

SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

714B



FROM: TLMA/Planning Department

SUBMITTAL DATE: July 10, 2003

**SUBJECT: FAST TRACK CHANGE OF ZONE NO. 6723, FAST TRACK COMMERCIAL WECS PERMIT NO. 112, and FAST TRACK VARIANCE CASE NO. 1739 (FTA#2001-26) - EIR No. 447**  
- Mountain View Power Partners - Fifth Supervisorial District - Pass & Desert Zoning District - 357 Acres - W-2 Zone - Northerly and southerly of Interstate 10, northerly of the Union Pacific Railroad, southerly of Dillon Road, easterly of Highway 62 - REQUEST: Rezone property from W-2 to W-E and W-2, and install and operate 31 Vestas 660 kW wind turbines (WECS) at an approximate height of 274 feet, with off-site installation of electrical utility lines, and a variance request to reduce safety setbacks from 1.1 times total WECS height (301 feet) to 187 feet along a portion of the northerly property line, and reduce scenic setbacks from 1000 feet from Interstate 10 (I-10) to 500 feet on north side of I-10 and 900 feet on the south side of I-10.

**CONTROVERSIAL ISSUES:** Wake effects, visual/aesthetics and biology impacts were significant project issues by EIR No. 447. Wake effects were resolved by a project redesign that established project wind access setbacks in excess of 10 rotor diameters from the easterly lot line, and reflects a negotiated settlement with the downwind land owner. Visual/aesthetic impacts were determined by the EIR as significant unavoidable adverse impacts, partially mitigated with safety and scenic setback requirements except for variance areas, uniform wind turbine colors (off-white), reduced aircraft warning lights, and WIMP fees. Economic benefits of the project justify an overriding finding for project visual and aesthetic impacts. Biological impacts, while complex and potentially adverse, were found to be mitigated to a level of non-significance.

**BACKGROUND:** This wind energy development project has been designated by the Economic Development Agency (EDA) as a Fast Track case (FTA #2001-26). In an effort to process this project under Fast Track directives, and at the request of the applicant due to financial hardships, the Planning Department has scheduled this matter before your Board con-currently with public

Robert C. Johnson, Planning Director  
(Continued on attached page)

REVIEWED BY EXECUTIVE OFFICE  
*[Signature]*  
DATE: 7/10/03

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- Policy
  - Policy
  - Consent
  - Consent
- Department Recommendation:  
Per Executive Office:

COUNTY OF RIVERSIDE  
03 JUL 11 AM 8:45  
EXECUTIVE  
03 JUL 11 AM 8:45  
CLERK DIVISION OF SUPERVISORS  
DEPARTMENT OF PLANNING

Prev. Agn. ref.

Dist. Fifth

AGENDA NO.

16.4

**THE HONORABLE BOARD OF SUPERVISORS**

**Form 11A**

**Change of Zone No. 6723/Commercial WECS Permit No. 112 & Variance 1739**

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hearing notification for this matter before the Planning Commission. The Office of the Fifth Supervisorial District is aware of this con-current scheduling effort. The Planning Commission will consider this project on July 23, 2003. Staff has forwarded this Board package to the Clerk of the Board with the assumption that the commission will take positive action on this project on July 23d. Should the commission, after considering testimony at its hearing, take action other than to approve this project, the recommendation indicated below would be changed by staff at your Board hearing based on the recommendations coming forth from the commission.

The applicant requested this expedited scheduling in order to allow completion of all project entitlement actions before September 1, 2003, including making the W-E zone effective. Financial and construction deadlines are the reasons given by the applicant. Building, grading and other construction permits could not be issued by the Department of Building and Safety until the WECS permit is granted, and the W-E Zone for the property is made effective. Zoning is not effective until 30 days after final action by the Board of Supervisors - thus causing the need for consideration by your Board prior to August 1, 2003.

**RECOMMENDED MOTION:**

**The Planning Department recommended Approval; and,**

**THE PLANNING COMMISSION RECOMMENDS:**

**CERTIFICATION of FINAL ENVIRONMENTAL IMPACT REPORT NO. 447, based on the conclusions and findings of the Planning Commission and the attached staff report; and,**

**APPROVAL of FAST TRACK CHANGE OF ZONE NO. 6723 from W-2 to W-E and W-2 in accordance with Exhibit 2; and,**

**APPROVAL of FAST TRACK COMMERCIAL WECS PERMIT NO. 112; subject to the attached conditions of approval; and,**

**APPROVAL of VARIANCE CASE NO. 1739, subject to the attached conditions of approval and based on the conclusions and findings of the Planning Commission and the attached staff report.**