

# **MINUTES**

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## **REGULAR MEETING OF THE LANCASTER PLANNING COMMISSION March 18, 2013**

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### **CALL TO ORDER**

Vice Chairman Hall called the regular meeting to order at 6:05 p.m.

### **INVOCATION**

Vice Chairman Hall.

### **PLEDGE OF ALLEGIANCE**

Commissioner Cook.

### **ROLL CALL**

Present: Commissioners Cook, Malhi, Smith, Terracciano, and Vice Chairman Hall.

Absent: Commissioner Harvey and Chairman Vose.

Also present were the Deputy City Attorney (Joe Adams), Associate Planner (Chuen Ng), Associate Planner-Environmental (Jocelyn Swain), Assistant Planner (Chris Aune), Recording Secretary (Joy Reyes), and an audience of five people.

### **CONSENT CALENDAR**

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#### **1. APPROVAL OF MINUTES**

It was moved by Commissioner Cook and seconded by Commissioner Smith to approve the Minutes from the Regular Meeting of February 25, 2013. Motion carried with the following vote (5-0-0-2):

AYES: Commissioners Cook, Malhi, Smith, Terracciano, and Vice Chairman Hall.

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner Harvey and Chairman Vose.

## **NEW PUBLIC HEARINGS**

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### **2. Conditional Use Permit No. 13-01**

Vice Chairman Hall opened the public hearing at 6:08 p.m., to hear request by Domingo T. Gutierrez, to allow on-sale beer, wine, and distilled spirits (ABC License Type 47) and to allow entertainment (5-piece mariachi band) every other Sunday at Domingo's Mexican & Seafood Restaurant in the C (Commercial) Zone, located at 1324 West Avenue I.

The reading of the staff report was waived since an uncontested hearing letter was received from the applicant stating agreement to the conditions of approval as stated in the staff report.

Vice Chairman Hall inquired if the applicant would have to obtain approval from staff if he wanted to have a special event other than what was specified in the conditions. Chris Aune affirmed if the applicant wanted to change anything that was not outlined in the conditions, he would need approval from the Planning Director.

Applicant Domingo Gutierrez stated he has a restaurant in Boron, and wanted to bring his family-gearred restaurant to Lancaster. In response to Vice Chairman Hall's inquiry concerning the conditions for special events, the applicant stated he wants his business to stay competitive in appealing to the family crowd.

Commissioner Smith stated that Domingo's Restaurant has a great reputation in Tehachapi where she has dined, and welcomed the applicant to the Lancaster community.

There were none in the audience who wished to speak in opposition to the request. Public hearing closed at 6:13 p.m.

It was moved by Commissioner Smith and seconded by Commissioner Malhi to adopt Resolution No. 13-02 approving Conditional Use Permit No. 13-01. Motion carried with the following vote (5-0-0-2):

AYES: Commissioners Cook, Malhi, Smith, Terracciano, and Vice Chairman Hall.

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner Harvey and Chairman Vose.

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**PRESENTATION**

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**3. SOLAR ENERGY PROJECTS**

**Presenter: Jocelyn Swain**

Jocelyn Swain stated the presentation is a brief overview of the different types of solar projects that can be built; projects approved in the City of Lancaster; the requirements associated with the projects approved; and upcoming projects that Commissioners may or may not have observed.

**Types of Solar:**

- Photovoltaic panels
  - ❖ Fixed, single-axis and dual-axis
- Concentrating solar
- Solar tower power (eSolar)
- Other types (e.g., trough technology)

**Approval Authority:**

- All types of solar projects less than 50 megawatts (Mw) can be permitted by local agencies
- Solar projects larger than 50 Mw (except photovoltaic) are permitted by the California Public Utilities Commission (CPUC).
- Photovoltaic (PV) projects of any size can be permitted by local agencies.

**Behind the Meter Projects:**

- Alternative energy projects installed to provide power to the property's primary use.
- Staff level approval (Director's Review)
- Includes solar on residential, commercial or industrial buildings; ground-mounted solar providing electricity to a building; and solar carports/shade structures.
- Per State law, the only conditions that can be applied to these projects relate to public safety.
- Examples include the Kaiser facility at 15<sup>th</sup> Street West and Avenue K-8, Lancaster Baptist Church, the Auto Mall, and the carport/shade structures at City facilities and the Lancaster/Eastside School district schools.

**Commercial Scale Projects:**

- Alternative energy projects that are developed with the sole purpose of selling power to utility providers (SCE, LADWP, PG&E)
- Allowed in the Heavy Industrial zone with a Director's Review (staff level approval)
- Allowed in the RR-1 and RR-2.5 zones with a conditional use permit (Planning Commission approval)
- Two sizes of projects

- ❖ Smaller scale, typically in 1.5 Mw increments which tie directly into low voltage (12 kV) distribution lines.
- ❖ Larger scale which typically utilizes a higher voltage (66 kV or larger) generation tie (gen-tie) line to connect to a substation or collector substation.

**Lancaster Projects:**

- 14 CUPs for a total of 523.4 Mw's have been filed since February 2010
  - ❖ 13 CUPs (193.4 Mw) have been approved
  - ❖ 1 project (20 Mw) has been built and will be operational in March 2013
  - ❖ 2 projects (4.9 Mw) are currently under construction
  - ❖ 3 projects (10.5 Mw) will be starting the plan check process within the next 60 days
  - ❖ 3 projects (40 Mw) will be starting the plan check process by the end of June 2013.

**Fencing and Landscaping Requirements:**

- Perimeter fencing is required and the type depends on the location of the project
  - ❖ Chain link fencing allowed in the rural or less developed areas.
  - ❖ Locations in the central portion of the City or near more intense development must use tubular steel fencing or the equivalent.
- A 10-foot-wide landscaped perimeter is required to screen the project site from public view.
- Landscaping must be drought tolerant and preferably native.
- When water lines are available adjacent to the project site, the landscaping must be irrigated.
- When water lines are not available, landscaping must be water by alternate means (water truck, dri-water, etc.) until landscaping is firmly established and can survive with natural precipitation.
- Existing trees and large shrubs on the perimeter of a project site are required to remain in place and be incorporated into the landscaping.

**Benefits of Alternative Energy Projects:**

- Helps City achieve goal of being net-zero.
- Revenue – all projects are required to use Lancaster as point-of-sale for direct and indirect purchases.
- Jobs – local hiring for projects

**Jobs:**

- All developers encouraged to hire locally, and staff is available to help them with the process.
- Recurrent Energy (TUUSSO project) – 142 out of 172 (83%) local hire
- TSK (Absolutely Solar) – 25 jobs, all local hires through a combined effort of City staff and the local Work Source Center

**Upcoming Projects:**

- CUP 12-15: A Draft EIR is being prepared which is likely to be out for public comment towards the end of 2013 (beginning of 2014).
- Three solar CUPs are expected to be filed with the City in March 2013, two on the westside and one on the eastside.
- All three CUPs are expected to be before Planning Commission in July/August 2013.

**Projects to Be Aware Of:**

- Clearview Transmission Line
  - ❖ A 2,500 Mw transmission line proposed as an alternate to the Coolwater-Lugo Transmission Line.
  - ❖ Public-Private partnership between the High Desert Power Authority and Critical Path Transmission
  - ❖ DC underground line between Pearblossom and Highway 58.
- AC overhead line between Kramer Junction and Windhub substation
- The line is being considered for inclusion in the Statewide Transmission Plan
- The line would help to export alternative energy produced in Kern County.
- EIR is being prepared with Kern County as lead agency
- Desert Renewable Energy Conservation Plan
  - ❖ A seven-county conservation plan to streamline the permitting of alternative energy projects.
  - ❖ Being prepared by a collaboration of state and federal agencies (CDFW, USFWS, BLM, CEC, CPUC) with input from local governments, environmental organizations, wind and solar companies, and military.
  - ❖ City of Lancaster is only City who is a stakeholder.
- Stakeholder meeting to place in Lancaster sometime in the next couple of months.
- Draft Plan and EIR/EIS to be released for public review towards the end of the year.

Vice Chairman Hall referenced the Behind the Meter Projects, and inquired if the grid goes down would the homes lose power. Jocelyn Swain affirmed and stated the grid works the same way as having solar in the home. Any excess power that is not used goes back to Edison (SCE), and credited to the user, and allows user to pull power from the grid; every behind-the-meter project has a kill switch, as with all grid lines. Vice Chairman Hall commented that it was unclear to him as to why the switch does not just turn off the grid, instead of the house, so it would not generate back power into the grid. Jocelyn Swain responded that because of the size of the grid, it may shut down power at houses in the area of the problem; shutting down the grid would shut down a much larger area; SCE does this process as a safety measure. Vice Chairman Hall commented on the devastation on the east coast where people with solar energy homes and hybrid vehicles were still without power. Jocelyn Swain stated that the same situation could also happen in this area, and having battery storage could prevent power outage to an extent. Battery/back-up would provide power for a span of time; she was unsure how this would affect hybrid vehicles. She concluded that if the power source is independent from the grid and completely dependent on the solar panels, power from the solar will be sufficient should

the grid lose power. Vice Chairman Hall inquired if solar energy worked at night, such as the trough method and the solar tower power. Jocelyn Swain stated there is no solar energy that could work at night because solar energy needs sunlight. The trough method is heating what is in the pipeline from the sun; the sun has to hit the panels to heat what is in the pipeline to generate the heat for the liquid. Vice Chairman Hall asked if the water could be stored in the tank, and release its energy after the sun sets, and could the Plant generate power. Jocelyn Swain stated the panels would not be operating in the dark, and the Plant can generate power. Commissioner Cook clarified if there could be a delayed storage to generate power. Jocelyn Swain responded it could not, and that the power comes directly from the grid; energy is not stored anywhere on site.

Vice Chairman Hall commented on the solar panels that were stored flat on the photos, and inquired if these are monitored by the weather stations. Jocelyn Swain stated that every solar site has a meteorological station on it that measures the wind and temperature (station set in before panels are installed). Therefore, when the panels are flat, they activate the computer to the stations.

Vice Chairman Hall referenced to the Upcoming Projects from the presentation concerning direct current, and inquired about the high resistance compared to AC current. Jocelyn Swain stated that direct current is what the solar panels produce, and there is an inverter on every site that changes it to alternating current, so that it can tie into lines in the substations. She added that direct current is a more efficient way of transporting electrons; however, multiple projects cannot tie directly into these lines.

Vice Chairman Hall asked for clarification of Lancaster as a stakeholder. Jocelyn Swain stated that along with the counties and several entities, Lancaster is considered to be a permitting entity for the Desert Renewable Energy Conservation Plan.

Vice Chairman Hall referenced to generating capacity, and inquired if there was a point where the output would strip the demand of power purchase. Jocelyn Swain stated all utility providers are required by law to provide 30% of their power from renewable sources by 2020. If a provider is issuing a power purchase agreement and an inner connect agreement, these agreements are being reviewed to determine whether or not they need more. While the City may permit from a land use perspective, a solar plant on a piece of property may not get a power purchase agreement or inner connect agreement from a utility, and, therefore, may not build. Vice Chairman Hall asked how much of the State of California has to be covered in photovoltaic panels to meet the 30% requirement. Jocelyn Swain did not know the percentage; however, many of the utility companies have stated they have the 30%.

There was one speaker card:

Speaker Kevin Maevens stated it was his first time attending the Planning Commission meeting and was not familiar with the process. He was very impressed with the solar presentation, and would be interested in becoming a stakeholder.

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**DIRECTOR'S ANNOUNCEMENTS**

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Chuen Ng requested excusal of Brian Ludicke from the meeting; he informed that the Residential Zones has been scheduled to go before the City Council on March 26, 2013.

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**COMMISSION AGENDA**

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Vice Chairman Hall stated he noticed a flashing yellow traffic signal light; the sign read “yield on flashing yellow”, and noted when the road is clear, a left turn could not be made because of the left red arrow. He stated that now with the flashing yellow traffic signal the turn is allowed when safe. He asked if the City could look into these signal lights issues. Chuen Ng stated that Michelle Cantrell, City Engineer, could share more insight at a later date.

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**PUBLIC BUSINESS FROM THE FLOOR - NON-AGENDA ITEMS**

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None.

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**ADJOURNMENT**

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Vice Chairman Hall declared the meeting adjourned at 6:49 p.m., to the Special Meeting for Agenda Review on Monday, April 8, 2013, at 5:30 p.m., in the Planning Conference Room, City Hall.

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JAMES D. VOSE, Chairman  
Lancaster Planning Commission

ATTEST:

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BRIAN S. LUDICKE, Planning Director  
City of Lancaster