

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS  
OF SAN BERNARDINO COUNTY  
AND RECORD OF ACTION**

**May 20, 2025**

**FROM**

**MARK WARDLAW, Director, Land Use Services Department**

**SUBJECT**

Ordinance Amending Development Code Relating to Residential Accessory Wind Energy Systems

**RECOMMENDATION(S)**

1. Conduct a public hearing to consider a proposed ordinance related to an increase in the maximum allowable kilowattage for residential accessory wind energy systems from 10 kilowattages to 25 kilowattages.
2. Find that the proposed ordinance is a project covered by the Program Environmental Impact Report prepared for the San Bernardino County General Plan Update in accordance with California Environmental Quality Act Guidelines Section 15168(c)(2).
3. Adopt the findings recommended by the Planning Commission for approval of the proposed ordinance.
4. Make alterations, if necessary, to the proposed ordinance.
5. Approve introduction of the proposed ordinance.
  - An ordinance of San Bernardino County, State of California, to amend Subsection 84.26.030(a) of Division 4 of Title 8 of the San Bernardino County Code, relating to maximum allowable kilowattage for residential wind energy systems.
6. SCHEDULE ORDINANCE FOR FINAL ADOPTION ON TUESDAY, JUNE 10, 2025, on the Consent Calendar.
7. Direct the Land Use Services Department to file the Notice of Determination in accordance with the California Environmental Quality Act.

(Presenter: Mark Wardlaw, Director, 387-4431)

**COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES**

**Ensure Development of a Well-Planned, Balanced, and Sustainable County.**

**FINANCIAL IMPACT**

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost). Sufficient appropriation and revenue to complete this action have been included in the Land Use Services Department (LUS), Planning Division 2024-25 budget. All costs of processing the application to amend Subsection 84.26.030(a) of the San Bernardino County Development Code (Development Code) are paid by the applicant, Joseph Guastadisegni.

**BACKGROUND INFORMATION**

The item consists of a proposed ordinance amending Subsection 84.26.030(a) of the Development Code to increase the maximum allowable kilowattage (kW) from 10 kW to 25 kW for residential accessory wind energy systems (Project) as shown in Table 84-14a. The

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Renewable Energy and Conservation (REC) Element of the Policy Plan (General Plan) allows site-oriented wind energy systems to generate up to 70 kilowatts.

<b>Table 84-14a</b>		
<b>Maximum Number of Accessory Wind Energy Systems</b>		
	<b>Type of System</b>	<b>Requirements</b>
Maximum number of kW	Residential	25 kW
	Non-residential	50 kW or verified actual energy use.
Maximum number of turbines in the system	Building-mounted turbines	Based on the maximum number of kW.
	Tower-mounted turbines	Based on the maximum number of kW. Only 1 turbine shall be attached to each tower.
	Combined building- mounted and tower turbines	Based on the maximum number of kW. Only 1 turbine shall be attached to a tower.

A further detailed and comprehensive analysis of the Project from a planning perspective is included within the Planning Commission Staff Report and attached as a supporting document to this item.

For purposes of environmental review, the Project has been determined as an activity within the scope and covered by 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). The Renewable Energy and Conservation Element 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 environmental review as specified in Section 15162 of the California Environmental Quality Act (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 be evaluated under CEQA at the time of application and processing

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

Public comments on the Project included concerns related to visual impacts, noise, and potential for bird strikes. No changes are proposed to existing development standards for visual impacts or noise, and the heights of the 25 kW turbines are not a greater risk to birds than the 10 kW models. Large, commercial-scale wind farms pose greater risk to migratory birds, whereas the residential, site-oriented systems do not reach altitudes that would impact migratory birds.

On March 6, 2025, the Planning Commission conducted a review of the proposed ordinance and unanimously recommended approval of the ordinance to the Board of Supervisors. The Planning Commission's recommendation and proposed findings are included within the Planning Commission Staff Report and attached as a supporting document to this item.

**PROCUREMENT**

Not applicable.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Jason Searles, Supervising Deputy County Counsel, 387-5455) on April 22, 2025; Finance (Iliana Rodriguez, Administrative Analyst, 387-4205) on April 22, 2025; and County Finance and Administration (Robert Saldana, Deputy Executive Officer, 387-5423) on April 29, 2025.

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Record of Action of the Board of Supervisors  
San Bernardino County

Hearing Opened  
Public Comment: None  
Hearing Closed

**APPROVED**

Moved: Curt Hagman   Seconded: Joe Baca, Jr.  
Ayes: Col. Paul Cook (Ret.), Dawn Rowe, Curt Hagman, Joe Baca, Jr.  
Absent: Jesse Armendarez

Lynna Monell, CLERK OF THE BOARD

BY  \_\_\_\_\_  
DATED: May 20, 2025



cc:     File - Final BAI  
JLL     05/21/2025