

**Department of Regional Planning  
Department Statement**

**Board of Supervisors Meeting: January 27, 2026**

**Appeal Hearing on approval of Conditional Use Permit (CUP) No. RPPL 2023005137, Environmental Plan No. RPPL2023005138 / Project No. PRJ2023-002405-(5) to authorize the development, operation and maintenance of a new utility-scale groundmounted solar energy facility with an accessory Battery Energy Storage System (BESS) (Project) in the community of Lancaster.**

This agenda item is a non-applicant appeal by Save Our Rural Town or SORT (Appellant) of the Regional Planning Commission's (Commission) decision to approve the Project. The Project is located in the Antelope Valley West Zoned District within the Antelope Valley Planning Area and under the Antelope Valley Area Plan.

The Project was considered and approved by the Commission on August 22, 2025. During the hearing, Department of Regional Planning (LA County Planning) Staff gave a presentation about the Project and recommended approval, followed by testimony in support of the Project from Mr. Nyberg, representing the applicant, RPCA Solar 12, LLC. Three speakers, a nearby resident and two members of SORT, testified in opposition, raising concerns related to valley fever, potential fire hazards, land use compatibility, and noise. The applicant's representatives, Mr. Nyberg and Ms. Fan, responded to these concerns. The Commission directed that the Project be conditioned to relocate the accessory BESS away from the nearest single-family residence on the project site. Following discussion, the Commission closed the public hearing, and by a vote of 5 to 0, adopted the Mitigated Negative Declaration to reduce impacts to air quality, biological resources, cultural resources, and tribal cultural resources to less than significant with mitigation measures pursuant to the California Environmental Quality Act (CEQA) requirements, and by a vote of 4 to 1, approved the CUP for the Project with the conditions as recommended by Staff with the change directed by the Commission.

The Commission's decision was timely appealed to the Board of Supervisors (Board) by SORT on September 3, 2025. The appeal statement stated the following reasons for the appeal:

- 1) The approval of a BESS as an accessory use violates the Zoning Code;
- 2) Noise impacts are not mitigated to a level that is less than significant;
- 3) The Mitigated Negative Declaration fails to address the Project's wildfire and hazardous emission impacts;

- 4) Water resources claimed in the Project do not exist;
- 5) The proposed 10,000-gallon water tank is insufficient for BESS fire suppression and wildfire protection; and
- 6) Approval of the CUP separately from a Franchise Agreement (if required) violates CEQA.

Staff and the Applicant previously responded to the concerns during the Commission hearing and confirmed that the Project meets the applicable County regulations and reduces impacts to less than significant with the adopted mitigation measures pursuant to CEQA guidelines and requirements. Therefore, LA County Planning recommends that the Board uphold the Commission's approval of the Project.

Respectfully submitted,



AMY J. BODEK, AICP  
Director of Regional Planning

AJB:DD:SMT:SD:SC:lm