

FROM THE PLANNING COMMISSION MINUTES OF SEPTEMBER 9, 2010

10. ORDINANCE

OR10-0002/Wind Energy Conversion Systems initiated by EL DORADO COUNTY. Proposed amendment to County Ordinance, Title 17, to add provisions for wind energy conversion systems to comply with California Government Code Section 65893 which encourages local agencies to adopt zoning standards that enable construction of small wind energy conversion systems for on-site home, farm, and small commercial use. The intent is to provide standards and regulations for the safe and effective construction and use of these systems, as well as for larger, utility-scale systems that can potentially be developed within the County, based on the State Energy Commission's *Wind Resource Potential Maps*. [Project Planner: Lillian MacLeod] (Negative Declaration prepared)*

Peter Maurer presented the item to the Commission with a recommendation of approval to the Board of Supervisors. He stated that this is being mandated by State law and even though it is a component of the Zoning Ordinance, if this Ordinance is not in effect by January 1, 2011, the State provisions will be initiated, which would also require participation in a 5-year audit period. Mr. Maurer recommended the following amendments to the proposed Ordinance:

- Section D, 1st sentence: Amend "Subsection I" to "Subsection H";
- Section F: Add sentence title to read "Application Submittal Requirements.";
- Section H: Delete "those exempt from this ordinance under" and replace with "WECS identified in"; and
- Section I: Remove "I." to make it part of Section H; and item 10.a, delete 1st reference of the word "be".

Commissioner Pratt voiced concern regarding Williamson Act Contract (WAC) lands as the State Department of Conservation is currently reviewing WACs and is taking a narrower view on the uses than the County. He would like WECS to be allowed as a self-sustaining and revenue-generating use but need to ensure that for WAC lands that ag is still the primary use of the land. Significant discussion ensued between Mr. Maurer and the Commission on this issue. Mr. Maurer stated that nothing in the proposed Ordinance nor State law would prevent these being placed on ag land, but should probably be addressed in the Zoning Ordinance for ag zone districts (i.e., AE).

Significant discussion ensued on micro-turbines on what is allowed and the wording in the Exemptions section of the Ordinance. Mr. Maurer recommended that this item be continued to allow staff time to clarify this issue on the wording in Section D-Exemptions.

No further discussion was presented.

Motion: Commissioner Mathews moved, seconded by Commissioner Heflin, and carried (4-0), to continue the item to the September 23, 2010, meeting.

AYES: Pratt, Heflin, Mathews, Rain
NOES: None
ABSENT: Tolhurst