

DEVELOPMENT SERVICES DEPARTMENT

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TO: Planning Commission Agenda of: October 14, 2010
FROM: Peter N. Maurer, Principal Planner Item No.: 12
DATE: September 29, 2010
RE: OR10-0002/Wind Energy Conversion Systems (WECS) – Revision #2

Attached for your review is the revised WECS ordinance, based on the discussion at the September 23, 2010 hearing. The changes made are listed below by subsection, with a brief discussion of the rationale for the change:

Subsection B. Modified text for correct reference, adding microturbines, and simplifying the language.

Subsection C. Added definition of microturbine.

Subsection D. Deleted this subsection. The provisions contained in it were moved to specific sections on microturbines or small WECS, Subsection E, or contained in the tables.

Table 17.14.240.1 There are several changes made to this table, listed below:

1. Added specific zones to the groups of zones. Not all of our current zones fit into the broad categories of “residential” or “agricultural”.
2. Added cumulative impact capacity for multiple towers
3. Raised the threshold for the third column from 25 Kw to 50Kw, since 50 is the threshold between Small WECS and larger scale projects.
4. Modified the permit types for some categories. Except for microturbines, due to the complexity of the use, an administrative permit seemed more appropriate. Also, since any such use that would require a hearing would likely be controversial, a special use permit would provide greater discretion to address noise and visual concerns than a minor use permit.

Subsection E. New section to address the number of microturbine or small WECS units per parcel. Previously Subsection D.

Subsection F. Reworded the Development Standards Subsection to incorporate the table better, and to clarify what types of facilities the standards apply to. The specific changes are described below:

- Table 17.14.240.2: Deleted the separation column and the note on the bottom; modified the threshold for small WECS to 50Kw.
- F.1 & F.2: Deleted the blade height and separation requirements
- F.3: Added a safety section, moving the fence requirement from F.4 to a separate paragraph

Subsection G. Modified the submittal requirements, clarifying that they apply to administrative and special use permit applications, and eliminated provisions dealing with system efficiency requirements.

Recommendation:

Development Services Department, Planning Services, recommends the Planning Commission forward a recommendation to the Board of Supervisors to take the following action:

1. Adopt the Negative Declaration based on the Initial Study prepared by staff, with the additional finding that the revisions made to the draft ordinance do not increase or change the potential environmental effects of the proposed ordinance;
2. Approve OR10-0002 amending Chapter 17.14 (Miscellaneous Development Requirements) to add the Wind Energy Conversion Systems Ordinance as Section 17.14.240 of the Zoning Ordinance, as shown in Exhibit A, based on the Findings listed in Attachment 1.