

SBCo Info on AMS consistency with County LORS

From: Hyke, Carrie - LUS - Advance Planning [<mailto:chyke@lusd.sbcounty.gov>]
Sent: Thursday, February 11, 2010
To: Susanne Huerta
Cc: Negar Vahidi
Subject: RE: Abengoa Mojave Solar - Land Use Zoning District Compliance

No, unless the CEC requests it.

From: Susanne Huerta [<mailto:SHuerta@aspeneq.com>]
Sent: Thursday, February 11, 2010 10:34 AM
To: Hyke, Carrie - LUS - Advance Planning
Cc: Negar Vahidi
Subject: RE: Abengoa Mojave Solar - Land Use Zoning District Compliance

Hi Carrie,

Hopefully this is my last question for you. Is the County planning on submitting any additional findings for the project?

Susanne Huerta
Aspen Environmental Group
Office 818.597.3407 ext. 353
Fax 818.597.8001

From: Hyke, Carrie - LUS - Advance Planning [<mailto:chyke@lusd.sbcounty.gov>]
Sent: Thursday, February 11, 2010 7:58 AM
To: Susanne Huerta
Cc: Negar Vahidi
Subject: RE: Abengoa Mojave Solar - Land Use Zoning District Compliance

The County would have to approve a Major Variance for those development standards. Development Code Chapter 85.17 discusses variance procedures. We would have to make the following findings in the affirmative to grant a variance:

85.17.060 Findings and Decision

DOCKET	
09-AFC-5	
DATE	FEB 11 2010
RECD.	FEB 11 2010

(a) General findings. The review authority may approve a Variance (Major or Minor) only after first finding all of the following:

- (1) The granting of the Variance will not be materially detrimental to other properties or land uses in the area and will not substantially interfere with the present or future ability to use solar energy systems;
- (2) There are exceptional or extraordinary circumstances or conditions applicable to the subject property or to the intended use that do not apply to other properties in the same vicinity and land use zoning district;
- (3) The strict application of the land use zoning district deprives the subject property of privileges enjoyed by other properties in the vicinity or in the same land use zoning district; and
- (4) The granting of the Variance is compatible with the maps, objectives, policies, programs, and general land uses specified in the General Plan and any applicable specific plan.

I believe the County would grant a variance for this project because the technology used does not fit into the typical standards.

Hope that helps.

Carrie Hyke, AICP, Principal Planner
San Bernardino County Land Use Services Department
Advance Planning Division
Environmental & Mining Section
Tel. 909-387-4371
FAX 909.387.3223
chyke@lusd.sbcounty.gov<<mailto:chyke@lusd.sbcounty.gov>>

From: Susanne Huerta [<mailto:SHuerta@aspeneg.com>]
Sent: Wednesday, February 10, 2010 4:49 PM
To: Hyke, Carrie - LUS - Advance Planning
Cc: Negar Vahidi
Subject: Abengoa Mojave Solar - Land Use Zoning District Compliance

Hi Carrie,

As stated in our letter to you on November 10, 2009, the proposed project would not comply with the 20 percent maximum building coverage and the 35-foot height limit (the transmission line towers would average approximately 80 feet in height) as required by

the RL zone. The County's suggested Conditions of Approval do not address these matters, nor does Chapter 84.29. Do you have any input regarding these issues?

Thanks,

Susanne Huerta
Aspen Environmental Group
Office 818.597.3407 ext. 353
Fax 818.597.8001