

March 23, 2018

NOTICE REGARDING SAN BERNARDINO COUNTY RENEWABLE ENERGY AND CONSERVATION ELEMENT POLICY 4.10 AND DRAFT ALTERNATIVE POLICY LANGUAGE TO BE PRESENTED TO THE COUNTY PLANNING COMMISSION

TENTATIVE PLANNING COMMISSION HEARING DATE: April 19, 2018

On August 8, 2018, the Board of Supervisors adopted the Renewable Energy and Conservation Element of the County General Plan.

In the public hearing, most of the testimony centered on Policy 4.10, a policy proposed to limit adverse impacts on the quality of life and economic development opportunities in unincorporated communities. Policy 4.10 proposed a prohibition of utility-oriented renewable energy project development in existing community plan areas and in Rural Living land use districts. Policy 4.10 was very controversial, and since it had been added to the RECE after the Planning Commission considered the document, the Board of Supervisors adopted the RECE excluding Policy 4.10 and directed staff to review Policy 4.10 with the Planning Commission.

After the Board of Supervisors hearing, staff reviewed all of the comments made by the public, and by large-scale renewable energy proponents. Public comments were not supportive of Policy 4.10 as proposed. Overwhelmingly, the public comments recommended a more restrictive approach that would limit utility-oriented renewable energy development to the five development focus areas previously supported by Board Resolution 2016-20, generally located near Kramer Junction, Trona, Hinkley, El Mirage and Amboy. On the other hand, renewable energy developers found Policy 4.10 to be arbitrary and not consistent with the standards-based approach to other RECE policies. Considering all of the concerns cited in the public hearing, staff has a revised proposal for Policy 4.10 that would require utility-oriented renewable energy development applications to address community compatibility in detail, on a site-specific basis.

The intent of this notice is to share both versions of Policy 4.10 with the public well in advance of the Planning Commission hearing, which is tentatively planned for April 19, 2018. A full staff report containing the following versions of Policy 4.10 with additional analysis and background information will be posted on the County

web site approximately one week before the Planning Commission hearing at: <http://cms.sbcounty.gov/lus/Planning/PlanningCommission.aspx>. The Planning Commission may recommend either version of this policy as written or with amendments. Ultimately, all options will be presented for final action by the Board of Supervisors.

Please review the draft policy language in the context of the other environmental design and development policies 4.1 – 4.9, and the siting criteria in policies 5.1 – 5.8 in the adopted RECE:

<http://www.sbcounty.gov/uploads/LUS/Renewable/REC%20Element%20FINAL%20ADOPTED%20Version%208-8-17%20WEB.pdf>

POLICY 4.10 as proposed on August 8, 2018:

RE Policy 4.10: Prohibit utility-oriented RE project development on sites that would create adverse impacts on the quality of life or economic development opportunities in existing unincorporated communities.

- RE 4.10.1: Prohibit development of utility-oriented RE projects in the Rural Living land use districts throughout the County.
- RE 4.10.2: Prohibit development of utility-oriented RE projects within the boundaries of existing community plans, which at the time of adoption of this Element are the Bloomington, Muscoy, Bear Valley, Crest Forest, Hilltop, Lake Arrowhead, Lytle Creek, Oak Glen, Homestead Valley, Joshua Tree, Lucerne Valley, Morongo Valley, Oak Hills and Phelan/Pinon Hills Community Plans.
- RE 4.10.3: Establish exclusion areas in the Development Code regulations for renewable energy development, beginning with the prohibitions in Policies 4.10.1 and 4.10.2 and provide for additional exclusion areas, such as new community plan areas, to be designated by amendment to the Development Code.

REVISED STAFF RECOMMENDATION FOR POLICY 4.10:

RE Policy 4.10: Require utility-oriented RE project applications to include a community compatibility report to outline project benefits and measures intended to protect the quality of life and economic opportunities in existing unincorporated communities.

- RE 4.10.1: The community compatibility report shall identify elements of the project site design that have been incorporated to enhance compatibility with surrounding properties and existing communities. The report may be preliminary upon submittal, and may be updated as application review and environmental analysis proceeds. The following subjects shall be addressed, if applicable:
 - If the project site is located within the boundaries of an adopted community plan, include an analysis of consistency with community values and aspirations outlined in the community plan.
 - Explain how natural features of the site, such as elevation, topography or vegetation, combined with project design, will minimize potential visual impacts of the project.
 - Explain how planned improvements to the project site will minimize impacts or benefit other properties. This may include avoidance of natural drainage courses, making improvements that will reduce drainage impacts on downstream properties, allowing for wildlife movement through or around the site, or minimizing and managing impacts of blowing sand.
 - Identify any benefits to public utilities or public services that may result from construction of the project. This may include energy transmission or distribution system improvements that would enhance energy reliability, water system improvements, or land use conversion that would decrease demand for public services.
 - Detail anticipated on-site or off-site project improvements that will benefit the community at large or other properties, such as road and drainage improvements.
 - Identify any commitment to employ the local labor force or cooperate with local job training or apprenticeship programs.
 - Identify any planned efforts to engage County residents and visitors through marketing or public education that will enhance interest in renewable energy and appreciation of the project.