

FINDINGS:

A DEVELOPMENT CODE AMENDMENT TO SUBSECTION 84.26.030(a) TO INCREASE THE ALLOWABLE KILOWATTAGE (KW) FOR WIND TURBINES FROM 10 KW MAXIMUM TO 25 KW MINIMUM ON A RESIDENTIAL PROPERTY; 1st-5th SUPERVISORIAL DISTRICTS; PROJ-2024-00063.

1. THE PROPOSED AMENDMENT IS CONSISTENT WITH THE GENERAL PLAN AND ANY APPLICABLE COMMUNITY PLAN OR SPECIFIC PLAN.

The proposed amendment is consistent with the Policy Plan, including the Renewable Energy and Conservation (REC) Element. Table 1 of the REC Element summarizes the renewable energy production described in the Element's goals, policies, and implementation strategies and identifies the typical power generated by site-oriented accessory ground-mounted wind energy systems to be up to approximately 70 kW of power. Both the Development Code's current 10-kW maximum and the Project's proposed 25-kW maximum for residential accessory wind energy systems are below the 70-kW limit set by the REC Element. Updating the Development Code would specifically implement the following goals and policies:

RE Goal 2: The County will be home to diverse and innovative renewable energy systems that provide reliable and affordable energy to our unique Valley, Mountain, and Desert regions.

Amending the Development Code to allow site-oriented wind energy systems to produce up to 25 kW will allow for updated wind turbine technology to be utilized throughout the Valley, Mountain, and Desert Regions.

RE Policy 2.3: Encourage the use of feasible emerging and experimental renewable energy technologies that are compatible with County regulatory standards.

With improvements in wind energy systems technology, site-oriented turbines can produce more energy than previous technologies. The Development Code Amendment would allow County residents to purchase and install more current technologies.

RE 2.3.1: Monitor emerging renewable energy technologies and amend County development standards as needed to accommodate suitable new technology types.

The proposed amendment is intended to amend the maximum kilowattage generated by residential accessory wind turbines, which would allow newer wind energy technologies to be utilized on residential parcels within the County.

2. THE PROPOSED AMENDMENT WOULD NOT BE DETRIMENTAL TO THE PUBLIC INTEREST, HEALTH, SAFETY, CONVENIENCE, OR WELFARE OF THE COUNTY.

The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the County in that the proposed amendment brings the

Development Code into closer alignment with the REC Element. The REC Element was evaluated as part of an Addendum to a Program Environmental Impact Report, as further disrobed in the CEQA finding below, and concludes that amendments to the Development Code, like the Project, that will implement the REC Element will not create a new or different impacts previously considered by the Program EIR. Adoption of the Project will not directly cause any new construction, nor would it directly impose other changes that would create significant environmental impacts. All new development proposals will be evaluated at the time of application and processing through County's routine planning and building permitting process and will also comply with existing policies and requirements in the County's Policy Plan, programmatic mitigation, and Development Code standards.

3. THE PROPOSED AMENDMENT IS INTERNALLY CONSISTENT WITH OTHER APPLICABLE PROVISIONS OF THE DEVELOPMENT CODE.

The proposed amendment is internally consistent with other applicable provisions of the Development Code. Only the maximum energy generation is proposed to increase. No changes are proposed to required setbacks, maximum height, or other development standards for accessory wind turbines in residential zoning districts.

ENVIRONMENTAL FINDINGS:

The environmental findings, in accordance with Chapter 85.03.040 of the San Bernardino County Development Code, are as follows:

Pursuant to provisions of the California Environmental Quality Act (CEQA) and the San Bernardino County Environmental Review guidelines, the above referenced Project has been determined an activity that is within the scope of the Program Environmental Impact Report prepared for the San Bernardino County General Plan Update, including the Supplemental Environmental Impact Report for the Greenhouse Gas Reduction Plan and Addendum prepared for the REC Element (SCH No. 2005101038) (collectively the Program EIR). The Program EIR previously evaluated the environmental impacts of the REC Element, including associated changes to the Development Code that would be required to implement the REC Element. Specifically, the Program EIR indicates that “[c]hanges to the Development Code are required in order to implement the policies in the REC Element. Development Code amendments work in tandem to codify the rules and strategies associated with and guided by the vision, goals, policies and objectives identified in the REC Element.” Table 1 of the REC Element provides that the typical power generation authorized for ground-mounted accessory systems is up to approximately 70 kW (standard layout). Policy RE 2.3.1 further provides for the County to monitor emerging renewable energy technologies and amend County development standards as needed to accommodate suitable new technology types. Accordingly, a development code amendment to increase the maximum allowable kW for accessory energy systems consistent with the REC Element is within the scope of the Program EIR and no new environmental document is required.

None of the circumstances necessitating preparation of additional CEQA review as specified

in Section 15162 of the CEQA Guidelines are present. Adoption of the Project will not directly cause any new construction, nor would it directly impose other changes that would create significant environmental impacts. All new development proposals will also be evaluated under CEQA at the time of application and processing through County's routine planning and building permitting process and will also comply with existing policies and requirements in the County's Policy Plan, programmatic mitigation, and Development Code standards.

Furthermore, as a separate and independent basis, the Project is determined to be exempt from CEQA pursuant to Section 15183 of the CEQA Guidelines, in that the proposed increase in allowable kilowattage for residential wind energy systems is consistent with the allowable maximums outlined in the REC Element. The Project is a Development Code Amendment to increase the allowed maximum energy generation for residential accessory wind energy systems from 10 kW to 25 kW.

END OF FINDINGS