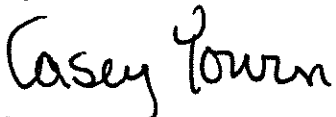



## ANALYSIS

This ordinance amends Title 22 of the Los Angeles County Code to establish or amend requirements for small-scale solar energy systems, utility-scale solar energy facilities, temporary meteorological towers, small-scale wind energy systems, wineries and tasting rooms, and minor conditional use permits. This ordinance also prohibits utility-scale wind energy facilities.

MARY C. WICKHAM  
County Counsel

By

  
CASEY YOURN  
Deputy County Counsel  
Property Division



CY:ll

Requested: 8/18/2015

Revised: 11/22/2016

**ORDINANCE NO. 2016-0069**

This ordinance amends Title 22 of the Los Angeles County Code to establish or amend requirements for small-scale solar energy systems, utility-scale solar energy facilities, temporary meteorological towers, small-scale wind energy systems, wineries and tasting rooms, and minor conditional use permits. This ordinance also prohibits utility-scale wind energy facilities.

The Board of Supervisors of the County of Los Angeles ordains as follows:

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

**22.08.040 D.**

...

— "Decommissioning" means the discontinuance of a specific use; the removal, including but not limited to safe storage, disposal, or recycling, of all structures, equipment, footings, fencing, and any other on-site or off-site components associated therewith; and site restoration.

...

**SECTION 2.** Section 22.08.130 is hereby amended to read as follows:

**22.08.130 M.**

...

— ~~"Meteorological tower, temporary (Temp Met Tower)."~~ "Temporary meteorological tower" means a ~~facility~~ temporary wind-measuring system consisting of a tower and related wind-measuring devices, which is used ~~solely~~ to measure winds

preliminary prior to the construction of a non-commercial small-scale wind energy conversion system.

...

**SECTION 3.** Section 22.08.190 is hereby amended to read as follows:

**22.08.190 S.**

...

— "Small-scale solar energy system" means a device or devices, and any accessory equipment or structures, which converts solar energy into electrical or thermal energy primarily for on-site use. Such system may be affixed either to the ground ("ground-mounted small-scale solar energy system") or to a structure ("structure-mounted small-scale solar energy system"). Any system utilizing only a support structure built primarily to support solar energy equipment shall be considered affixed to the ground. Any energy generated by a small-scale solar energy system that exceeds the on-site energy demand may be used off-site. A small-scale solar energy system shall not use concentrated solar thermal collectors that use lenses or mirrors to focus or reflect a large area of sunlight onto a small area.

— "Small-scale wind energy system" means a device consisting of a tower, a wind turbine, and any accessory equipment or structures, which converts wind energy into electrical energy primarily for on-site use. Such system may be affixed either to the ground ("ground-mounted small-scale wind energy system") or to a structure ("structure-mounted small-scale wind energy system"). Such system has a rated

capacity of 50 kilowatts or fewer. Any excess energy not used on-site may be used off-site.

— "Solar array" means the mechanically integrated assembly of modules or panels with a support structure and foundation, tracker, and other components, as required to convert solar energy into electrical or thermal energy.

...

**SECTION 4.** Section 22.08.210 is hereby amended to read as follows:

**22.08.210 U.**

...

— Utility-scale solar energy facility, ground-mounted. "Ground-mounted utility-scale solar energy facility" means a device or devices affixed to the ground, and any accessory equipment or structures, which converts solar energy into electrical or thermal energy primarily for off-site use. Such facility shall not use concentrated solar thermal collectors that use lenses or mirrors to focus or reflect a large area of sunlight onto a small area.

— Utility-scale solar energy facility, structure-mounted. "Structure-mounted utility-scale solar energy facility" means a device or devices affixed to a structure, and any accessory equipment or support structures, which converts solar energy into electrical or thermal energy primarily for off-site use. Any system utilizing only a support structure built primarily to support solar energy equipment shall be considered affixed to the ground. Such facility shall not use concentrated solar thermal collectors that use lenses or mirrors to focus or reflect a large area of sunlight onto a small area.

— Utility-scale wind energy facility. "Utility-scale wind energy facility" means a device or devices consisting of a tower or towers, a wind turbine or wind turbines, and any accessory equipment or structures, which converts wind energy into electrical energy primarily for off-site use or exceeds a rated capacity of 50 kilowatts. Such facility may be affixed to either the ground or to a structure. Such facility shall not be classified as an "electric generating plant" for the purposes of this Title 22.

**SECTION 5.** Section 22.08.230 is hereby amended to read as follows:

**22.08.230 W.**

...

~~—"Wind energy conversion system, non-commercial (WECS-N)" 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 receives 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.~~

...

**SECTION 6.** Section 22.20.070 is hereby amended to read as follows:

**22.20.070 Permitted Uses.**

Property in Zone R-1 may be used for:

...

— Utility-scale solar energy facilities, structure-mounted, that are limited to small residential rooftop solar energy systems, as defined and regulated by Government Code Section 65850.5 and the Los Angeles County Building Code in accordance with Part 15 of Chapter 22.52.

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

**22.20.080 Accessory uUses.**

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

...

— Small-scale solar energy systems, 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 each permit for:

...

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

— Solid fill projects.

— Storage, temporary, of materials and construction equipment used in construction or maintenance of streets and highways, sewers, storm drains, underground conduits, flood control works, pipelines and similar uses for a period not to exceed one year.

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

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

— Townhouses, subject to the conditions of Section 22.56.255.

— Utility-scale solar energy facilities, structure-mounted, except for small residential rooftop solar energy systems, as defined and regulated by Government Code Section 65850.5 and the Los Angeles County Building Code in accordance with Part 15 of Chapter 22.52.

— Water reservoirs, dams, treatment plants, gaging stations, pumping 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.~~

**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:

...

— Utility-scale solar energy facilities, 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 uUses.**

Property in Zone R-2 may be used for:

...

C. Small-scale solar energy systems, 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:

...

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:

...

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



- Surface mining operations, as provided in Part 9 of Chapter 22.56.
- Temporary meteorological tower, in accordance with Part 15 of

Chapter 22.52.

...

**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:

...

- Utility-scale solar energy facilities, 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 uUses.**

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

...

- C. Small-scale solar energy systems, 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:

...

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:

...

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

— Subsurface mining operations, as provided in Part 9 of Chapter 22.56.

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

...

**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:

...

— Utility-scale solar energy facilities, 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 uUses.**

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

...

C. Small-scale solar energy systems, 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:

...

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:

...

— Small-scale wind energy systems, in accordance with Part 15 of

Chapter 22.52.

— Surface mining operations, as provided in Part 9 of Chapter 22.56.

— Temporary meteorological towers, in accordance with Part 15 of

Chapter 22.52.

...

**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:

...

— Utility-scale solar energy facilities, 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 uUses.**

Property in Zone R-A may be used for:

...

C. Small-scale solar energy systems, 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:

...

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:

...

— Small-scale wind energy systems, in accordance with Part 15 of

Chapter 22.52.

— Surface mining operations, as provided in Part 9 of Chapter 22.56.

— Temporary meteorological towers, in accordance with Part 15 of

Chapter 22.52.

...

**SECTION 21.** Section 22.20.490 is hereby amended to read as follows:

**22.20.490 Permitted Uses.**

Premises in Zone R-5-( )U may be used for:

...

— Utility-scale solar energy facilities, structure-mounted, in accordance with

Part 15 of Chapter 22.52.

**SECTION 22.** Section 22.20.500 is hereby amended to read as follows:

**22.20.500 Accessory Uses.**

Premises in Zone R-5-( )U may be used for:

...

C. Small-scale solar energy systems, in accordance with Part 15 of

Chapter 22.52.

**SECTION 23.** Section 22.20.520 is hereby amended to read as follows:

**22.20.520 Uses Subject to Permits.**

A. Premises in Zone R-5-( )U may be used for 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:

...

— Small-scale wind energy systems, in accordance with Part 15 of

Chapter 22.52.

...

~~— Temporary meteorological towers, in accordance with Part 15 of Chapter 22.52.~~

— Water reservoirs, dams, treatment plants, gaging stations, pumping stations, wells, and any 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.~~

...

**SECTION 24.** 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:

...

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

...

**SECTION 25.** 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:

...

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

**SECTION 26.** 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:

...

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:

...

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

— Surface mining operations, as provided in Part 9 of Chapter 22.56.

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

— Temporary uses, as provided in Part 14 of Chapter 22.56.

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

**SECTION 27.** Section 22.24.120 is hereby amended to read as follows:

**22.24.120 Permitted Uses.**

Premises in Zone A-2 may be used for:

...

D. The following additional uses:

...

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

...

**SECTION 28.** 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:

...

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

**SECTION 29.** Section 22.24.150 is hereby amended to read as follows:

**22.24.150 Uses sSubject to pPermits.**

Property in Zone A-2 may be used for:

...

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:

...

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

— Surface mining operations, as provided in Part 9 of Chapter 22.56.

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



— Temporary uses, as provided in Part 14 of Chapter 22.56.

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

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

**SECTION 30.** Section 22.28.030 is hereby amended to read as follows:

**22.28.030 Permitted uUses.**

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

A. Services.

...

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

...

**SECTION 31.** Section 22.28.040 is hereby amended to read as follows:

**22.28.040 Accessory uUses.**

Premises in Zone C-H may be used for:

...

~~— Small-scale solar energy systems, in accordance with Part 15 of Chapter 22.52.~~

**SECTION 32.** 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:

...

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:

...

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

**SECTION 33.** Section 22.28.080 is hereby amended to read as follows:

**22.28.080 Permitted Uses.**

Premises in the 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:

...

2. Services.

...

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

...

**SECTION 34.** Section 22.28.090 is hereby amended to read as follows:

**22.28.090 Accessory uUses.**

Premises in Zone C-1 may be used for:

...

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

**SECTION 35.** 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:

...

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

...

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

**SECTION 36.** 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 only and all goods sold, except genuine antiques and items sold at secondhand stores, are new:

...

2. Services.

...

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

...

**SECTION 37.** Section 22.28.140 is hereby amended to read as follows:

**22.28.140 Accessory uUses.**

Premises in Zone C-2 may be used for:

...

C. The following additional accessory uses:

- Small-scale solar energy systems, in accordance with Part 15 of

Chapter 22.52.

**SECTION 38.** Section 22.28.160 is hereby amended to read as follows:

**22.28.160 Uses sSubject to pPermits.**

Premises in Zone C-2 may be used for:

...

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:

...

- Utility-scale solar energy facilities, ground-mounted, in accordance

with Part 15 of Chapter 22.52.

**SECTION 39.** 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:

...

2. Services.

...

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

...

**SECTION 40.** Section 22.28.190 is hereby amended to read as follows:

**22.28.190 Accessory uUses.**

Premises in Zone C-3 may be used for:

...

C. The following additional accessory uses:

...

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

**SECTION 41.** 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:

...

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:

...

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

**SECTION 42.** 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:

...

2. Services.

...

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

...

**SECTION 43.** Section 22.28.240 is hereby amended to read as follows:

**22.28.240 Accessory uUses.**

Premises in Zone C-M may be used for:

...

C. The following additional accessory uses:

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

**SECTION 44.** 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:

...

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:

...

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

**SECTION 45.** 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.

...

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

...

**SECTION 46.** Section 22.28.300 is hereby amended to read as follows:

**22.28.300 Accessory uUses.**

Premises in Zone C-R may be used for:

...

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

**SECTION 47.** Section 22.28.320 is hereby amended to read as follows:

**22.28.320 Uses sSubject to pPermits.**

Premises in Zone C-R may be used for:

...

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:

...

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

**SECTION 48.** Section 22.28.360 is hereby amended to read as follows:

**22.28.360 Permitted Uses.**

Except as provided in Subsection B of Section 22.28.390 below, premises in Zone C-RU may be used for:

A. The following commercial uses:

...



2. Services.

...

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

...

**SECTION 49.** Section 22.28.370 is hereby amended to read as follows:

**22.28.370 Accessory Uses.**

Premises in Zone C-RU may be used for the following accessory uses:

...

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

...

**SECTION 50.** Section 22.28.390 is hereby amended to read as follows:

**22.28.390 Uses Subject to Permits.**

A. Premises in Zone C-RU may be used for 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 full force and effect and in conformity with the conditions of such permit:

...

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

...

**SECTION 51.** Section 22.28.420 is hereby amended to read as follows:

**22.28.420 Permitted Uses.**

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

...

2. Services.

...

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

...

**SECTION 52.** Section 22.28.430 is hereby amended to read as follows:

**22.28.430 Accessory Uses.**

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

...

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

**SECTION 53.** Section 22.28.450 is hereby amended to read as follows:

**22.28.450 Uses sSubject to Permits.**

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

...

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

...

**SECTION 54.** Section 22.32.040 is hereby amended to read as follows:

**22.32.040 Permitted Uses.**

A. Premises in Zone M-1 may be used for the following uses, provided that no drop hammers, automatic screw machines, and punch presses exceeding 20 tons in rated capacity shall be used:

...

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

...

**SECTION 55.** Section 22.32.050 is hereby amended to read as follows:

**22.32.050 Accessory Uses.**

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

...

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

**SECTION 56.** Section 22.32.070 is hereby amended to read as follows:

**22.32.070 Uses Subject to Permits.**

A. Premises in Zone M-1 may be used for 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.

...

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

...

**SECTION 57.** Section 22.32.110 is hereby amended to read as follows:

**22.32.110 Permitted Uses.**

A. Premises in Zone M-1.5 may be used for the following uses, or similar type of uses:

...

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

...

**SECTION 58.** Section 22.32.120 is hereby amended to read as follows:

**22.32.120 Accessory Uses.**

Premises in Zone M-1.5 may be used for the following accessory uses:

...

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

...

**SECTION 59.** Section 22.32.140 is hereby amended to read as follows:

**22.32.140 Uses Subject to Permits.**

A. Premises in Zone M-1.5 may be used for 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 and in conformity with the conditions of such permit:

...

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

...

**SECTION 60.** Section 22.32.160 is hereby amended to read as follows:

**22.32.160 Permitted Uses.**

A. Premises in Zone M-2 may be used for the following uses, or similar types of uses:

...

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

...

**SECTION 61.** Section 22.32.170 is hereby amended to read as follows:

**22.32.170 Accessory Uses.**

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

...

— Small-scale solar energy systems, in accordance with Part 15 of

Chapter 22.52.

...

**SECTION 62.** Section 22.32.190 is hereby amended to read as follows:

**22.32.190 Uses Subject to Permits.**

A. Premises in Zone M-2 may be used for 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 and in conformity with the conditions of such permit:

...

— Utility-scale solar energy facilities, ground-mounted, in accordance

with Part 15 of Chapter 22.52.

...

**SECTION 63.** Section 22.32.230 is hereby amended to read as follows:

**22.32.230 Accessory Uses.**

Premises in Zone M-2.5 may be used for the following accessory uses:

...

— Small-scale solar energy systems, in accordance with Part 15 of

Chapter 22.52.

**SECTION 64.** Section 22.32.330 is hereby amended to read as follows:

**22.32.330 Permitted uUses.**

Premises in Zone B-1 may be used for the following uses:

...

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

**SECTION 65.** Section 22.32.340 is hereby amended to read as follows:

**22.32.340 Accessory uUses.**

Premises in Zone B-1 may be used for the following accessory uses:

...

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

**SECTION 66.** 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:

...

C. The following additional uses:

...

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

**SECTION 67.** Section 22.40.200 is hereby amended to read as follows:

**22.40.200 Accessory uUses.**

Premises in Zone R-R may be used for:

A. The following accessory uses:

...

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

...

**SECTION 68.** 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 for:

...

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

...

**SECTION 69.** Section 22.40.260 is hereby amended to read as follows:

**22.40.260 Accessory uUses.**

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

...

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

**SECTION 70.** Section 22.40.280 is hereby amended to read as follows:

**22.40.280 Uses sSubject to pPermits.**

Premises 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 for:

...

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

...

**SECTION 71.** Section 22.40.310 is hereby amended to read as follows:

**22.40.310 Permitted uUses.**

A. Premises in Zone P-R may be used, subject to the provisions of Section 22.52.1060, for:

...

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

**SECTION 72.** Section 22.40.320 is hereby amended to read as follows:

**22.40.320 Accessory uUses.**

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

...

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

**SECTION 73.** Section 22.40.410 is hereby amended to read as follows:

**22.40.410 Permitted Uses.**

...

C. Permitted uses in Zone O-S also include the following so long as said use is accessory to a principal use listed under Subsection B of this Section, Section 22.40.420.B, Section 22.40.430.A, or Section 22.40.430.B:

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

**SECTION 74.** Section 22.40.430 is hereby amended to read as follows:

**22.40.430 Uses Subject to Permits.**

Premises in Zone O-S may be used for the uses listed herein subject to any additional conditions which may be imposed pursuant to Subsection C:

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 for:

...

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

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

...

— Telephone repeater stations.

— Temporary meteorological towers, in accordance with Part 15 of

Chapter 22.52.

...

**SECTION 75.** Section 22.40.460 is hereby amended to read as follows:

**22.40.460 Permitted Uses.**

Premises in Zone MXD may be used for the following uses:

A. Commercial Uses. The following commercial uses, provided all sales are retail only and all goods sold, except genuine antiques and items sold at secondhand stores, are new:

...

2. Services.

...

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

...

**SECTION 76.** Section 22.40.465 is hereby amended to read as follows:

**22.40.465 Accessory Uses.**

Premises in Zone MXD may be used for:

...

C. The following additional accessory uses:

...

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

...

**SECTION 77.** Section 22.40.475 is hereby amended to read as follows:

**22.40.475 Uses Subject to Permits.**

Premises in Zone MXD may be used for 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 and in conformity with the conditions of such permit:

A. The following uses may be in either a mixed use or a commercial only development:

...

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

...

**SECTION 78.** Section 22.40.670 is hereby amended to read as follows:

**22.40.670 Permitted uUses.**

~~(Reserved).~~ Premises in Zone IT may be used for:

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

**SECTION 79.** Section 22.40.680 is hereby amended to read as follows:

**22.40.680 Accessory uUses.**

Premises in Zone IT may be used for:

...

— Small-scale solar energy systems, in accordance with Part 15 of

Chapter 22.52.

**SECTION 80.** Section 22.40.700 is hereby amended to read as follows:

**22.40.700 Uses sSubject to pPermits.**

Premises in Zone IT 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:

...

— Utility-scale solar energy facilities, ground-mounted, in accordance

with Part 15 of Chapter 22.52.

...

**SECTION 81.** Section 22.40.805 is hereby amended to read as follows:

**22.40.805 Permitted Uses.**

Premises in Zone MXD-RU may be used for:

...

F. Other Uses.

...

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

**SECTION 82.** Section 22.40.810 is hereby amended to read as follows:

**22.40.810 Accessory Uses.**

Premises in Zone MXD-RU may be used for the following accessory uses:

...

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

...

**SECTION 83.** Section 22.40.820 is hereby amended to read as follows:

**22.40.820 Uses Subject to Permits.**

A. Premises in Zone MXD-RU may be used for 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 and in conformity with the conditions of such permit:

...

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

...

**SECTION 84.** Section 22.44.113 is hereby amended to read as follows:

**22.44.113 Agua Dulce Community Standards District.**

...

D. Community-wide Development Standards.

...

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~~ small-scale solar energy systems, and small-scale wind energy conversion systems, shall be located at least 50 vertical feet and 50 horizontal feet from a significant ridgeline; and

...

**SECTION 85.** Section 22.44.127 is hereby amended to read as follows:

**22.44.127 Altadena Community Standards District.**

...

C. Community-wide Development Standards.

...

2. Hillside Management.

...

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~~small-scale solar energy systems, and small-scale wind energy ~~conversion~~-systems.

...

**SECTION 86.** Section 22.44.133 is hereby amended to read as follows:

**22.44.133 Santa Monica Mountains North Area Community**

**Standards District.**

...

D. Community-wide Development Standards.

...

5. Significant Ridgeline Protection.

...

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.



...

**SECTION 87.** Section 22.44.143 is hereby amended to read as follows:

**22.44.143 Elizabeth Lake and Lake Hughes Community Standards**

**District.**

...

D. Community-wide Development Standards.

...

4. Utilities.

...

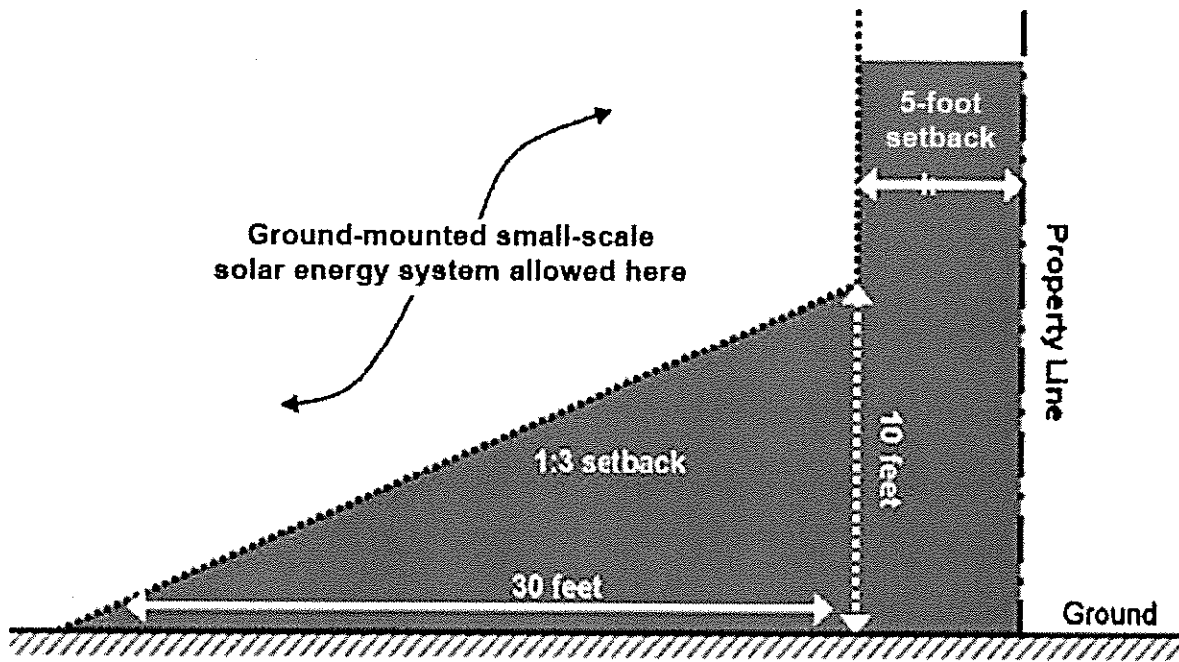
b. Utility Devices.

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.

Figure 1



...

10. Significant Ridgeline Protection.

...

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 radio antennas, and small-scale wind energy conversion 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.

...

**SECTION 88.** Section 22.44.144 is hereby amended to read as follows:

**22.44.144 San Francisquito Canyon Community Standards**

**District.**

...

D. Community-wide Development Standards.

...

10. Significant Ridgeline Protection.

...

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 sSubsection 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 the Commission shall make the following findings in addition to those required by Section 22.56.090:

...

**SECTION 89.** The Parts headings for Chapter 22.52 are hereby amended to read as follows:

Chapter 22.52

GENERAL REGULATIONS

Parts:

...

13. Amateur Radio Antennas

15. ~~Non-Commercial Wind Energy Conversion Systems and~~

~~Temporary Meteorological Towers~~Renewable Energy

...

SECTION 90. The Title and Section headings of Part 15 of Chapter 22.52

are hereby amended to read as follows:

Part 15

~~NON-COMMERCIAL WIND ENERGY CONVERSION SYSTEMS AND~~

~~TEMPORARY METEOROLOGICAL TOWERS~~RENEWABLE ENERGY

Sections:

22.52.1600 Purpose.

22.52.1605 Applicability.

22.52.1610 Definitions.

22.52.1615 Small-Scale Solar Energy Systems.

22.52.1620 ~~Development standards~~Utility-Scale Solar Energy

Facilities.

22.52.1625 Temporary Meteorological Towers.

**22.52.1630**            **Director's review—Temporary meteorological towers  
(Temp Met Towers) Small-Scale Wind Energy Systems.**

**22.52.1635**            **Aviation Review.**

**22.52.1640**            **Conditional-use permit—Non-commercial wind energy  
conversion system (WECS-N) Enforcement Procedures.**

**SECTION 91.**            Section 22.52.1600 is hereby amended to read as follows:

**22.52.1600**            **Purpose.**

~~The purpose of Part 15 is to provide a uniform and comprehensive set of standards, conditions, and procedures for the placement of non-commercial wind energy conversion systems (WECS-N) and temporary meteorological towers (Temp Met Towers) on agriculturally and residentially zoned lots in unincorporated areas of Los Angeles County to encourage the generation of electricity for on-site use, thereby reducing the consumption of electrical power supplied by utility companies. It is the intent of these regulations to assure that such facilities are designed and located in a manner that minimizes visual and safety impacts on the surrounding community, while reducing significant regulatory barriers to the construction of WECS-N and Temp Met Towers. The provisions of this Part 15 shall not apply to WECS-N and Temp Met Towers that were lawfully established prior to the effective date of the ordinance codified in Part 15.~~ This Part 15 establishes standards, conditions, and procedures that support and facilitate the development of small-scale solar energy systems, utility-scale solar energy facilities, temporary meteorological towers, and small-scale wind energy

systems in a manner that protects public health, safety, and welfare and minimizes significant impacts to the environment.

**SECTION 92.** Section 22.52.1605 is hereby added to read as follows:

**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, utility-scale solar energy facility, temporary meteorological tower, or small-scale wind energy system.

B. Exemption. Subject to Subsection C below, the provisions of this Part 15 shall not apply:

1. To any structure-mounted small-scale solar energy system or a small residential rooftop solar energy system as defined and regulated by Government Code Section 65850.5 and the Los Angeles County Building Code in the R-1 zone, when a building permit has been issued prior to the effective date of the ordinance amending this Part 15;

2. To any ground-mounted small-scale solar energy system, structure-mounted utility-scale solar energy facility in the R-1 zone other than a small residential rooftop solar energy system as defined and regulated by Government Code Section 65850.5 and the Los Angeles County Building Code, temporary meteorological tower, or small-scale wind energy system when a site plan review approval, a minor conditional use permit, or a conditional use permit, as applicable, has been granted prior to the effective date of the ordinance amending this Part 15; or

3. When preempted by regulation under the jurisdiction of the California Public Utilities Commission or preempted by other applicable law.

C. Modification to Existing System or Facility. The provisions of this Part 15 shall apply when a modification to a lawfully existing, as of the effective date of the ordinance amending this Part 15, small-scale solar energy system, utility-scale solar energy facility, temporary meteorological tower, or small-scale wind energy system, occurs as follows:

1. Any modification that would substantially increase the physical size, height, or footprint of an existing small-scale solar energy system, utility-scale solar energy facility, temporary meteorological tower, or small-scale wind energy system;

2. Any modification that would substantially change the type of equipment used by an existing small-scale solar energy system, utility-scale solar energy facility, temporary meteorological tower, or small-scale wind energy system except for replacement of equipment for maintenance purposes; or

3. Any modification that would convert a small-scale solar energy system into a utility-scale solar energy facility.

4. Also, any modification that would convert a small-scale wind energy system into a utility-scale wind energy system is prohibited.

D. Applicability of Zone and Supplemental District Regulations. All provisions of the zone and any supplemental district in which a small-scale solar energy system, utility-scale solar energy facility, temporary meteorological tower, or small-scale wind energy system is located shall apply as follows:

1. For a small-scale solar energy system, temporary meteorological tower, or small-scale wind energy system, 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;

2. For a utility-scale solar energy facility, where a provision of the zone or supplemental district regulates the same matter as this Part 15, the more restrictive provision shall apply, except for the height of wind towers, structure-mounted facilities, and perimeter fences, in which case, this Part 15 will control.

E. Prohibition. The following shall be prohibited:

1. Ground-mounted utility-scale solar energy facilities within adopted Significant Ecological Areas designated in the General Plan and Economic Opportunity Areas designated in the Antelope Valley Area Plan; and

2. Utility-scale wind energy facilities, including conversion of a small-scale wind energy system, into a utility-scale wind energy facility.

**SECTION 93.** Section 22.52.1610 is hereby amended to read as follows:

**22.52.1610 Definitions.**

As used in Part 15, the following definitions shall apply:

A. Guy Wires. Wire or cable used in tension to support a tower.

B. Tower. The vertical component of a ~~WECS-N~~small-scale wind energy system that elevates the wind turbine generator and attached blades above the ground, or the vertical component of a ~~Temp-Met~~temporary meteorological Ttower that elevates the wind measuring devices above the ground.



C. Wind Turbine Generator. The component of a ~~WECS-N~~small-scale wind energy system that transforms mechanical energy from the wind into electrical energy.

**SECTION 94.** Section 22.1615 is hereby added to read as follows:

**22.52.1615 Small-Scale Solar Energy Systems.**

A. Permits Required.

1. Site Plan Review. Ground-mounted small-scale solar energy systems, except in the O-S and W zones, shall require a site plan review and the administrative and procedural requirements of Part 12 of Chapter 22.56 (Director's Review-Procedures) shall apply, except when modified by this Section.

2. Minor Conditional Use Permit. Ground-mounted small-scale solar energy systems, in the O-S and W zones, and ground-mounted small-scale solar energy systems, in all other zones where a modification to a development standard has been requested, shall require a minor conditional use permit, and the administration and procedural requirements of Part 1 of Chapter 22.56 (Conditional Use Permits) shall apply, except when modified by this Section.

B. Application Materials.

1. Site Plan Review. When a site plan review is required by Subsection A.1 above, the applicant shall submit the following:

a. All materials and information as listed in Section 22.56.1680 (Application for Review—Information and Documents Required);

b. A site plan that, in addition to the features listed in Section 22.56.1680.F, depicts the small-scale solar energy system's footprint, height, and setback from all property lines; and

c. A minimum of six color photographs, displaying various angles illustrative of the project area, with a photo-key map.

2. Minor Conditional Use Permit. When a minor conditional use permit is required by Subsection A.2 above, the applicant shall submit the following:

a. All materials and information required by Section 22.56.030;

b. A Burden of Proof statement required by Section 22.56.040 and any other materials and information that substantiate the findings required by Subsection E below;

c. A minimum of six color photographs, displaying various angles illustrative of the project area, with a photo-key map; and

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

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

C. Development Standards.

Small-scale solar energy systems shall comply with the following standards:

1. Conformance with Federal, State, and County Requirements. A small-scale solar energy system shall comply with the California Solar Rights Act (California Civil Code Sections 714, et seq.), the California Solar Shade Control Act (California Public Resources Code Section 25980, et seq.), and any other applicable Federal, State, or County legal requirements (and as may be modified by this Section).

2. Additional Standard for Structure-Mounted Small-Scale Solar Energy Systems. In addition to the applicable standards of this subsection, 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.

3. Additional Standards for Ground-Mounted Small-Scale Solar Energy Systems. In addition to the applicable standards of this subsection, a ground-mounted small-scale solar energy system shall also comply with the following standards:

a. Height. The height of a solar array shall not exceed 15 feet; and

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

4. Additional Standard for Lot Coverage Modification to Ground-Mounted Small-Scale Solar Energy Systems. In addition to the applicable standards of this subsection, a lot coverage modification for a ground-mounted small-scale solar energy system shall also comply with Section 22.52.1620.C.3.g.

D. Aviation Review. When a minor conditional use permit is required by Subsection A above and the small-scale solar energy system is located within a Military Operations Area (MOA) or Airport Influence Area (AIA), Section 22.52.1635 shall apply.

E. Findings.

1. Minor Conditional Use Permit. In addition to the findings required under Part 1 of Chapter 22.56, when a minor conditional use permit is required by Subsection A above, the Hearing Officer or the Commission, as applicable, shall approve the minor conditional use permit where the information submitted by the applicant and/or presented at public hearing substantiates the following findings:

- a. The project complies with all applicable development standards in Subsection C above;
- b. The project is sited and designed and will be constructed in such a way to minimize significant impacts to the environment; and
- c. The project is sited in such a way to minimize site disturbance, such as grading, brush clearance, and other forms of earthwork.

2. Additional Findings for a Modification to Development Standards. In addition to the findings required by this subsection, when a modification has been requested to any development standard in Subsection C above, the Hearing Officer or the Commission, as applicable, shall approve the minor conditional use permit where the information submitted by the applicant and/or presented at public hearing substantiates the following findings:

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

b. The requested modification would not be contrary to the purpose of this Part 15.

3. Additional Findings for Projects Requiring Aviation Review. In addition to the findings required by this subsection, where a project requires aviation review and the project would penetrate the lower floor elevation of any MOA mapped in the County General Plan, the Hearing Officer or the Commission, as applicable, shall approve the minor conditional use permit where the information submitted by the applicant and/or presented at public hearing substantiates that the MOA military operator has determined:

a. The project would not be detrimental to the function of that MOA; and

b. The project would not pose a health or safety hazard to MOA personnel or the public.

F. Conditions of Approval. In addition to the conditions that may be imposed under Part 1 of Chapter 22.56, when a minor conditional use permit is required by Subsection A above, the following conditions of approval shall be imposed:

1. Development Standards. The applicable development standards in Subsection C above, unless specifically modified as provided herein.

2. Conditions to Ensure Compliance with Findings. Any additional conditions deemed necessary to ensure that such use will be in accordance with the required findings in Subsection E above.

3. Additional Conditions of Approval for a Lot Coverage Modification to Ground-Mounted Small-Scale Solar Energy Systems. In addition to the conditions of approval required by this subsection, when a lot coverage modification has been requested for a ground-mounted small-scale solar energy system, Section 22.52.1620.F.4.e and g shall apply.

**SECTION 95.** Section 22.52.1620 is hereby amended to read as follows:

**22.52.1620** ~~Development standards~~Utility-Scale Solar Energy

**Facilities.**

~~WECS-N and Temp Met Towers shall be subject to all applicable regulations of the zone in which they are proposed, except that the following standards shall take precedence over regulations of the zone to the extent that they differ from the regulations of the zone.~~

~~A. The following shall be deemed to be conditions of approval of every Temp Met Tower and every WECS-N unless specifically modified pursuant to Section 22.52.1640:~~

~~1. Minimum lot size. The minimum lot or parcel size shall be 0.5 acres.~~

~~2. Maximum tower height. Tower height shall be measured from the ground to the top of the tower, excluding the wind turbine generator, blades, and wind-measuring devices, as applicable.~~

~~a. The tower shall not exceed a height of 35 feet above grade for lots or parcels less than one acre in size.~~

~~b. The tower shall not exceed a height of 65 feet above grade for lots or parcels from one acre to less than two acres in size.~~

~~c. The tower shall not exceed a height of 85 feet above grade for lots or parcels two acres or greater in size.~~

~~3. Location.~~

~~a. The minimum distance between a WECS-N or Temp Met Tower, excluding guy wires and their anchors, and any property line or road right-of-way, shall be the distance which is equivalent to the height of the facility, including any wind turbine generator, wind-measuring devices, and the highest vertical extent of any blades, provided that the required distance shall also comply with any applicable fire setback requirements pursuant to section 4290 of the Public Resources Code.~~

~~b. No part of a WECS-N or Temp Met Tower shall be located within or over drainage, utility, or other established easements, or on or over property lines.~~

~~c. Safe clearance shall be provided between a WECS-N or Temp Met Tower and all structures and trees.~~

~~4. Design. A WECS-N or Temp Met Tower must be designed and constructed in accordance with the following:~~

~~a. Colors. The colors used in the construction materials or finished surface shall be muted and visually compatible with surrounding development.~~

~~b. Lighting. A safety light that meets FAA standards shall be required for all facilities exceeding 50 feet in height, including any wind turbine generator, wind measuring devices, and the highest vertical extent of any blades. A safety light may also be required on shorter towers. All required lights shall be shielded from adjacent properties, and no other lights shall be placed upon the tower.~~

~~c. Climbing Apparatus. All climbing apparatus must be located at least 12 feet above the ground, and the tower must be designed to prevent climbing within the first 12 feet.~~

~~5. Signs. One sign, limited to 18 inches in length and one foot in height, shall be posted at the base of the tower; the sign shall include a notice of no trespassing, a warning of high voltage, and the phone number of the property owner to call in the event of an emergency.~~

~~6. Compliance with aviation safety standards. The director shall distribute copies of the proposed site plan, elevation plan, and location map to aviation-related regulatory agencies and facilities with flight operations in the vicinity, as determined by the director, such as the Federal Aviation Administration (FAA), County Forester and Fire Warden, County Sheriff, Edwards Air Force Base, and Air Force Plant~~



~~42, as applicable. Any comments received within 30 days of distribution will be considered in establishing conditions, as appropriate.~~

~~7. Displacement of parking prohibited. The location of a WECS-N or Temp Met Tower shall not result in the displacement of required parking as specified in Part 11 of Chapter 22.52.~~

~~8. Maintenance. Facilities shall be maintained in an operational condition that poses no potential safety hazards.~~

~~9. Removal. Within six (6) months after the operation of a WECS-N or a Temp Met Tower has ceased or the permit therefor has expired, whichever occurs first, the permittee shall remove the facility, clear the site of all equipment, and restore the site as nearly as practicable to its condition prior to the installation of the facility. Failure to remove such facility as required above shall constitute a public nuisance. Prior to installation of any such facility, the permittee shall post a performance security, satisfactory to the director of public works, in an amount and form sufficient to cover the cost of the removal of the facility as provided herein. In the event the facility is not so removed within 90 days after the permittee's receipt of notice requiring removal, the county may itself cause the facility to be removed, and the permittee shall be required to pay the county's costs of removal.~~

~~B. In addition to the development standards specified in subsection A of this section, the following standards shall be deemed to be conditions of approval of every WECS-N, unless specifically modified pursuant to Section 22.52.1640:~~

~~1. Clearance of blade above ground level. No portion of a WECS-N blade shall extend within 20 feet of the ground.~~

~~2. Automatic overspeed controls. A WECS-N shall be equipped with manual and automatic overspeed controls to limit the blade rotation speed to within the design limits of the WECS-N.~~

~~3. Safety Wires. Safety wires shall be installed on the turnbuckles on guy wires of guyed towers.~~

~~4. Noise. Noise from a WECS-N shall not exceed 60 dBA SEL (single event noise level), as measured at the closest neighboring inhabited dwelling, except during short-term events such as utility outages and severe windstorms.~~

~~5. Visual Effects.~~

~~a. No WECS-N shall be placed or constructed in such a way that it silhouettes against the skyline above any major ridgeline when viewed from any designated major, secondary, or limited secondary highway on the County Highway Plan, from any designated scenic highway, or from any significantly inhabited area, as determined by the director. As used in Part 15, major ridgeline shall mean any ridgeline that surrounds or visually dominates the landscape, as determined by the director, due to its:~~

~~i. Size in relation to the hillside or mountain terrain of which it is a part;~~

~~ii. Silhouetting appearance against the sky, or appearance as a significant natural backdrop;~~

~~iii. Proximity to and visibility from existing development or major transportation corridors; or~~

~~iv. Significance as an ecological, historical, or cultural resource, including a ridgeline that provides a natural buffer between communities or is part of a park or trails system.~~

~~b. The top of a WECS-N, including the wind turbine generator and the highest vertical extent of the blades, shall be located at least 25 vertical feet below the top of any adjacent major ridgeline, and a WECS-N shall be located at least 100 horizontal feet from any adjacent major ridgeline.~~

~~c. Any WECS-N that is placed within the viewshed of a designated Major, Secondary, Limited Secondary, or Scenic Highway shall be assessed for its visual effects, and appropriate conditions relating to siting, buffers, and design of the facility shall be applied.~~

~~d. The placement of a WECS-N shall not obstruct views of the ocean from any residence or highway, and shall otherwise conform to the policies and standards of any applicable Local Coastal Plan.~~

~~6. Restriction on use of electricity generated by a WECS-N. A WECS-N shall be used exclusively to supply electrical power for on-site consumption, except that when a parcel on which a WECS-N is installed also receives 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.~~

A. Permits Required.

1. Minor Conditional Use Permit. Structure-mounted utility-scale solar energy facilities in the R-1 zone, except small residential rooftop solar energy systems as defined and regulated by Government Code Section 65850.5 and the Los Angeles County Building Code shall require a minor conditional use permit, and the administrative and procedural requirements of Part 1 of Chapter 22.56 (Conditional Use Permits) shall apply, except when modified by this Section.

2. Conditional Use Permit. Ground-mounted utility-scale solar energy facilities in the A-2, C-H, C-1, C-2, C-3, C-M, C-R, C-MJ, C-RU, M-1, M-1.5, M-2, M-4, R-R, MXD-RU, MXD, and IT zones shall require a conditional use permit, and the administrative and procedural requirements of Part 1 of Chapter 22.56 (Conditional Use Permits) shall apply, except when modified by this Section.

B. Application Materials.

1. Minor Conditional Use Permit. When a minor conditional use permit is required by Subsection A.1 above, the applicant shall submit the following:

a. All materials and information required by Section 22.56.030;

b. A Burden of Proof statement required by Section 22.56.040

and any other materials and information that substantiate the findings required by Subsection E below;

c. A minimum of six color photographs, displaying various angles illustrative of the project area, with a photo-key map; and

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

2. Conditional Use Permit. When a conditional use permit is required by Subsection A.2 above, the applicant shall submit the following:

a. All materials and information required by Subsection B.1 above;

b. A site plan that in addition to the features required by Section 22.56.030.A.7 depicts the following:

i. Solar array footprint and height;

ii. Solar array setbacks from all property lines;

iii. Area and amount of proposed grading and site disturbance;

iv. Topography of the site;

v. Any watercourses on the site;

vi. Access roads;

vii. Any required fencing;

viii. Any required signage;

ix. Any required lighting;

x. Transmission lines; and

xi. Any significant ridgelines on the site.

c. A detailed landscaping plan that depicts:

i. Any required fencing;

ii. Proposed plant species palette, the number and size

of each plant;

iii. Proposed water usage for planting and maintaining

proposed landscaping; and

iv. Proposed timing and phasing of proposed

landscaping.

d. A decommissioning plan;

e. A hydrology study;

f. A conceptual dust control plan;

g. A glare study; and

h. A description of amount and source of water necessary for

the construction and operation of the project.

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

C. Development Standards.

Utility-scale solar energy facilities shall comply with the following standards:

1. Conformance with Federal, State, and County Requirements. A utility-scale solar energy facility shall comply with any applicable Federal, State, or County legal requirements (and as may be modified by this Section).

2. Additional Standards for Structure-Mounted Utility-Scale Solar Energy Facilities. In addition to the applicable standards required by this subsection, a structure-mounted utility-scale solar energy facility shall also comply with the following standards:

a. Height. The combined height of a structure and structure-mounted utility-scale solar energy facility's solar arrays shall not exceed the height limit of the zone by more than five (5) feet.

b. Setbacks. If a structure-mounted utility-scale solar energy facility is mounted to a building, setbacks from the perimeter of the roof shall be:

i. Three (3) feet on residential buildings; or

ii. Four (4) feet on non-residential or mixed use buildings.

3. Additional Standards for Ground-Mounted Utility-Scale Solar Energy Facilities. In addition to the applicable standards of this subsection, a ground-mounted utility-scale solar energy facility shall also comply with the following standards:

a. Coastal Zone. Within the Coastal Zone, the placement of any ground-mounted utility-scale solar energy facility shall comply with the applicable Local Coastal Plan.

b. Fencing. Fencing shall be required around the perimeter of the ground-mounted utility-scale solar energy facility. In addition to compliance with 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 the Department of Public Works to maintain minimum corner sight distance:

i. Opaque and non-opaque fences are permitted;

ii. Fencing up to eight (8) feet in height is permitted;

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

iv. Facility perimeter fencing shall incorporate small animal-permeable design.

c. Height. The height of any solar array shall not exceed 25 feet.

d. Lighting. In addition to the requirements of 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 include:

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



ii. 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.

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

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

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

f. Significant Ridgelines. The highest point of a ground-mounted 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 or in an applicable Community Standards District.

g. Signs. One pole-mounted project identification sign shall be located at each temporary or permanent ingress or egress point. Signs shall include owner and emergency contact information. No other signs shall be posted at the ground-mounted utility-scale solar energy facility other than safety, directional, and warning signs as required in Part 10 of Chapter 22.52.

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

D. Aviation Review. When a minor conditional use permit or conditional use permit is required by this Section and the utility-scale solar energy facility is located within a MOA or AIA, Section 22.52.1635 shall apply.

E. Findings.

1. Minor Conditional Use Permit and Conditional Use Permit. In addition to the findings required under Part 1 of Chapter 22.56 (Conditional Use Permits), when a minor conditional use permit or conditional use permit is required by Subsection A above, the Hearing Officer or the Commission, as applicable, shall approve the applicable permit where the information submitted by the applicant and/or presented at public hearing substantiates the following findings:

a. The project complies with all applicable development standards in Subsection C above;

b. The project 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; and

c. The project is sited in such a way to minimize site disturbance, such as grading, brush clearance, and other forms of earthwork.

2. Additional Findings for Ground-Mounted Utility-Scale Solar Energy Facilities. In addition to the findings required by this subsection, for ground-mounted utility-scale solar energy facilities, the Hearing Officer or the Commission, as applicable,

shall approve a conditional use permit where the information submitted by the applicant and/or presented at public hearing substantiates the following findings:

a. The proposed vegetation required along the facility perimeter fencing sufficiently provides a 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;

b. The proposed vegetation sufficiently provides ground cover to the satisfaction of a County biologist; and

c. The proposed vegetation sufficiently provides such buffer and ground cover in a timely manner to the satisfaction of a County biologist.

3. Additional Findings for a Modification to Development Standards.

In addition to the findings required by this subsection, when a modification has been requested to any development standard required by Subsection C above, the Hearing Officer or the Commission, as applicable, shall approve the applicable permit where the information submitted by the applicant and/or presented at public hearing substantiates the following findings:

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

b. The requested modification would not be contrary to the purpose of this Part 15.

4. Additional Findings for Projects Requiring Aviation Review. In addition to the findings required by this subsection, where a project requires aviation review and the project would penetrate the lower floor elevation of any MOA mapped in the County General Plan, the Hearing Officer or the Commission, as applicable, shall approve the applicable permit where the information submitted by the applicant and/or presented at public hearing substantiates that the MOA military operator has determined:

a. The project would not be detrimental to the function of that MOA; and

b. The project would not pose a health or safety hazard to personnel or the public.

F. Conditions of Approval.

In addition to the conditions that may be imposed under Part 1 of Chapter 22.56, when a minor conditional use permit or conditional use permit is required by Subsection A above, the following conditions of approval shall be imposed:

1. Development Standards. The applicable development standards in Subsection C above, unless specifically modified as provided herein.

2. Findings. Any additional conditions deemed necessary to ensure that such use will be in accordance with the required findings in Subsection E above.

3. 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.

4. Additional Conditions of Approval for Ground-Mounted Utility-Scale

Solar Energy Facilities. In addition to the conditions of approval required by this subsection, ground-mounted utility-scale solar energy facilities shall also require the following conditions of approval:

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 the Departments of Public Works and Fire, shall consider adequate spacing from intersections, and shall 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 gravel;

b. Decommissioning.

i. The 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. This amount shall be posted by the permittee;

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 ceases operation for a consecutive period of six months, or the permit for the use has expired, operations for that use shall be deemed to have been abandoned. Within six months after the written notice is mailed from the Director to the permittee advising of the abandoned use, the facility or portions thereof shall be removed from the property. However, within the six months after written notice of abandonment is mailed to the permittee, the permittee may provide the Director with a written request and justification for an extension to resume operations of the facility or portions thereof, so long as the permit has not expired.

c. Landscaped Buffer.

i. A landscaped area at least 10 feet in depth shall be maintained along any facility perimeter fencing and 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 a County biologist shall be retained and/or new non-invasive, drought-tolerant vegetation approved by a County biologist shall be planted within the landscaped area within the time frames specified in the permit conditions;

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 Department 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 permit conditions;  
and

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

d. Scenic Resources. Any ground-mounted utility-scale solar energy facility placed within the viewshed of a Scenic Drive, Scenic Highway, or Scenic Route identified in the General Plan, an applicable Area or Community Plan, or Community Standards District shall be analyzed for any associated negative impacts, including but not limited to visual impacts. Appropriate conditions relating to siting, buffering, height, and design of the facility may be imposed to minimize significant effects on the viewshed;

e. Site Disturbance.

i. Air Quality Management District. State requirements imposed by the applicable Air Quality Management District conditions shall apply;

ii. 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;

iii. Hydrology. The facility shall be designed to minimize erosion, sedimentation, or other impacts to the natural hydrology and drainage patterns of the property. 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 the Department of Public Works;

iv. Grading. To control fugitive dust and preserve the natural topography, the facility shall be designed in such a way that 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. The facility shall comply with all applicable grading standards;

v. Fugitive Dust Control Plan. A fugitive dust control plan including a dust plume response plan shall be prepared by the permittee for review and approval by applicable agencies prior to any earthwork activities;

vi. 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 by the permittee if determined by applicable agencies to be suitable methods to adequately control dust in a safe manner during construction, operation, and removal and restoration activities; and

(B) Vegetation. Work where the facility components are being installed in areas with existing vegetation shall be conducted with minimal disturbance, and the permittee shall take all necessary precautions to not use vehicles or machinery for grading or alter the exiting grade in these areas. When vehicles or machinery are deemed necessary for installation, 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 permittee 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 facility shall be permanently stabilized with an earth-stabilizing product or other measure that is acceptable to the Departments of Regional Planning, Public Works, and Public Health to prevent fugitive dust.

f. Transmission Lines. On-site and off-site transmission lines shall be placed underground to the satisfaction of the Departments of Regional Planning and 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 F.4.e above to ensure dust control and minimal soil erosion;

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

h. Water Use.

i. The facility shall use the minimum amount of water required during the construction period. The facility shall be limited to the maximum use of water as established by the Hearing Officer or the Commission, as applicable, for the duration of the construction period;

ii. The facility shall use the minimum amount of water required during the operation of the facility. The facility shall be limited to the maximum use of water as established by the Hearing Officer or the Commission, as applicable, for the operation of the facility for the duration of this grant;

iii. The facility shall use piped recycled water if it is available from the public right-of-way within one mile from the property at fair market value, suitable for use, and deemed appropriate by a County biologist. If such piped

recycled water does not meet all of the facility's water demand, the facility shall use piped potable water to supplement piped recycled water if it is available from the public right-of-way within one mile from the property at fair market value and suitable for use; and

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

**SECTION 96.** Section 22.52.1625 is hereby added to read as follows:

**22.52.1625 Temporary Meteorological Towers.**

A. Permit Required.

Minor Conditional Use Permit. Temporary meteorological towers in the R-1, R-2, R-3-( )U, R-4-( )U, R-5-( )U, R-A, A-1, A-2, and O-S zones shall require a minor conditional use permit, and the administrative and procedural requirements of Part 1 of Chapter 22.56 shall apply, except when modified by this Section.

B. Application Materials.

1. Minor Conditional Use Permit. When a minor conditional use permit is required by Subsection A above, the applicant shall submit the following:

a. All materials and information required by Section 22.56.030;

b. A Burden of Proof statement required by Section 22.56.040 and any other materials and information that substantiate the findings required by Subsection E below;

c. A minimum of six copies of the proposed site plan, elevation plan, and location map depicting the project location on USGS topographic sheets. On each set of the required site and elevation plans, the applicant shall depict the type and location of any safety lights and energy storage devices; and

d. Drawings to scale of the structure, including the tower, base, wind-measuring devices, and footings, if any.

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

C. Development Standards.

Temporary meteorological towers shall comply with the following standards:

1. Minimum Lot Size. The minimum lot or parcel size shall be 0.5 acres.

2. Maximum Tower Height. Tower height shall be measured from the ground to the top of the tower, excluding the wind-measuring devices, and be consistent with the following:

a. The tower shall not exceed a height of 35 feet above grade for lots or parcels less than one acre in size;

b. The tower shall not exceed a height of 65 feet above grade for lots or parcels from one acre to less than two acres in size; and

c. The tower shall not exceed a height of 85 feet above grade for lots or parcels two acres or greater in size.

3. Location.

a. The minimum distance between a temporary meteorological tower and any property line or road right-of-way shall be the distance which is the equivalent to the height of the temporary meteorological tower including any wind-measuring devices provided that the required distance shall also comply with any applicable fire setback requirements pursuant to California Public Resources Code section 4290;

b. No part of a temporary meteorological tower shall be located within or over drainage, utility, or other established easements, or on or over property lines; and

c. Safe clearance shall be provided between a temporary meteorological tower and all structures and trees.

4. Design.

a. Colors. The colors used in the construction materials or finished surface shall be muted and visually compatible with surrounding development;

b. Lighting. A safety light that meets Federal Aviation Administration (FAA) standards shall be required for all towers exceeding 50 feet in height including any wind-measuring devices. A safety light may also be required on shorter towers. All required lights shall be shielded from adjacent properties, and no other lights shall be placed upon the tower; and

c. Climbing Apparatus. All climbing apparatus must be located at least 12 feet above the ground, and the tower must be designed to prevent climbing within the first 12 feet.

5. Signs. One sign, limited to 18 inches in length and one foot in height, shall be posted at the base of the tower; the sign shall include a notice of no trespassing, a warning of high voltage, and the phone number of the property owner to call in the event of an emergency.

6. Displacement of Parking Prohibited. The location of a temporary meteorological tower shall not result in the displacement of required parking as specified in Part 11 of Chapter 22.52.

7. Maintenance. Temporary meteorological towers shall be maintained in operational condition that pose no potential safety hazards.

8. Removal. Within six months after the operation of a temporary meteorological tower has ceased or its permit has expired, whichever occurs first, the permittee shall remove the temporary meteorological tower, clear the site of all equipment, and restore the site as nearly as practicable to its condition prior to its installation. Failure to remove the temporary meteorological tower as required above

shall constitute a public nuisance. Prior to installation of any temporary meteorological tower, the permittee shall post a performance security, satisfactory to the Director of Public Works, in an amount and form sufficient to cover the cost of the removal of the temporary meteorological tower as provided herein. In the event the temporary meteorological tower is not so removed within 90 days after the permittee's receipt of notice requiring removal, the County may itself cause it to be removed, and the permittee shall be required to pay the County's cost of removal.

9. Guy Wires. The use of guy wires shall be prohibited.

D. Aviation Review. The Director shall distribute copies of the proposed temporary meteorological tower site plan, elevation plan, and location map to aviation-related regulatory agencies and facilities with flight operations in the vicinity, as determined by the Director, such as the FAA, County Forester and Fire Warden, County Sheriff, Edwards Air Force Base, and Air Force Plant 42, as applicable. Any comments received within 30 days of distribution will be considered in establishing conditions, as appropriate.

E. Findings.

1. Minor Conditional Use Permit. In addition to the findings required under Part 1 of Chapter 22.56, when a minor conditional use permit is required by Subsection A above, the Hearing Officer or the Commission, as applicable, shall approve the permit where the information submitted by the applicant and/or presented at public hearing substantiates that the project complies with all applicable development standards in Subsection C above, unless modified by Subsection E.2 below.

2. Additional Findings for a Modification to Development Standards.

In addition to the applicable findings required by this subsection, when a modification has been requested to any development standard in Subsection C above, the Hearing Officer or the Commission, as applicable, shall approve the permit where the information submitted by the applicant and/or presented at public hearing substantiates the following findings:

a. Strict compliance with all the development standards would substantially and unreasonably interfere with the establishment of the proposed project on the subject property; and

b. The requested modification would not be contrary to the purpose of this Part 15.

F. Conditions of Approval. In addition to the conditions that may be imposed under Part 1 of Chapter 22.56, when a minor conditional use permit is required by Subsection A above, the following conditions of approval shall be imposed:

1. Development Standards. The applicable development standards in Subsection C above, unless modified by Subsection E above.

2. Findings. Any additional conditions deemed necessary to ensure that such use will be in accordance with the required findings in Subsection E above.



**SECTION 97.** Section 22.52.1630 is hereby amended to read as follows:

**22.52.1630 Director's review—Temporary meteorological towers  
(Temp Met Towers) Small-Scale Wind Energy Systems.**

~~A.—Applicability. The provisions of Part 12 of Chapter 22.56 shall apply to an application for director's review of a Temp Met Tower, except as may be modified by Part 15.~~

~~B.—Application—Filing information and documents required. In addition to the information, documents, and fee specified in Section 22.56.1680, an application for director's review of a Temp Met Tower shall include:~~

~~1.—Drawings to scale of the structure, including the tower, base, wind-measuring devices, footings, and guy wires, if any.~~

~~2.—Six copies of the proposed site plan, elevation plan, and location map depicting the project location on USGS topographic sheets. Additional copies of these materials may be required by the director. On each set of the required site plan and elevation plan, the applicant shall depict the type and location of any safety lights and energy storage devices.~~

~~C.—Approval by Director. The director shall approve an application for director's review of a Temp Met Tower where the director makes the findings required by Section 22.56.1690 and also finds that the proposed project complies with all of the development standards for Temp Met Towers specified in Section 22.52.1620.~~

~~D.—Conditions of Approval. In approving an application for director's review of a Temp Met Tower, the director shall impose as conditions all applicable development~~

~~standards specified in Section 22.52.1620 and any additional conditions the director determines to be necessary to insure that such use will be in accord with the findings specified in subsection C.~~

A. Permit Required.

Minor Conditional Use Permit. Small-scale wind energy systems in the R-1, R-2, R-3-( )U, R-4-( )U, R-5-( ) U, R-A, A-1, A-2, and O-S zones shall require a minor conditional use permit, and the administrative and procedural requirements of Part 1 of Chapter 22.56 shall apply, except when modified by this Section.

B. Application Materials.

1. Minor Conditional Use Permit. When a minor conditional use permit is required by Subsection A above, the applicant shall submit the following:

- a. All materials and information required by Section 22.56.030;
- b. A Burden of Proof statement required by Section 22.56.040

and any other materials and information that substantiate the findings required by Subsection E below;

c. A minimum of six copies of the proposed site plan, elevation plan, and location map depicting the project location on USGS topographic sheets. On each set of the required site and elevation plans, the applicant shall depict the type and location of any safety lights and energy storage devices; and

d. Drawings to scale of the structure, including the tower, base, wind turbine generator, blades, footings, and associated equipment.

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

C. Development Standards.

Small-scale wind energy systems shall comply with the following standards:

1. Minimum Lot Size. The minimum lot or parcel size shall be 0.5 acres.

2. Maximum Tower Height. Tower height shall be measured from the ground to the top of the tower, excluding the wind turbine generator, blades, and wind-measuring devices, as applicable, and be consistent with the following:

a. The tower shall not exceed a height of 35 feet above grade for lots or parcels less than one acre in size;

b. The tower shall not exceed a height of 65 feet above grade for lots or parcels from one acre to less than two acres in size; and

c. The tower shall not exceed a height of 85 feet above grade for lots or parcels two acres or greater in size.

3. Location.

a. The minimum distance between a small-scale wind energy system and any property line or road right-of-way shall be the distance which is the equivalent to the height of the system including any wind turbine generator,

wind-measuring devices, and the highest vertical extent of any blades, provided that the required distance shall also comply with any applicable fire setback requirements pursuant to California Public Resources Code section 4290.

b. No part of a small-scale wind energy system shall be located within or over drainage, utility, or other established easements, or on or over property lines.

c. Safe clearance shall be provided between a small-scale wind energy system and all structures and trees.

4. Design.

a. Colors. The colors used in the construction materials or finished surface shall be muted and visually compatible with surrounding development.

b. Lighting. A safety light that meets Federal Aviation Administration (FAA) standards shall be required for all systems exceeding 50 feet in height including any wind turbine generator, wind-measuring devices, and the highest vertical extent of any blades. A safety light may also be required on shorter towers. All required lights shall be shielded from adjacent properties, and no other lights shall be placed upon the tower.

c. Climbing Apparatus. All climbing apparatus must be located at least 12 feet above the ground, and the tower must be designed to prevent climbing within the first 12 feet.

5. Signs. One sign, limited to 18 inches in length and one foot in height, shall be posted at the base of the tower; the sign shall include a notice of no

trespassing, a warning of high voltage, and the phone number of the property owner to call in the event of an emergency.

6. Displacement of Parking Prohibited. The location of a small-scale wind energy system shall not result in the displacement of required parking as specified in Part 11 of Chapter 22.52.

7. Guy Wires. The use of guy wires shall be prohibited.

8. Clearance of Blade Above Ground Level. No portion of a small-scale wind energy system blade shall extend within 20 feet of the ground.

9. 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 the small-scale wind energy system.

10. Wind Turbine Generator.

a. The wind turbine generator shall be certified by a qualified, licensed engineer as meeting the requirements of wind turbine-specific safety and/or performance standards adopted by the national or international standards-setting body, including, but not limited to IEC (International Electric Code) standard 61400-2.

b. The wind turbine generator shall have a manufacturer's warranty with at least five years remaining from the date the application is filed.

c. The model of equipment proposed shall have a documented record of at least one year of reliable operation at a site with average wind speeds of at least 12 mph.

11. 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, except during short-term events, such as utility outages and severe windstorms.

12. Visual Effects.

a. No small-scale wind energy system shall be placed or constructed in such a way that it silhouettes against the skyline above any major ridgeline when viewed from any designated Major, Secondary, or Limited Secondary Highway on the County Highway Plan Policy Map, from any designated Scenic Highway, or from any significantly inhabited area, as determined by the Director. As used in this Part 15, major ridgeline shall mean any ridgeline that surrounds or visually dominates the landscape, as determined by the Director, due to its:

i. Size in relation to the hillside or mountain terrain of which it is a part;

ii. Silhouetting appearance against the sky, or appearance as a significant natural backdrop;

iii. Proximity to and visibility from existing development or major transportation corridors; or

iv. Significance as an ecological, historical, or cultural resource, including a ridgeline that provides a natural buffer between communities or is part of a park or trails system.

b. The top of a small-scale wind energy system, including the wind turbine generator and the highest vertical extent of the blades, shall be located at least 25 vertical feet below the top of any adjacent major ridgeline, and a small-scale wind energy system shall be located at least 100 horizontal feet from any adjacent major ridgeline.

c. Any small-scale wind energy system that is placed within the viewshed of a designated Major, Secondary, Limited Secondary, or Scenic Highway shall be assessed for its visual effects, and appropriate conditions relating to siting, buffers, and design of the system shall be applied.

d. The placement of a small-scale wind energy system shall not obstruct views of the ocean from any residence or highway, and shall otherwise conform to the policies and standards of any applicable Local Coastal Plan.

13. Maintenance. Systems shall be maintained in operational condition that poses no potential safety hazards.

14. Removal. Within six months after the operation of a small-scale wind energy system has ceased or its permit has expired, whichever occurs first, the permittee shall remove the system, clear the site of all equipment, and restore the site as nearly as practicable to its condition prior to the installation of the system. Failure to remove such system as required above shall constitute a public nuisance. Prior to installation of any such system, the permittee shall post a performance security, satisfactory to the Director of Public Works, in an amount and form sufficient to cover the cost of the removal of the system as provided herein. In the event the system is not

so removed within 90 days after the permittee's receipt of notice requiring removal, the County may itself cause the system to be removed, and the permittee shall be required to pay the County's cost of removal.

15. Additional Standards for Ground-Mounted Small-Scale Wind

Energy Systems. In addition to the standards required by this subsection, a ground-mounted small-scale wind energy system shall also comply with the following:

a. Use of trellis-style towers is prohibited;

b. Buffers. The following buffers shall apply to reduce impacts to birds and bats:

i. No part of the ground-mounted small-scale wind energy system shall be closer than 300 feet or five times the tallest wind tower height including the wind turbine generator, wind-measuring devices, and highest vertical extent of any blades, 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 wetland.

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

c. Tower Base. The vegetation within a 10-foot radius of the base of a wind tower shall be mowed, and appropriate measures shall be applied to prevent re-growth, but removal of existing vegetation root systems shall be prohibited.



D. Aviation Review.

The Director shall distribute copies of the proposed site plan, elevation plan, and location map to aviation-related regulatory agencies and facilities with flight operations in the vicinity, as determined by the Director, such as the FAA, County Forester and Fire Warden, County Sheriff, Edwards Air Force Base, and Air Force Plant 42, as applicable. Any comments received within 30 days of distribution, or more if additional review time is granted by the Director, will be considered in establishing conditions.

E. Findings.

1. Minor Conditional Use Permit. In addition to the applicable findings required under Part 1 of Chapter 22.56, when a minor conditional use permit is required by Subsection A above, the Hearing Officer or the Commission, as applicable, shall approve the permit where the information submitted by the applicant and/or presented at public hearing substantiates that the project complies with all applicable development standards in Subsection C above, unless modified by Subsection E.2. below.

2. Additional Findings for a Modification to Development Standards. In addition to the applicable findings required by this subsection, when a modification has been requested to any development standard in Subsection C above, the Hearing Officer or the Commission, as applicable, shall approve the permit where the information submitted by the applicant and/or presented at public hearing substantiates the following findings:

a. Strict compliance with all the development standards would substantially and unreasonably interfere with the establishment of the proposed project on the subject property; and

b. The requested modification would not be contrary to the purpose of this Part 15.

F. Conditions of Approval. In addition to the conditions that may be imposed under Part 1 of Chapter 22.56, when a minor conditional use permit is required by Subsection A above, the following conditions of approval shall be imposed:

1. Development Standards. The applicable development standards in Subsection C. above, unless modified by Subsection E above.

2. Findings. Any additional conditions deemed necessary to ensure that such use will be in accordance with the applicable findings in Subsection E above.

**SECTION 98.** Section 22.52.1635 is hereby added to read as follows:

**22.52.1635 Aviation Review.**

For any small-scale solar energy system or utility-scale solar energy facility subject to a minor conditional use permit or conditional use permit and located within a Military Operations Area (MOA) or Airport Influence Areas (AIAs) as identified by the General Plan or applicable Airport Land Use Compatibility Plans, the following provisions apply:

A. Consultation. Aviation-related agencies shall be consulted for review of the proposed use for any potential impacts to ensure the safety of residents and continued viability of military training and testing operations. The Department of

Regional Planning shall distribute copies of the proposed site plan, elevation plan, and location map to the aviation-related agencies and shall request comments within a 30-day period. Applicable aviation-related agencies to be consulted include, but are not limited to, the FAA, United States Navy, Edwards Air Force Base, Air Force Plant 42, United States Forest Service, California Department of Transportation Division of Aeronautics, Department of Public Works - Aviation Division, 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;
4. Uses that physically obstruct any portion of the MOA due to relative height above ground level; and
5. Uses, such as utility-scale solar energy facilities, that may affect aviation fire-fighting operations.

B. Any comments received through consultation shall be considered by the Department of Regional Planning and provided to the Hearing Officer or the Commission, as applicable.

**SECTION 99.** Section 22.52.1640 is hereby amended to read as follows:

**22.52.1640 Conditional use permit—Non-commercial wind energy conversion system (WECS-N) Enforcement Procedures.**

A. ~~Applicability.~~ The provisions of Part 1 of Chapter 22.56 shall apply to an application for a conditional use permit for a WECS-N, except as may be modified by this Part 15.

B. ~~Application. Filing Information and documents required.~~ An application for a conditional use permit for a WECS-N shall contain the following:

1. ~~The information and documents specified in subsection A of Section 22.56.030, including ownership information, mailing labels, and land use maps as specified, except that the applicable radius for the maps and list specified in subsections A.10.a, b, and c shall be 300 feet.~~

2. ~~Drawings to scale of the structure, including the tower, base, wind turbine generator, blades, footings, guy wires, and associated equipment.~~

3. ~~Six copies of the proposed site plan, elevation plan, and location map depicting the project location on USGS topographic sheets. Additional copies of these materials may be required by the director. On each set of the required site plan and elevation plan, the applicant shall depict the type and location of any safety lights and energy storage devices.~~

4. ~~Evidence satisfactory to the director that the proposed wind turbine generator meets the following standards:~~

~~a. The wind turbine generator is certified by a qualified, licensed engineer as meeting the requirements of wind turbine-specific safety and/or performance standards adopted by a national or international standards-setting body, including, but not limited to IEC (International Electric Code) standard 61400-2.~~

~~b. The wind turbine generator has a manufacturer's warranty with at least five years remaining from the date the application is filed.~~

~~c. The model of equipment proposed has a documented record of at least one year of reliable operation at a site with average wind speeds of at least 12 mph.~~

~~5. Where modification of any development standard specified in Section 22.52.1620 is requested, the applicant shall identify the requested modifications and substantiate to the satisfaction of the hearing officer that strict compliance with all required development standards would substantially and unreasonably interfere with establishment of the proposed WECS-N on the subject property and the requested modifications would not be contrary to the intent and purpose of Part 15.~~

~~C. Findings. In approving an application for a conditional use permit for a WECS-N, the hearing officer shall make the following findings:~~

~~1. The findings specified in Section 22.56.090.~~

~~2. That the proposed use complies with all applicable development standards specified in Section 22.52.1620, unless specifically modified as provided herein.~~

~~3. If the hearing officer modifies any development standard specified in Section 22.52.1620 at the request of the applicant, that the applicant has substantiated to the satisfaction of the hearing officer that strict compliance with all of the required development standards would substantially and unreasonably interfere with the establishment of any proposed WECS-N on the subject property, and the requested modifications would not be contrary to the intent and purpose of Part 15.~~

~~D. Conditions. In approving an application for a conditional use permit for a WECS-N, the hearing officer:~~

~~1. Shall impose as conditions all of the applicable development standards specified in Section 22.52.1620, unless specifically modified as provided herein;~~

~~2. May impose any additional conditions deemed necessary to insure that such use will be in accord with the findings specified in subsection C.~~

~~E. Appeal. Any person dissatisfied with the action of the hearing officer may file an appeal of such action with the commission within the time period set forth in, and subject to all 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 decision and shall not be subject to further administrative appeal.~~

A. Pursuant to Section 22.60.390.A, 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, utility-scale solar energy facility, temporary meteorological tower, or a small-scale wind energy system not in

compliance with the provisions of this Part 15. The Final Zoning Enforcement Order shall subject the non-compliant permittee to enforcement actions pursuant to Section 22.60.390. In addition, the non-compliant permittee may be subject 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, utility-scale solar energy facility, temporary meteorological tower, or small-scale wind energy system.

**SECTION 100.** The Section headings of Part 23 of Chapter 22.52 are hereby amended to read as follows:

**Part 23**

**WINERIES AND TASTING ROOMS**

**Sections:**

...

**22.52.2430 Wineries—Permit Requirements.**

...

**22.52.2460 Tasting Rooms—Permit Requirements.**

...

**22.52.2490 Remote Tasting Rooms—Permit Requirements.**

**SECTION 101.** Section 22.52.2430 is hereby amended to read as follows:

**22.52.2430 Wineries—Permit Requirements.**

A. Applicable ~~u~~Use ~~p~~Permit. If a CUP is otherwise required for a winery by the applicable zone under this Title 22, an applicant may request that the ~~Director~~Hearing Officer or the Commission consider a winery application in accordance with the minor CUP provisions set forth in Section 22.56.085, unless:

...

C. Conditions of ~~a~~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.

...

**SECTION 102.** Section 22.52.2460 is hereby amended to read as follows:

**22.52.2460 Tasting ~~r~~Rooms—Permit ~~r~~Requirements.**

A. Applicable ~~u~~Use ~~p~~Permit. An applicant may request that the ~~Director~~Hearing Officer or the Commission consider a tasting room CUP application in accordance with the minor CUP provisions of Section 22.56.085, unless:

...

B. Conditions of ~~a~~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 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.



...

**SECTION 103.** Section 22.52.2490 is hereby amended to read as follows:

**22.52.2490 Remote ~~t~~Tasting ~~r~~Rooms—Permit ~~r~~Requirements.**

A. Applicable ~~u~~Use ~~p~~Permit. An applicant may request that the ~~Director~~Hearing Officer or the Commission consider a remote tasting room CUP application in accordance with the minor CUP provisions of Section 22.56.085 085 unless:

...

B. Conditions of ~~a~~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.

...

**SECTION 104.** The Section headings of Part 1 of Chapter 22.56 are hereby amended to read as follows:

**Part 1**

**CONDITIONAL USE PERMITS**

**Sections:**

...

**22.56.070 Application—Public ~~h~~Hearing ~~r~~Required—Exception.**

22.56.085

**Grant or Denial of Minor Conditional Use Permit by**

**Director.**

...

**SECTION 105.** Section 22.56.030 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:

...

7. Provide a site plan drawn to a scale satisfactory to and in the number of copies prescribed by the ~~Director~~Hearing Officer or the Commission, indicating:

...

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

a. Maps in the number prescribed, and drawn to a scale specified by the ~~director~~Hearing Officer or the Commission, 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 eCounty 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~~Hearing Officer or the Commission that water will be available in quantities and pressures required by the Water Ordinance, set out at Division 1 of Title 20 of this eCode, or by a variance granted pursuant to said Division 1. The ~~director~~Hearing Officer or the Commission 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 fForester and fFire wWarden, or a certificate from the eCounty eEngineer that such water will be available;

e. The ~~director~~Hearing Officer or the Commission may waive the filing of one or more of the above items;

11. Such other information as the ~~director~~Hearing Officer or the Commission may require.

...

**SECTION 106.** Section 22.56.070 is hereby amended to read as follows:

**22.56.070 Application—Public hHearing rRequired—~~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 minor conditional use permit shall not be subject to the provisions of Section 22.60.175.

**SECTION 107.** Section 22.56.085 is hereby amended to read as follows:

**22.56.085 Grant ~~or Denial~~ of Minor Conditional Use Permit by Director.**

A. Applicabilty. ~~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:

...

— 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 systems, ground-mounted, in the Open Space and Watershed zones, in accordance with Part 15 of Chapter 22.52.~~

~~— Small-scale wind energy systems, in accordance with Part 15 of Chapter 22.52.~~

~~— Tasting rooms, subject to the applicable provisions of Part 23 of Chapter 22.52.~~

~~— 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 solar energy facility, structure-mounted, in the Single-Family Residence zone, except for small residential rooftop solar energy systems, as defined and regulated by Government Code section 65850.5 and the Los Angeles County Building Code in accordance with Part 15 of Chapter 22.52.~~

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

~~...~~

B. Purpose. The purpose of this ~~s~~Section is to authorize the ~~director's 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 subdivision 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.~~

~~DC. Findings. 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 may grant such permit without a public hearing if the director finds~~The Hearing Officer, or the Commission pursuant to Part 4 of Chapter 22.60, shall approve the permit where the information submitted by the applicant and/or presented at public hearing substantiates the following findings:

1. ~~\_\_\_\_\_~~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

2. ~~\_\_\_\_\_ if he further finds~~That the impacts of the use requested on safety, facilities and services, and natural resources are minor in nature.

~~ED. Appeal. The director shall notify the applicant and any persons who filed a timely request for a hearing of his decision. Any appeal from the director's decision shall be filed with the hearing officer within 14 days following the date on the notice of director's decision. The decision of the h~~Hearing e~~Officer may be appealed to the e~~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 eCommission shall be final and effective on the date of the decision and shall not be subject to further administrative appeal, except as otherwise provided under Public Resources Code section 21151. This subsection shall not apply when 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 108.** Section 22.60.100 is hereby amended to read as follows:

**22.60.100 Filing Fees and Deposits.\***

A. For the purposes of defraying the expense involved in connection with any application or petition required or authorized by this Title 22, the following fees shall accompany the application or petition:

...

— Change of Zones, Fire Department Referral—a fee in the amount specified in Title 32, Section 328, of this code to be applied to the ~~f~~Fire ~~d~~Department, when the Department of Regional Planning determines that an application for a change of zone is to be referred to the Fire Department for review.

...

— Minor Conditional Use Permits — \$1,494.00, ~~except that where a public hearing is requested pursuant to Section 22.56.075, an additional fee of \$7,230.00 shall be paid.~~

...

**SECTION 109.** The Section headings of Part 4 of Chapter 22.60 are hereby amended to read as follows:

**Part 4**

**PUBLIC HEARING PROCEDURES**

**Sections:**

...

**22.60.175**            **Posting.**

**22.60.176**            **Conduct of hHearings—Hearing eOfficer dDuty.**

...

**SECTION 110.** Section 22.60.176 is hereby amended to read as follows:

**22.60.176**            **Conduct of hHearings—Hearing eOfficer dDuty.**

When a verified application is filed for a permit or variance and a hearing is required by Title 21 or this Title 22, the hHearing eOfficer shall hold such hearing unless the hHearing eExaminer and/or eCommission 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. In all cases where a minor conditional use permit is filed concurrently with an application requiring a legislative action as listed above, the Commission shall hold a public hearing.

[2208040CYCC]



SECTION 111 This ordinance shall be published in The Daily Commerce a newspaper printed and published in the County of Los Angeles.



Mark Ridley-Thomas  
Chairman

ATTEST:

Lori Glasgow

Lori Glasgow  
Executive Officer -  
Clerk of the Board of Supervisors  
County of Los Angeles

I hereby certify that at its meeting of December 13, 2016 the foregoing ordinance was adopted by the Board of Supervisors of said County of Los Angeles by the following vote, to wit:

Ayes

Noes

Supervisors Hilda Solis  
Mark Ridley-Thomas  
Sheila Kuehl  
Janice Hahn  
Kathryn Barger

Supervisors None

Effective Date: January 12, 2017

Operative Date:

Lori Glasgow

Lori Glasgow  
Executive Officer -  
Clerk of the Board of Supervisors  
County of Los Angeles

I hereby certify that pursuant to Section 25103 of the Government Code, delivery of this document has been made.

LORI GLASGOW  
Executive Officer  
Clerk of the Board of Supervisors

By [Signature]  
Deputy



APPROVED AS TO FORM:  
MARY C. WICKHAM  
County Counsel

By [Signature]  
Lester J. Tolnai  
Chief Deputy County Counsel