon Community Standards District.

é

D. Community-wide Development Standards.

é

10. Significant Ridgeline Protection.

é

b. The highest point of a structure shall be located at fifty (50) vertical feet and fifty (50) horizontal feet from a significant ridgeline, excluding chimneys, rooftop antennas, amateur radio antennas, and small-scale wind energy ~~conversion~~ systems.

c. Any modification to subsection D.10.b. shall require a minor conditional use permit, as provided in Section 22.56.085. In approving such permit, the ~~Director,~~ Hearing Officer, or Commission shall make the following findings in addition to those required by Section 22.56.090:

é

SECTION 62. Part 15 of Chapter 22.52 is hereby repealed in its entirety.

SECTION 63. Part 15 of Chapter 22.52 is hereby added to read as follows:

PART 15

RENEWABLE ENERGY

SECTIONS:

22.52.1600 Purpose.

This Part 15 establishes regulations and permit requirements that support and facilitate the development of small-scale solar energy systems, small-scale wind energy systems, utility-scale solar energy facilities, utility-scale wind energy facilities, and temporary meteorological towers in a manner that protects public health, safety, and welfare and minimizes significant impacts to the environment.

22.52.1605 Applicability.

A. Applicability of this Part 15. The provisions of this Part 15 shall apply to the development of any small-scale solar energy system, small-scale wind energy system, utility-scale solar energy facility, utility-scale wind energy facility, or temporary meteorological tower.

B. Applicability of zone and supplemental district regulations. All provisions of the zone and any supplemental district in which a small-scale solar energy system, small-scale wind energy system, utility-scale solar energy facility, utility-scale wind energy facility, or temporary meteorological tower is located shall also apply. Where a provision of the zone or supplemental district regulates the same matter as this Part 15, the provision of this Part 15 shall apply.

C. Exemption. The provisions of this Part 15 shall not apply to any small-scale solar energy system, small-scale wind energy system, utility-scale solar energy facility, utility-scale wind energy facility, or temporary meteorological tower approved prior to the effective date of the ordinance establishing this Part 15.

D. Prohibition. Ground-mounted utility-scale solar energy facilities and ground-mounted utility-scale wind energy facilities shall be prohibited within adopted Significant Ecological Areas designated in the General Plan, and Economic Opportunity Areas designated in the Antelope Valley Area Plan.

E. Subsequent application. The provisions of this Part 15 shall apply to:

1. Any modification(s) that would increase the physical size, height, or footprint of a previously approved small-scale solar energy system, small-scale wind

energy system, utility-scale solar energy facility, utility-scale wind energy facility, or temporary meteorological tower; and

2. Any modification(s) that would change the type of equipment used by the previously approved small-scale solar energy system, small-scale wind energy system, utility-scale solar energy facility, utility-scale wind energy facility, or temporary meteorological tower, except for replacement of equipment for maintenance purposes.

22.52.1610 Application Materials.

A. If a site plan review is required, the applicant shall submit the following:

1. All materials and information required by Section 22.56.1680;

2. A site plan that in addition to the features required by subsection F of Section 22.56.1680 depicts:

a. Solar array footprint and height,

b. Solar array setbacks from the perimeter of a roof for solar arrays that are mounted to the roof of a building;

3. A minimum of six different color photographs of the project area with a photo-key map.

B. If a Minor Conditional Use Permit or Conditional Use Permit is required, the applicant shall submit the following: 1. All materials and information required by Section 22.56.030 and a Burden of Proof statement that substantiates the findings required by Section 22.52.1650;

2. A minimum of six different color photographs of the project area with a photo-key map;

3. Color photo simulations of the project area before construction of the project and after construction of the project;

4. Utility-scale solar energy facilities. The following additional materials shall be required for ground-mounted utility-scale solar energy facilities:

a. A site plan that in addition to the features required by subsection A.7 of Section 22.56.030 depicts:

i. Solar array footprint and height,

ii. Solar array setbacks from all property lines,

iii. Area and amount of grading and site disturbance,

iv. Topography of the property,

v. Watercourses on the property, if any

vi. Access roads,

vii. Required fencing,

viii. Required signage,

viii. Lighting,

ix. Transmission lines,

x. Significant ridgelines on the property, if any

b. Detailed landscaping plan that depicts:

i. Required perimeter fencing, if any

ii. Proposed plant species palette, including number and size,

iii. Proposed water usage to plant and maintain proposed landscaping,

iv. Proposed timing and phasing of proposed landscaping,

c. Draft decommissioning plan,

d. Hydrology study,

e. Conceptual dust control plan,

f. Glare study,

g. Description of amount and source of water necessary for the construction and operation of the project;

5. Temporary meteorological towers. The following additional materials shall be required for temporary meteorological towers:

a. A site plan that in addition to the features required by subsection A.7 of Section 22.56.030 depicts:

i. FAA-required safety lights, if any,

ii. Required aviation-related paint markings and high visibility sleeves for ground-mounted temporary meteorological towers,

iii. For ground-mounted temporary meteorological towers, guy wires and climbing apparatus, if any;

b. An elevation that depicts wind tower height;

6. Small-scale wind energy systems. In addition to the materials required by subsection B.5 of this Section, a site plan that depicts:

a. Manual and automatic wind tower blade overspeed controls,

b. For ground-mounted small-scale wind energy systems, blade clearance from the finished grade and required signage, if any;

7. Utility-scale wind energy facilities. The following additional materials shall be required for utility-scale wind energy facilities:

a. FAA-required safety lights, if any,

b. Manual and automatic wind tower blade overspeed controls;

c. An elevation that depicts wind tower height;

d. For structure-mounted utility-scale wind energy facilities with wind towers that are mounted to the roof of a building, a site plan that in addition to the features required by subsection A.7 of Section 22.56.030 depicts wind tower setbacks from the perimeter of a roof;

b. For ground-mounted utility-scale wind energy facilities, in addition to the materials required by subsection B.4 of this Section, a site plan that depicts:

i. Climbing apparatus, if any,

ii. Required aviation-related paint markings and high visibility sleeves for ground-mounted temporary meteorological towers,

iii. Runway Protection Zones on the property, if any,

iv. Airport Influence Areas on the property, if any;

8. Additional Materials. The Director may request additional materials at the time of application submission or during review by the Department if the Director determines such materials are necessary for adequate evaluation.

22.52.1615 Standards for Small-Scale Solar Energy Systems.

A. Conformance with State requirements. A small-scale solar energy system shall be in conformance with the California Solar Rights Act (California Civil Code Section 714 et seq.).

B. Ground-mounted.

1. Height. The height of the solar array shall not exceed 15 feet.

2. Maximum lot coverage. The maximum lot coverage for solar arrays and any renewable energy accessory structures, shall be 25 percent of the lot or parcel of land or 2.5 acres, whichever is lesser.

C. Structure-mounted. The combined height of a structure and structure-mounted small-scale solar energy system shall not exceed the height limit of the zone by more than five feet.

22.52.1620 Standards for Utility-Scale Solar Energy Facilities.

A. Accessory structures. Accessory structures constructed for the purposes of operating and maintaining the utility-scale solar energy facility must meet all applicable development standards of the zone.

B. Structure-mounted. Structure-mounted utility-scale solar energy facilities shall be subject to the following standards:

1. Height. The combined height of a structure and structure-mounted utility-scale solar energy facility shall not exceed the height limit of the zone by more than five feet.

2. Setbacks. Setbacks from the perimeter of the roof shall be:

a. Three feet on residential buildings; or

b. Four feet on non-residential or mixed use buildings.

C. Ground-mounted. Ground-mounted utility-scale solar energy facilities shall be subject to the following standards:

1. Fencing. Fencing shall be required around the perimeter of the project. In addition to the California Public Utilities Commission and United States Occupational Safety and Health Administration fencing guidelines for substations, all fencing shall comply with the following, except as otherwise required by Public Works to maintain minimum corner sight distance:

a. Non-opaque fences may be permitted.

b. Fencing up to eight feet in height may be permitted regardless of any other fencing standards.

c. Fencing shall not be located within 15 feet of a public right-of-way but may be located within the required setback area.

d. Project perimeter fencing shall incorporate small animal-permeable design, unless otherwise modified by the Hearing Officer.

2. Height. Height of the solar array shall not exceed 25 feet.

3. Lighting. In addition to Part 9 of Chapter 22.44, outdoor lighting within the Rural Outdoor Lighting District, which is limited to that required for safety and security, shall be shielded and directed downward to avoid light trespass, and shall consist of:

a. Motion sensors for entry-lighting to the on-site equipment structures and buildings; and

b. Light-sensor or motion-sensor lighting for the main facility access gate, operations and maintenance building doorways, and any parking areas of facilities with operation and maintenance buildings.

4. Setbacks. Setbacks from the property line shall be:

a. A minimum of 30 feet in agricultural zones; or

b. As provided in the base zone for all non-agricultural zones.

5. Signs. One ground-mounted or pole-mounted project identification sign shall be located at each temporary and permanent ingress and egress point. Signs shall include owner information and emergency contact. No other signs shall be installed for the facility other than safety, directional, and required warning signs as outlined in Part 10 of Section 22.52.

6. Significant ridgelines The highest point of a utility-scale solar energy facility shall be located at least 50 vertical feet and 50 horizontal feet from a significant ridgeline identified in the General Plan, in an applicable Area or Community Plan, or in an applicable Community Standards District;

7. Coastal Zone. Within the Coastal Zone, the placement of any utility-scale solar energy facility shall not obstruct public views of the ocean from a Scenic or Visual Resource (e.g., Significant Ridgeline, Scenic Route, Scenic Element, and Scenic Viewshed) identified in the applicable Local Coastal Plan unless specific provisions for such siting are provided for in the applicable Cocal Coastal Plan and Coastal Development Permit or long-range development plan.

22.52.1625 Standards for Temporary Meteorological Towers.

A. All temporary meteorological towers shall be subject to the following standards:

1. Aviation safety. All safety lights required by the Federal Aviation Administration for any wind tower, shall comply with applicable Federal Aviation Administration standards. Any aviation-related agency or the Department may impose additional requirements as deemed necessary. No other lights shall be placed on the wind tower.

2. Maximum separation. Wind towers must be separated from each other by the safe industry practice depicted in Figure 22.52.1625-A, below.

FIGURE 22.52.1625-A – SEPARATION STANDARDS FOR TEMPORARY METEOROLOGICAL TOWERS

FIGURE 22.52.1625-A HERE

B. Structure-mounted. The combined height of a structure and structure-mounted wind tower shall not exceed the height limit of the zone by more than five feet.

C. Ground-mounted. Ground-mounted temporary meteorological towers shall be subject to the following standards:

1. Aviation Safety. Wind towers of less than 200 feet in height, measured from finished grade shall be marked with alternating bands of aviation orange and white paint. High visibility sleeves shall be installed on the outer guy wires with high spherical marker balls of aviation orange color.

2. Climbing apparatus. All climbing apparatus shall be located at least 12 feet above the finished grade, and all wind towers shall be designed to prevent

climbing within the first 12 feet of the wind tower height, as measured from finished grade.

3. Location. The minimum setback for a wind tower shall be as depicted in Table 22.52.1625-A. The required distance shall also comply with any applicable fire setback requirements pursuant to California Public Resources Code Section 4290.

TABLE 22.52.1625-A – SETBACK REQUIREMENTS FOR TEMPORARY METEOROLOGICAL TOWERS	
SETBACK FROM	MINIMUM DISTANCE
On-site or Off-site Residence or Habitable Structure	1.5 x tallest wind tower height
Public Road or Highway	As required by Public Works to meet sight distance and minimum setback requirements from traveled lanes
Above Ground Transmission Line, Public Access Easement, or Public Trail	1.25 x tallest wind tower height
Property Line	1.25 x tallest wind tower height
On-site or Off-site Buildings Other Than a Residential Structure	1 x tallest wind tower height
Trees	As required by the Fire Department
Scenic Drives, Scenic Highways and Scenic Routes as identified in the General Plan or applicable Area or Community Plan	1,000 feet

4. Maximum number. More than one wind tower may be located on the same property if all of the location requirements and standards of this Part 15 are met for each wind tower. A maximum of two wind towers are permitted for each five gross acres of land.

5. Maximum wind tower height. The maximum wind tower height shall not exceed the height limit as depicted in Figure 22.52.1625-B below:

a. A total of 35 feet measured from the finished grade to the top of the blade in the vertical position for parcels of less than one gross acre in size;

b. A total of 65 feet measured from the finished grade to the top of the blade in the vertical position for parcels from one gross acre to less than two gross acres in size; and

c. A total of 85 feet measured from the finished grade to the top of the blade in the vertical position for parcels of two gross acres or greater in size.

FIGURE 22.52.1625-B – HEIGHT STANDARDS FOR TEMPORARY METEOROLOGICAL TOWERS

FIGURE 22.52.1625-B
HERE

22.52.1630 Standards for Small-Scale Wind Energy Systems.

A. In addition to the standards required under subsection A of Section 22.52.1625, the following standards shall also apply to all small-scale wind energy systems:

1. Automatic overspeed controls. A small-scale wind energy system shall be equipped with manual and automatic overspeed controls to limit the blade rotation speed to within the design limits of such system.

2. Significant ridgelines. The highest point of a small-scale wind energy system shall be located at least 50 vertical feet and 50 horizontal feet from a

significant ridgeline identified in the General Plan, in an applicable Area or Community Plan, or within an applicable Community Standards District.

3. Coastal Zone. Within the Coastal Zone, the placement of any small-scale wind energy system shall not obstruct public views of the ocean from a Scenic or Visual Resource (e.g., Significant Ridgeline, Scenic Route, Scenic Element, and Scenic Viewshed) identified in the applicable Local Coastal Program, unless specific provisions for such siting are provided for in the applicable Local Coastal Program and Coastal Development Permit or long-range development plan.

B. Structure-mounted. The combined height of a structure and structure-mounted wind tower shall not exceed the height limit of the zone by more than five feet.

C. Ground-mounted. In addition to the standards required under subsection C of Section 22.52.1625, the following standards shall also apply to ground-mounted small-scale wind energy systems:

1. Blade clearance. No portion of a blade shall extend within 20 feet of the finished grade.

2. Impacts to birds and bats.

a. Design. Use of trellis-style towers is prohibited.

b. Guy wires. Safety wires shall be installed on the turnbuckles of guy wires. Anchor points for any guy wires shall be located within the same property as the system, and located in such a manner so as not to be on or across any above-ground electric transmission or distribution lines.

c. Setbacks. The following setback requirements shall apply to reduce impacts to birds and bats:

i. No part of the small-scale wind energy system shall be closer than 300 feet or five times the tallest wind tower height, whichever is greater, from the following:

(A) Bat roosting sites;

(B) Recorded open space easements and publicly designated preserve areas; and

(C) Riparian areas and wetlands.

ii. No part of the small-scale wind energy system shall be closer than one mile from a known golden eagle nest site.

3. Signs. One sign, limited to 18 inches in length and 12 inches in height, shall be posted at the base of each wind tower. The sign shall include a note of no trespassing, a warning of high voltage, and the phone number of the property owner to call in the event of an emergency.

22.52.1635 Standards for Utility-Scale Wind Energy Facilities.

A. In addition to the standards required under subsection A of Section 22.52.1625 and subsection A of Section 22.52.1630, the following standards shall also apply to all utility-scale wind energy facilities:

1. Accessory structures. Accessory structures constructed for the purposes of operating and maintaining the utility-scale wind energy facility must meet all applicable development standards of the zone.

2. Aviation safety.

a. A utility-scale wind energy facility shall not be located within the Runway Protection Zone of any airport, as depicted in the Countyôs airport land use compatibility plans.

b. A utility-scale wind energy facility shall not penetrate the imaginary surfaces (primary, approach, transitional, horizontal, and conical surfaces) as defined by the Federal Aviation Administration Federal Aviation Regulations Part 77 to protect the use of navigable airspace.

3. Lighting. In addition to Part 9 of Chapter 22.44, outdoor lighting within the Rural Outdoor Lighting District, which is limited to that required for safety and security, shall be shielded and directed downward to avoid light trespass, and shall consist of motion sensors for entry-lighting to the on-site equipment structures and buildings.

B. Structure-mounted. Structure-mounted utility-scale wind energy facilities shall be subject to the following standards:

1. Height. The combined height of a structure and structure-mounted utility-scale wind energy facility shall not exceed the height limit of the zone by more than five feet.

2. Setbacks. Setbacks from the perimeter of the roof shall be:

a. Three feet on residential buildings; or

b. Four feet on non-residential or mixed use buildings.

C. Ground-mounted. Ground-mounted utility-scale wind energy facilities shall be subject to the following standards:

1. Aviation safety. Wind towers of less than 200 feet in height, measured from finished grade shall be marked with alternating bands of aviation orange and white paint. High visibility sleeves shall be installed on the outer guy wires with high spherical marker balls of aviation orange color.

2. Blade clearance. No portion of a utility-scale wind energy facility blade shall extend within 30 feet from the finished grade.

3. Climbing apparatus. All climbing apparatus shall be located at least 12 feet above the finished grade, and all wind towers shall be designed to prevent climbing within the first 12 feet of the wind tower height, measured from finished grade.

4. Fencing. In addition to the California Public Utilities Commission and United States Occupational Safety and Health Administration fencing guidelines for substations, all fencing shall comply with the following, except as otherwise required by Public Works to maintain minimum corner sight distance:

a. Non-opaque fences may be permitted.

b. Fencing up to eight feet in height may be permitted regardless of any other fencing standards.

c. Fencing shall not be located within 15 feet of a public right-of-way but may be located within the required setback area.

d. Project perimeter fencing shall incorporate small animal-permeable design.

5. Impacts to birds and bats.

a. Design. Use of trellis-style towers is prohibited.

b. Guy wires. The use of guy wires shall be prohibited for all utility-scale wind energy facilities.

c. Setbacks. The following setback requirements shall apply to reduce impacts to birds and bats:

i. No part of a ground-mounted utility-scale wind energy facility shall be closer than 0.25 miles from the following:

(A) Adopted Significant Ecological Areas;

(B) Recorded open space easements and publicly designated preserve areas; and

(C) Riparian areas and wetlands.

ii. No part of a ground-mounted utility-scale wind energy facility shall be closer than 0.5 miles from bat roosting sites.

iii. No part of a ground-mounted utility-scale wind energy facility shall be closer than one mile from a known golden eagle nest site.

6. Lighting. Light-sensor or motion-sensor lighting is required for the main facility access gate, operations and maintenance building doorways, and any parking areas of facilities with operation and maintenance buildings for projects within the Rural Outdoor Lighting District.

7. Location. The minimum distance and safe clearances for a utility-scale wind energy facility shall be as depicted in Table 22.52.1635-A. The required distance shall also comply with any applicable fire setback requirements pursuant to the California Public Resources Code Section 4290.

TABLE 22.52.1635-A – SETBACK REQUIREMENTS FOR GROUND-MOUNTED UTILITY-SCALE WIND ENERGY FACILITY

Setback from	Minimum Distance
On-site or Off-site Residence or Habitable Structure	2 x tallest wind tower height
Public Road or Highway	As required by Public Works to meet sight distance and minimum setback requirements from traveled lanes.
Above Ground Transmission Line, Public Access Easement, or Public Trail	2 x tallest wind tower height
Property Line	2 x tallest wind tower height
On-site or Off-site Buildings Other Than a Residential Structure	1 x tallest wind tower height
Trees	As required by the Fire Department
Scenic Drives and Scenic Routes as identified in the General Plan or in an applicable Area or Community Plan	2 x tallest wind tower height
Railway	2 x tallest wind tower height

8. Maximum height. Wind tower height shall not exceed 500 feet above finished grade.

9. Signs. One ground-mounted or pole-mounted project identification sign shall be located at each temporary and permanent ingress and egress point. Signs shall include owner information and emergency contact. No other signs shall be installed for the facility other than safety, directional, and required warning signs as outlined in Part 10 of Section 22.52.

22.52.1640 Modifications.

A. When a site plan review is required, a Conditional Use Permit in compliance with Part 1 of Chapter 22.56, is required for any modification to the applicable standards in this Part 15, except as otherwise provided herein. In addition to

those required by Section 22.52.1650, the applicant for such Conditional Use Permit shall substantiate the following findings:

1. Due to topographic or physical features of the site, strict compliance with all of the required standards would substantially and unreasonably interfere with the establishment of the proposed development on the subject property; and

2. The requested modification(s) would not be contrary to the purpose of this Part 15.

B. When a Minor Conditional Use Permit or Conditional Use Permit is required, any modification of the applicable standards in this Part 15 may be requested as part of said permit, except as otherwise provided herein. The applicant shall substantiate the findings provided in subsection A above in addition to those required by Section 22.52.1650 and Part 1 of Chapter 22.56.

C. A small-scale solar energy system that exceeds the maximum lot coverage required under subsection B.2 of Section 22.56.1615, requires approval of a Minor Conditional Use Permit pursuant to Part 1 of Chapter 22.56 and is subject to the development standards specified in subsections A and B.1 of Section 22.52.1615 and A.2 and C.5 of Section 22.52.1620 and conditions specified in subsections A.2.d and A.2.g of Section 22.52.1655.

D. A wind tower greater than 500 feet in height requires approval of a variance pursuant to Part 2 of Chapter 22.56.

22.52.1645 Uses Subject to Permits – Aviation Review.

For any use subject to a Minor Conditional Use Permit or Conditional Use Permit and located within a Military Installations and Operations Area (MIOA) or Airport Influence Areas (AIAs) as identified by the General Plan or applicable Airport Land Use Compatibility Plan(s), the following provisions apply:

A. Consultation. Aviation-related agencies shall be consulted for review of the proposed project for any potential impacts to ensure the safety of residents and continued viability of military training and testing operations. The Department shall distribute copies of the proposed site plan, elevation plan, and location map to the aviation-related agencies and shall request comments within a minimum 30-day period. Applicable aviation-related agencies to be consulted include, but are not limited to, the Federal Aviation Administration, United States Navy, Edwards Air Force Base, Air Force Plant 42, United States Forest Service, California Department of Transportation Division of Aeronautics, Public Works ï Aviation Division, Department of Regional Planning Airport Land Use Commission, County Forester and Fire Warden, and County Sheriff. The consultation review shall request consideration of the following:

1. Uses that produce electromagnetic and frequency spectrum interference, which could impact military operations;

2. Uses that release into the air any substances that may impair visibility such as steam, dust, or smoke;

3. Uses that produce light emissions that could interfere with pilot vision or be mistaken for airfield lighting such as glare or distracting lights; and

4. Uses that physically obstruct any portion of the MIOA due to relative height above ground level.

B. Any comments received through consultation shall be considered by the Department and provided to the Hearing Officer.

22.52.1650 Uses Subject to Permits – Findings.

In addition to the findings required under Part 1 of Chapter 22.56, the Hearing Officer shall approve a Minor Conditional Use Permit or Conditional Use Permit if he or she finds that:

A. The proposed development is sited and designed and will be constructed in such a way to minimize significant impacts to the environment including impacts to birds and bats, through appropriate measures including minimizing proximity to perch sites such as transmission lines and towers;

B. The proposed development is sited in such a way to minimize site disturbance (i.e., grading, brush clearance, and other forms of earthwork);

C. For ground-mounted utility-scale solar energy facilities and utility-scale wind energy facilities, the proposed vegetation along project perimeter fencing will:

1. Sufficiently provide buffer from adjacent residential and agricultural uses through variable placement and muting of frontage or other sensitive viewsheds so as to provide a natural visual transition between the project and its surroundings,

2. Sufficiently provide ground cover to the satisfaction of the staff biologist, and

3. Provide such buffer and ground cover in a timely manner to the satisfaction of the staff biologist; and

D. If the proposed development penetrates the lower floor elevation of any MIOA, the military operator of that MIOA has determined that the proposed

development is not detrimental to the function of that MIOA and would not pose a health or safety hazard to military personnel or the public.

22.52.1655 Uses Subject to Permits – Conditions of Approval.

If a Minor Conditional Use Permit or Conditional Use Permit is required, the following conditions of approval shall apply:

A. Utility-scale solar energy facilities.

1. Glare. All utility-scale solar energy facilities shall be designed and located in such a way to minimize reflective glare toward any habitable structure on adjacent properties as well as adjacent street rights-of-way.

2. Ground-mounted.

a. Access roads. All temporary and permanent ingress and egress points to the ground-mounted utility-scale solar energy facility shall be designed and sited to the satisfaction of Public Works and the Fire Department, and shall consider adequate spacing from intersections and maintain adequate sight distances. Dirt access roads shall be treated with a suitable non-toxic long-term soil binder, or application of similarly effective material to control dust such as use of gravel.

b. Decommissioning.

i. The draft decommissioning plan shall be prepared to the satisfaction of the Director and the Director of Public Works.

ii. Prior to any ground disturbance or the issuance of any grading or building permit, performance and financial guarantees in an amount sufficient to ensure the performance of the decommissioning plan shall be determined to the satisfaction of the Director and the Director of Public Works, and incorporated into

a final decommissioning plan. The amount shall be posted prior to any ground disturbance or the issuance of any grading or building permit.

iii. Prior to any ground disturbance or the issuance of any grading or building permit, the permittee shall record an easement granting access to the County for activities related to decommissioning. A draft easement document shall be submitted prior to easement recordation, for review and approval by the Director and the Director of Public Works.

iv. In the event that any portion of a ground-mounted utility-scale solar energy facility is not in operational condition for a consecutive period of six months, ceased operation, or the permit for the use has expired, operations for that use shall be deemed to have been discontinued. Upon written notice from the Department to the permittee advising of the discontinued use, the use shall be renewed or removed from the site within the time period specified below:

(A) Within six months after the written notice of discontinued use is sent to the permittee, decommissioning of the use shall commence in accordance with the decommissioning plan.

(B) Within the six month period specified by subsection d.i above, the permittee may provide the Department with a written request and justification for an extension to resume operations of the system, facility, or portions thereof.

c. Landscaped buffer. The following conditions shall apply:

i. A landscaped area at least 10 feet in depth shall be maintained along any project perimeter fencing, between such fencing and any public right-of-way or adjacent property with an existing residential or agricultural use.

ii. Existing non-invasive, drought-tolerant vegetation approved by the staff biologist shall be retained, and/or new non-invasive, drought-tolerant vegetation approved by the staff biologist shall be planted within the landscaped area.

iii. The landscaped area shall incorporate a variety of design elements appropriate for the surrounding area, including but not limited to hardscape, such as decorative rocks, boulders, berms, and fencing; and softscape, such as trees, shrubs, vines, and succulents. In no way shall the hardscape or softscape features adversely affect drainage patterns.

iv. The landscaped area shall be established in such manner that adequate corner sight distance is maintained from all access roads to the public right of way to the satisfaction of the Director of Public Works.

v. The landscaped area shall be planted and temporary irrigation system installed prior to final permit inspection of the project or project phase to the satisfaction of the Director. Establishment of the plantings shall be verified at the time of regular inspections according to inspection time frames in the project conditions.

vi. The landscaped area shall be maintained throughout the life of the project.

d. Site disturbance. The measures found in this subsection shall in no way be construed as a substitute for compliance with State requirements imposed by the applicable Air Quality Management District.

i. Soil erosion. To ensure dust control and minimal soil erosion, existing vegetation may be mowed, but removal of existing vegetation root systems shall be prohibited, except where necessary for construction of access roads, substations and related underground transmission lines, tanks, basins, inverter pads, or other areas required by the County.

ii. Hydrology. The facility shall be designed to minimize erosion, sedimentation, or other impacts to the natural hydrology and drainage patterns of the site. Existing topography and watercourses shall be retained or restored to pre-development conditions following construction and during operations, except for drainage features specifically designed to mitigate drainage impacts. Prior to any discretionary approval, a hydrology study shall be prepared in compliance with the most recent County standards for addressing drainage impacts to the satisfaction of Public Works.

iii. Grading. To control fugitive dust and preserve the natural topography, the facility shall be designed in such a way that the ground disturbance or grading is limited to only the access roads, substations and related underground transmission lines, tanks, basins, inverter pads, or other areas required by the County. A site plan shall depict the extent of grading and ground disturbance, and the facility shall comply with all applicable grading standards.

iv. Fugitive dust control plan. A fugitive dust control plan including a dust plume response plan shall be prepared for review and approval by applicable agencies prior to any earthwork activities.

v. Construction practices.

(A) Fugitive dust. Fugitive dust emission shall be controlled by phased earthwork, site watering, use of clean gravel not to exceed a depth of six inches where applicable, application of non-toxic soil stabilizers, limiting public access on unpaved areas, posting private roadways with reduced speeds, and/or re-vegetation. Use of other fugitive dust mitigation measures may be implemented if determined by the Department and Department of Public Works to be suitable methods to adequately control dust during construction, operations, and removal and restoration activities.

(B) Vegetation. Work within the existing vegetation where the facility components are being proposed shall be conducted with minimal disturbance, and the operator shall take all necessary precautions to not use vehicles or machinery for grading or alter the existing grade in these areas. When vehicles or machinery are deemed necessary for utility scale solar energy installation work, appropriate ground-protection practices (such as construction mats, stabilizers, or established vegetation) shall be utilized for both dust suppression and to ensure that the use of vehicles or machinery is compatible with continued and future vegetation growth. The facility shall retain a biologist to confirm that construction practices are compatible with continued and future vegetation growth. Any grading, disking, scraping, or other ground disturbance proposed as part of the project shall be permanently stabilized with

an earth-stabilizing product or other measure that is acceptable to the Departments of Public Works, Regional Planning, and Public Health to prevent fugitive dust.

e. Transmission lines. On-site and off-site transmission lines shall be placed underground to the satisfaction of the Department and Department of Public Works, except where above-ground crossings are otherwise required (such as over the California Aqueduct). A franchise agreement shall be required for distribution/transmission facilities within the public right of way. Disturbed areas shall comply with subsection B.8 of this Section to ensure dust control and minimal soil erosion.

f. Visual impact. Any utility-scale solar energy facility that is placed within the viewshed of a Scenic Drive, Scenic Highway or Scenic Route identified in the General Plan or in an applicable Area Plan or Community Plan shall be analyzed for its visual impacts. Appropriate conditions relating to siting, buffering, height, and design of the facility may be imposed to minimize significant effects on the viewshed; and

g. Water quality protection. Measures to protect groundwater and surface water from waste discharge shall be incorporated into the project design, as appropriate, and shall meet the requirements of the Regional Water Quality Control Board

h. Water use.

i. The project shall use the minimum amount of water required during the construction period. The project shall be limited to the maximum

use of water as established by the Hearing Officer for the duration of the construction period.

ii. The project shall use the minimum amount of water required during the operation of the project. The project shall be limited to the maximum use of water as established by the Hearing Officer for the operation of the project for the duration of this grant.

iii. The project shall use piped recycled water if it is available from the public right-of-way within one mile from the project site at fair market value and suitable for use. If such piped recycled water does not meet the water demand, the project shall use piped potable water if it is available from the public right-of-way within one mile from the project site at fair market value and suitable for use.

iv. The permittee shall maintain a daily log, which shall include the number of gallons and acre feet of water used on the project site used for the following, which includes, but is not limited to: construction, operation, maintenance, landscaping, irrigation, and maintenance. The permittee shall record monthly water usage by source within five working days following the conclusion of each month. The log shall be made available to the Department upon demand.

B. Temporary meteorological towers.

1. Colors. Except as otherwise required in this Section, the colors used in the construction materials or finished surface shall be muted and visually compatible with the surrounding development or environment.

2. Maintenance. All equipment and wind towers shall be maintained in an operational condition that poses no potential safety hazards. Maintenance shall

include, but not be limited to, painting, regularly scheduled cleaning, routine mechanical and/or electrical repairs, structural repairs, and security measures.

3. Ground-mounted. All temporary and permanent ingress and egress points to the wind tower shall be designed, sited and maintained to the satisfaction of the Public Works and the Fire Department, and shall consider adequate spacing from intersections and maintain adequate sight distances. Dirt access roads shall be treated with a suitable non-toxic long-term soil binder, or application of similarly effective material to control dust such as use of gravel.

C. Small-scale wind energy systems. In addition to the conditions of approval required under subsection B of this Section, the following conditions of approval shall also apply to small-scale wind energy systems:

1. Noise. Noise from a small-scale wind energy system shall not exceed 60 dBA SEL (single event noise level), as measured at the closest neighboring inhabited dwelling.

2. Visual Impact. Any small-scale wind energy system placed within the viewshed of a Scenic Drive, Scenic Highway or Scenic Route identified in the General Plan or in an applicable Area or Community Plan shall be assessed for its visual impacts, and appropriate conditions shall be applied relating to siting, buffers, and design of the system.

3. Ground-mounted. The vegetation within the entire area within 10 feet of the base of a wind tower shall be mowed, but removal of existing vegetation root systems shall be prohibited.

D. Utility-scale wind energy facilities. The conditions of approval required under subsections B and C of this section shall also apply to utility-scale wind energy facilities and subsection A.2 of this Section shall also apply to ground-mounted utility-scale wind energy facilities.

22.52.1660 Enforcement Procedures.

A. Pursuant to subsection A of Section 22.60.390, the Director or designee is authorized to issue a Final Zoning Enforcement Order, without prior issuance of a Notice of Violation, to any permittee operating a small-scale solar energy system, small-scale wind energy system, utility-scale solar energy facility, utility-scale wind energy facility, or temporary meteorological tower not in compliance with the provisions of this Part 15. The Final Zoning Enforcement Order shall subject the non-compliant operator to enforcement actions pursuant to Section 22.60.390, and to any civil and criminal remedies.

B. Nothing in this Section shall preclude the Director or designee from issuing a warning, field notice of violation, Notice of Violation, or citation prior to issuing a Final Zoning Enforcement Order for a non-compliant small-scale solar energy system, small-scale wind energy system, utility-scale solar energy facility, utility-scale wind energy facility or temporary meteorological tower**.**

SECTION 64. Section 22.52.2430 is hereby amended to read as follows:

22.52.2430 Wineries–Permit requirements.

é

C. Conditions of approval. In addition to any other condition imposed by the ~~Director~~Hearing Officer or the Commission, the development standards and operating regulations set forth in Sections 22.52.2410 and 22.52.2420 of this Part 23 shall be made conditions of approval for any winery CUP, except where modified by the Hearing Officer or the Commission.

é

SECTION 65. Section 22.52.2460 is hereby amended to read as follows:

22.52.2460 Tasting rooms–Permit requirements.

é

B. Conditions of approval. In addition to any other condition imposed by the ~~Director~~Hearing Officer or the Commission, the development standards and operating regulations set forth in Sections 22.52.2440 and 22.52.2450 of this Part 23 shall be made conditions of approval for any tasting room CUP, except where modified by the Hearing Officer or the Commission.

é

SECTION 66. Section 22.52.2490 is hereby amended to read as follows:

22.52.2490 Remote tasting rooms–Permit requirements.

...

B. Conditions of approval. In addition to any other condition imposed by the ~~Director~~Hearing Officer or the Commission, the development standards and operating regulations set forth in Sections 22.52.2470 and 22.52.2480 of this Part 23 shall be made conditions of approval for any remote tasting room CUP, except where modified by the Hearing Officer or the Commission.

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SECTION 67. Section 22.56.070 is hereby amended to read as follows:

22.56.030 Application–Information Required.

A. An application for a conditional use permit shall contain the following information:

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10. With each application, the applicant shall also file:

a. Maps in the number prescribed, and drawn to a scale specified by the director, showing the location of all property included in the request, the location of all highways, streets, alleys and the location and dimensions of all lots or parcels of land within a distance of 500 feet from the exterior boundaries of the subject parcel of land. If the application is for a minor conditional use permit in accordance with Section 22.56.085, a distance of 300 feet from the exterior boundaries of the subject parcel of land shall be provided in lieu of 500 feet,

b. One copy of said map shall indicate the uses established on every lot and parcel of land shown within said 500-foot radius or within said 300-foot radius if the application is for a minor conditional use permit in accordance with Section 22.56.085,

c. A list, certified to be correct by affidavit or by a statement under penalty of perjury pursuant to Section 2015.5 of the Code of Civil Procedure, of the names and addresses of all persons who are shown on the latest available assessment roll of the county of Los Angeles as owners of the subject parcel of land and as owning property within a distance of 500 feet from the exterior boundaries of the parcel of land to be occupied by the use. If the application is for a minor conditional use permit in accordance with Section 22.56.085, a distance of 300 feet from the exterior boundaries of the parcel of land to be occupied by the use shall be provided in lieu of 500 feet. One copy of said map shall indicate where such ownerships are located,

d. Proof satisfactory to the director that water will be available in quantities and pressures required by the Water Ordinance, set out at Division 1 of Title 20 of this code, or by a variance granted pursuant to said Division 1. The director may accept as such proof a certificate from the person who is to supply water that he can supply water as required by said Division 1 of Title 20, also stating the amount and pressure, which certificate also shall be signed by the forester and fire warden, or a certificate from the county engineer that such water will be available;

é

SECTION 68. Section 22.56.070 is hereby amended to read as follows:

22.56.070 Application–Public Hearing Required–~~Exception~~

In all cases where an application for a conditional use permit is filed, ~~except where the Director grants the permit pursuant to section 22.56.085,~~ the public hearing shall be held pursuant to the procedure provided in Part 4 of Chapter 22.60, except where an

application for a minor conditional use permit is filed. A public hearing for a minor conditional use permit shall not be subject to the provisions of Section 22.60.175.

SECTION 69. Section 22.56.085 is hereby amended to read as follows:

22.56.085 ~~Grant or Denial of~~ Minor Conditional Use Permit.

A. ~~Any person filing a~~An application for a minor conditional use permit may ~~request the Director to consider the application in accordance with the section~~be filed for the following uses:

é

-- Modification of significant ridgeline protection provisions as provided in Sections 22.44.143.D.10.b., 22.44.143.D.10.c. or 22.44.144.D.10.b.

-- Small-scale solar energy system, ground-mounted, in the Open Space and Watershed zones, in accordance with Part 15 of Chapter 22.52.

-- Small-scale wind energy system in accordance with Part 15 of Chapter 22.52.

é

-- Tasting rooms, remote, subject to the applicable provisions of Part 23 of Chapter 22.52.

-- Temporary meteorological towers in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, structure-mounted, in all zones except the Single-Family Residence zone, in accordance with Part 15 of Chapter 22.52.

~~-- Wind energy conversion systems, non-commercial (WECS-N).~~

é

B. The purpose of this section is to authorize the ~~directorûs ex parte~~ consideration of minor conditional use permit applications that by their nature are limited in scope and impacts.

~~C. The director shall cause notice of the application to be mailed by first-class mail, postage pre-paid, to all those addresses on the list required by subsection A.10.c of Section 22.56.030 that are within a distance of 300 feet from the exterior boundaries of the parcel of land to be occupied by the requested use, and to such other persons whose property or interests might, in the director's judgment, be affected by the request. The notice shall describe the project and also indicate that any individual may request a public hearing on the application by filing a written request with the director within 14 calendar days following the date on the notice.~~

~~D~~C. ~~Unless at least two requests for a public hearing have been filed with the director as provided in subsection C of this section, the director~~The Hearing Officer may grant such permit ~~without a public hearing~~ if ~~the director~~ he or she finds that the use requested, subject to such conditions deemed necessary, will comply with the findings required by Section 22.56.090 and with any applicable requirements of Chapter 22.52, and if he or she further finds that the impacts of the use requested on safety, facilities and services, and natural resources are minor in nature.

~~E~~D. ~~The director shall notify the applicant and any persons who filed a timely request for a hearing of his decision. Any appeal from the directorûs decision shall be filed with the hearing officer within 14 days following the date on the notice of directorûs decision.~~ The decision of the Hearing Officer may be appealed to the commission. All appeals shall be filed within the time period set forth in, and shall be subject to all of the

other provisions of Part 5 of Chapter 22.60 except that the decision of the commission shall be final and effective on the date of the decision and shall not be subject to further administrative appeal, unless the permit was considered by the commission concurrently with a decision on a general plan or specific plan amendment, zone change, development agreement or other legislative action.

SECTION 70. Section 22.60.176 is hereby amended to read as follows:

22.60.176 Conduct of Hearings-Hearing Officer duty.

When a verified application is filed for a permit or variance and a hearing is required by Title 21 or this Title 22, the hearing officer shall hold such hearing unless the hearing examiner and/or commission conduct hearings pursuant to Section 22.60.171. The hearing officer shall hold a hearing for a minor conditional use permit application unless the minor conditional use permit is filed concurrently with an application for a general plan or specific plan amendment, zone change, development agreement or other legislative action.

ATTACHMENT 2: PERMITTING SUMMARY TABLE

PERMITS REQUIRED BY ZONE							Legend
	Light Agricultural	Heavy Agricultural	Open Space & Watershed	Residential	Commercial	Industrial	*P = Permitted*
Solar							*PP = Plot Plan*
On-Site							*MCUP = Minor Conditional Use Permit*
Structure-Mounted	P	P	P	P	P	P	*CUP = Conditional Use Permit*
Ground-Mounted	PP	PP	MCUP	PP	PP	PP	
Off-Site							
Structure-Mounted	PP	PP	N/A	PP (CUP in R-1)	PP	PP	
Ground-Mounted	N/A	CUP	N/A	N/A	CUP	CUP	
Wind							
Temp. MET Tower	MCUP	MCUP	N/A	MCUP	MCUP	MCUP	
On-Site	MCUP	MCUP	N/A	MCUP	MCUP	MCUP	
Off-Site							
Structure-Mounted	MCUP	MCUP	N/A	MCUP (CUP in R-1)	MCUP	MCUP	
Ground-Mounted	N/A	CUP	N/A	N/A	CUP	CUP	

ATTACHMENT 3: GENERAL PLAN/COMMUNITY PLAN POLICIES

1980 GENERAL PLAN

General Goals and Policies Chapter	
Policy 10	Protect areas that have significant natural resources and scenic values, including significant ecological areas, the coastal zone and prime agricultural lands.
Policy 12	Conserve energy to ensure adequate supplies for future use.
Policy 13	Conserve the available supply of water and protect water quality.
Policy 23	Ensure that development in non-urban areas is compatible with rural life styles, does not necessitate the expansion of urban service systems, and does not cause significant negative environmental impacts or subject people and property to serious hazards.
Conservation and Open Space Element	
Policy 2	Support the conservation of energy and encourage the development and utilization of new energy sources including geothermal, thermal waste, solar, wind and ocean-related sources.
Policy 3	Promote the use of solar energy to the maximum extent possible.
Policy 7	Preserve significant ecological areas and habitat management areas by appropriate measures, including preservation, mitigation and enhancement.
Policy 16	Protect the visual quality of scenic areas including ridgelines and scenic views from public roads, trails and key vantage points.
Land Use Element	
Policy 7	Assure that new development is compatible with the natural and manmade environments by implementing appropriate location controls and high quality design standards.
Policy 8	Protect the character of residential neighborhoods by preventing the intrusion of incompatible uses that would cause environmental degradation such as excessive noise, noxious fumes, glare, shadowing, and traffic.
Policy 13	Prevent inappropriate development in areas that are environmentally sensitive or subject to severe natural hazards, and in areas where essential services and facilities do not exist and are not planned.
Policy 20	Establish land use controls that afford effective protection for significant ecological and habitat resources, and lands of major scenic value.
Economic Development Element	
Policy 24	Encourage industries that utilize energy most efficiently or that manufacture products that contribute to the efficient use of energy, including renewable energy sources, to locate or remain in the County.

DRAFT 2035 GENERAL PLAN

Goal LU 6: Compatible land uses that complement neighborhood character and the natural environment.	
Policy LU 6.1	Reduce and mitigate the impacts of incompatible land uses, where feasible, using buffers and other design techniques.
Policy LU 6.4	Ensure land use compatibility in areas adjacent to military installations and where military operations, testing, and training activities occur.
Policy LU 6.6	Ensure airport operation compatibility with adjacent land uses through airport land use plans.
Policy LU 6.7	Protect rural communities from the encroachment of incompatible development.
Policy LU 6.8	Encourage land uses and developments that are compatible with the natural environment and landscape.
Policy LU 6.9	Encourage development in rural areas that is compatible with rural community character, preserves open space, conserves agricultural land, and promotes efficiencies in services and infrastructure.
Goal LU 7: Land uses that are compatible with military operations and military readiness, and enhance safety for military personnel and persons on the ground.	
Policy LU 7.1	Facilitate the early exchange of project-related information that is pertinent to military operations with the military for proposed actions within MOAs and within 1,000 ft. of a military installation.
Policy LU 7.2	Evaluate the potential impact of new structures within MOAs to ensure the safety of the residents on the ground and continued viability of military operations within the MOAs. In the review of development within MOAs, consider the following: • Uses that produce electromagnetic and frequency spectrum interference, which should impact military operations; • Uses that release in to the air any substance such as steam, dust and smoke, which impair pilot visibility; • Uses that produce light emissions, glare or distracting lights, which could interfere with pilot vision or be mistaken for airfield lighting; and • Uses that physically obstruct any portion of the MOA due to relative height above ground level.
Goal AQ 1: Protection from exposure to harmful air pollutants.	
Policy AQ 1.3	Reduce particulate inorganic and biological emissions from construction, grading, excavation, and demolition to the maximum extent feasible.
Goal C/NR 1: Open space areas that meet the diverse needs of Los Angeles County.	
Policy C/NR 1.1	Implement programs and policies that enforce the responsible stewardship and preservation of dedicated open space areas.
Goal C/NR 3: Permanent, sustainable preservation of genetically and physically diverse biological resources and ecological systems including: habitat linkages, forests, coastal zone, riparian habitats, streambeds, wetlands, woodlands and SEAs.	
Policy C/NR 3.8	Discourage development in areas with identified significant biological resources, such as SEAs.

Policy C/NR 3.9	Consider the following in the design of a project that is located within an SEA, to the greatest extent feasible: • Preservation of biologically valuable habitats, species, wildlife corridors and linkages; • Protection of sensitive resources on the site within open space; • Protection of water sources from hydromodification to maintain the ecological function of riparian habitats; • Placement of the development in the least biologically sensitive areas on the site; and • Watershed sensitivity by capturing, treating, retaining, and/or infiltrating storm water flows on site.
Goal C/NR 5: Protected and usable local surface water resources.	
Policy C/NR 5.1	Support the LID philosophy, which seeks to plan and design public and private development with hydrologic sensitivity, including limits to straightening and channelizing natural flow paths, removal of vegetative cover, compaction of soils, and distribution of naturalistic BMPs at regional, neighborhood, and parcel-level scales.
Goal C/NR 6: Protected and usable local groundwater resources.	
Goal C/NR 12: Sustainable management of renewable and non-renewable energy resources.	
Policy C/NR 12.1	Expand the production and use of renewable energy resources.
Goal C/NR 13: Protected visual and scenic resources.	
Policy C/NR 13.1	Protect scenic resources through land use regulations that mitigate development impacts.
Policy C/NR 13.2	Protect ridgelines from incompatible development that diminishes their scenic value.
Policy C/NR 13.3	Reduce light trespass, light pollution and other threats to scenic resources.
Policy C/NR 13.4	Encourage developments to be designed to create a consistent visual relationship with the natural terrain and vegetation.
Policy C/NR 13.5	Encourage required grading to be compatible with the existing terrain.
Goal P/R 6: A sustainable parks and recreation system.	
Policy P/R 6.2	Support the use of alternative sources of energy, such as wind and solar sources to reduce the use of energy at existing parks.
Goal N 1: The reduction of excessive noise impacts.	
Policy N 1.3	Minimize impacts to noise-sensitive land uses by ensuring adequate site design, acoustical construction, and use of barriers, berms, or additional engineering controls through Best Available Technologies.
Goal PS/F 2: Increased water conservation efforts.	
Policy PS/F 2.1	Implement water conservation measures, such as drought tolerant landscaping and restrictions on water used for landscaping.
Goal PS/F 6: A County with adequate public utilities.	
Policy PS/F 6.5	Encourage the use of renewable energy sources in utility and telecommunications networks.
Policy PS/F 6.6	Encourage the construction of utilities underground, where feasible.
Policy PS/F 6.7	Encourage projects that incorporate onsite renewable energy systems.
Goal ED 1: An economic base and fiscal structures that attract and retain valuable industries and businesses.	
Policy ED 1.2	Encourage and foster the development of the renewable energy economic sectors.

1986 ANTELOPE VALLEY AREAWIDE GENERAL PLAN

Policy 18	Direct future growth away from areas exhibiting high environmental sensitivity to land use development unless appropriate mitigating measures can be implemented.
Policy 19	Minimize disruption and degradation of the environment as land use development occurs, integrating land uses so that they are compatible with natural environmental systems.
Policy 22	Minimize environmental degradation by enforcing controls on sources of pollutants (including visual pollution) and noise.
Policy 39	Ensure conservation of natural resources through the establishment of public programs to encourage continued agricultural production and to control energy consumption, mineral extraction, groundwater recharge, construction, and other public and private activities which affect the future availability and quality of such resources.
Policy 62	Mitigate where possible undesirable impacts of adjacent land uses (i.e., noise interruption, visual intrusion, and airborne emissions) through utilization of appropriate buffers, building codes and standards.
Policy 65	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.
Policy 101	Develop and use groundwater sources to their safe yield limits.
Policy 102	Use imported water, when available, to relieve overdrafted groundwater basins and maintain their safe yield for domestic uses outside of urban areas.
Policy 123	Preserve the Antelope Valleyôs S.E.A.s in as viable and natural a condition as possible, recognizing the resource values at stake and the constraints imposed by competing priorities and objectives.
Policy 140	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.
Policy 146	Protect and conserve valuable water resources by discouraging the use of high water consumptive, non-native plants for landscaping purposes.
Policy 176	Encourage the reduction of the present and future impact of excessive noise from all major sources by the judicious use of technology, planning, and regulatory measures.
Policy 217	Promote use of alternative energy sources (including solar and wind) for heating and cooling purposes.

Goal COS 10: Diverse energy systems that utilize existing renewable or waste resources to meet future energy demands.	
Policy COS 10.2	Ensure that all individual renewable energy systems and all utility-scale renewable energy production facilities do not interfere with commercial and military flight operations or communication facilities. Consult with Edwards Air Force Base and U.S. Air Force Plant 42 on all proposed renewable energy projects that require discretionary approval.
Goal COS 11: Energy systems for use in public facilities that reduce consumption of non-renewable resources while maintaining public safety.	
Policy COS 11.1	Promote energy retrofits of existing public facilities throughout the County to complement and reduce dependence upon utility-scale renewable energy production facilities.
Policy COS 11.3	Promote the use of renewable energy systems in public facilities, such as hospitals, libraries, and schools, to ensure access to power in the case of major disasters.
Goal COS 12: Individual energy systems for onsite use that reduce consumption of non-renewable resources and dependence on utility-scale energy production facilities.	
Policy COS 12.1	Promote the use of individual renewable energy systems throughout the County to complement and reduce dependence upon utility-scale renewable energy facilities.
Policy COS 12.2	Require appropriate development standards for individual renewable energy systems to minimize potential impacts to surrounding properties. Simplify the permitting process for individual renewable energy systems that meet these development standards.
Goal COS 13: Utility-scale energy production facilities for offsite use that reduce consumption of non-renewable resources while minimizing potential impacts on natural resources and existing communities.	
Policy COS 13.1	Direct utility-scale renewable energy production facilities, such as solar facilities, to locations where environmental, noise, and visual impacts will be minimized.
Policy COS 13.2	Restrict development of utility-scale wind energy production facilities within the vicinity of Edwards Air Force Base to limit interference with military operations.
Policy COS 13.3	Require all utility-scale renewable energy production facilities to develop and implement a decommissioning plan, with full and appropriate financial guarantee instruments that will restore the full site to its natural state upon complete discontinuance of operations and will restore non-operational portions of the site while the remainder continues operating.
Policy COS 13.4	Promote the use of recycled water in utility-scale renewable energy production facilities to limit impacts on the available fresh water supply.
Policy COS 13.6	Ensure that all utility-scale renewable energy production facilities, such as solar facilities, do not create land use conflicts with adjacent agricultural lands or existing residential areas in the vicinity. Require buffering and appropriate development standards to minimize potential conflicts.
Policy COS 13.7	Limit the aesthetic impacts of utility-scale renewable energy production facilities to preserve rural character.

Goal COS 14: Energy infrastructure that is sensitive to the scenic qualities of the Antelope Valley and minimizes potential environmental impacts.	
Policy COS 14.1	Require that new transmission lines be place underground whenever physically feasible.
Goal ED 1: A healthy and balanced economic base in the Antelope Valley that attracts a wide range of industries and businesses and provides high-paying jobs for local residents.	
Policy ED 1.10	Promote small-scale, household based renewable energy systems to enable Antelope Valley residents to become energy independent.
Policy ED 1.11	Encourage the development of utility-scale renewable energy projects at appropriate locations and with appropriate standards to ensure that any negative impacts to local residents are sufficiently mitigated.
Policy ED 1.13	Ensure early discussions with Edwards Air Force Base and U.S. Air Force Plant 42 regarding new industries, such as utility-scale renewable energy production facilities, to limit potential impacts on mission capabilities.

ATTACHMENT 4: DRAFT ENVIRONMENTAL IMPACT REPORT (CD)

ATTACHMENT 5: COMMENTS ON THE DRAFT RENEWABLE ENERGY ORDINANCE

From: aadnews@joycemediainc.com
To: Jay Lee
Subject: Re: Response to renewable energy ordinance.
Date: Monday, February 23, 2015 9:56:49 AM

Hi Jay,

Yes I appreciate your response but many people here are not moving ahead with renewables because they fear LA County inspectors coming on their properties telling them that previous inspectors were not thorough enough when they inspected 20 or 30 years ago! Doesn't that sound a little bit ridiculous?

John

On Feb 23, 2015, at 8:18 AM, Jay Lee <jlee2@planning.lacounty.gov> wrote:

> Hello John,
>
> The Draft Renewable Energy Ordinance only amends Title 22 (Planning and Zoning) of the County Code and does not regulate the enforcement processes of Department of Public Works Building and Safety inspectors. If you are referring to Department of Regional Planning inspectors, our general enforcement procedures are outlined in Part 6 of Chapter 22.60 of the County Code. The regulation and inspection of other structures on the property not related to solar and wind projects is not within the scope of the Ordinance.
>
> Please feel free to express your concerns to our Code Enforcement Section, as they are better suited to address them.
>
> Thank you.
>
> ---
>
> **From:** aadnews@joycemediainc.com [mailto:aadnews@joycemediainc.com]
> **Sent:** Friday, February 20, 2015 1:49 PM
> **To:** Jay Lee
> **Subject:** Response to renewable energy ordinance.
>
> Jay,
> Double jeopardy has to go.
> A building & safety inspector coming onto a home site to inspect new solar or wind should not be allowed to cite infractions to other structures that previous inspectors have either approved or ignored in the past.
>
> John
> jj@aadnews.com
>
> www.aadnews.com

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John Joyce, Publisher

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Attn: Jay Lee

Subject: Energy Ord. Response

From: Virginia Stout

Pages including cover: 4

Antelope Acres Town Council
P. O. Box 6708
Lancaster, California 93539

March 3, 2015

Los Angeles County Department of
Regional Planning
Attention: Jay Lee
320 W. Temple Street, 13th Floor
Los Angeles, CA 90012

Comments for Renewable Energy Ordinance

The Antelope Acres Town Council has many concerns about the Draft Renewable Energy Ordinance providing baseline standards for solar and wind energy projects.

1. Glare: At certain times of the day, glare from utility solar is an unavoidable danger and an incredible distraction to drivers. A more accurate way to mitigate glare must be formulated.

2. The utility solar and wind projects are sold and resold so many times that it is conceivable that the end person can claim bankruptcy or dispute the original agreement or ordinance. How can the taxpayer be protected from a project's financial problems?

If the permittee can receives a six month extension, how many six month extension can a permittee apply for? What are the criteria to be used?

3. Since all project perimeter fencing is contiguous or nearly contiguous, how are the larger desert dwellers, such as coyotes, kit foxes, and badgers going to access a more extended foraging area?

Although mitigation land is required, why are there no wildlife corridors incorporated into the design of the renewable energy projects? Foraging habitat is immediately removed for animals to get to and from their traditional hunting grounds.

4. The cumulative effect of utility scale industrial facilities has not been adequately addressed by the Renewable Energy Ordinance. Why has this been disregarded? We ask that this be included in the report.

.5. Why differentiate the coastal zone with the desert zone? Why do these zones have different standards for preservation of scenic views? Why is scenic defined differently in a coastal zone than the desert?

6. Why was renewable energy excluded from Economic Opportunity Areas?

7. Landscape area: A landscape contractor, registered with the County and posted as the responsible entity, shall maintain, in perpetuity, all project perimeter fencing landscaping. Proof of this service shall be posted at the facility and a check list shall be kept for immediate reference.

Why have temporary irrigation installed when it may take up to ten years for some roots to establish themselves and the plants to grow large enough to survive? If there is extreme heat or drought, which is predicted, the plants will need supplemental water, not just intermittent water truck dousing.

An permanent irrigation system shall be installed and functioning at the establishment of site approval and throughout the duration of the project.

8. Setbacks: The setbacks for bats and eagles need to be extended. Why is a golden eagle nest site stipulated in the ordinance and not eagles in general or eagles sitings by residents, as that could mean they are searching for nesting and foraging sites as populations spread?

Why, for renewable wind energy facilities, is there not a County appointed biologist available for counting bird kill, instead of a project self-monitoring itself? It is well known that you cannot completely mitigate bird kill.

9. Noise: A single event noise level of 60 dBA SEL is more audible in a very quiet rural environment. A consistent, unlimited sound and vibration travels further distances in unpopulated areas than in built up residential areas. Why, since the ordinance affects a sizeable rural area with many inhabitants, is the ability of sound to travel not addressed in the Renewable Energy Ordinance?

10. If sensitive receptors within a 5-mile radius will be affected by utility scale renewable energy facilities, permits should not be granted without an agreement with those receptors.

11. Modifications: All applicants shall follow the same rules. No exceptions shall be given for topographic or physical features. Please remove the exceptions provided for Section 22.52.1640. Wind towers higher than 500 feet should not be allowed and should never be granted a variance. (Chapter22.56).

Is there a height limit which would require the County to deny?

12. Uses Subject to Permits - Findings: The Hearing Officer should be able to deny a CUP for the problems mentioned in Chapter 22.52.1650, A through C. '

13. Water Use: The project shall use piped recycled water or trucked recycled water. The use of potable water from the public right-of-way or on-site groundwater shall not be used under any condition.

14. Uses Subject to Permits. All Conditional Use Permits and Minor Use Permits shall require a public hearing. All language that says a Hearing Officer shall approve CUPs if he or she agrees with the changes proposed should be changed from shall to "may". The government needs to be more transparent.

Thank you for taking public comments seriously. We look forward to your responses to our concerns.

Sincerely,

Virginia Stout

Antelope Acres Town Council

ATTACHMENT 6: COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT

From:	Mark Distaso
To:	Jay Lee
Subject:	Wind Turbines: DEIR SCH#2014051016
Date:	Monday, March 02, 2015 9:25:14 AM

Mr. Lee,

I have become aware of the proposed effort to place wind turbines in the mountains north of Crown and Shannon Valleys and Pelona Canyon for renewable energy purposes. I have lived near the top of Red Rover Canyon Rd in Acton for 18 years. I chose the location in part because of the view of the very mountains that the proposed windfarm is to be located. From my own professional and personal experience, I know that while wind turbines can provide cleaner energy production - it takes a large number of turbines to generate enough electricity for the power grid to make any difference in energy production. As such, the placement of large numbers of turbines can degrade the aesthetic and visual quality of the areas where they are placed. This will have a direct negative impact on the entire valley and canyon areas mentioned above. Furthermore, the entire area where the proposed turbines are proposed to be located have a signifigant red tail hawk population. Although some studies will suggest that wind turbines can help bird populations, I believe they are substantially without merit. The more convincing studies reflect that bird popluations of all kinds are negatively impacted by such turbines - and hopefully such studies will be strongly considered.

In summary, I am opposed to the proposed wind turbine farm and believe there are other more suitable locations for them.

Mark Distaso
Acton Resident
4403 Pelona Cyn Rd
Acton, Ca
m.distaso@att.net