SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

Date: **April 29, 2011**

To: **Interested Parties**

From: **Kerry Brown**

RE: **Draft Small Wind Energy System / LRP2010-00013**

Please see the attached **Draft Small Wind Energy System** package for your review and comment.

The Planning Department is proposing add a new section to both Title 22 and Title 23 for Small Wind Energy Systems. The proposed changes update the Ordinance to reflect current State law (Government Code Section 65893 et. Seq.) and to encourage and increase renewable energy use county-wide.

Please provide comments to Kerry Brown by May 31, 2011.

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Small Wind Energy Systems (SWES)

Definition: Small wind energy system means a wind energy conversion system consisting of a wind turbine, a tower, and associated control or conversion electronics that has a rated capacity of not more than 50 kilowatts per customer site, consistent with the requirements of paragraph (3) of subdivision (b) of Section 25744 of the Public Resources Code, and that will be used primarily to reduce onsite consumption of utility power.

Allowable in all land use categories

Small Wind Energy Systems (SWES)

The following standards apply to on-site facilities which convert wind energy to electricity for individual properties that are developed. This does not include facilities that convert wind energy for sale or distribution to off-site users.

1. Permit requirement. Zoning Clearance.

2. Minimum Parcel Size. No minimum

3. Application contents.

    a. A site plan showing and identifying all existing structures and the location of the proposed SWES.

    b. The location of all above-ground utility lines on-site.

4. Setbacks. The system tower shall be setback from property lines and above ground utility lines the height of the vertical axis of the tower, including rotor blades.

5. Safety. The system shall use a wind turbine that has been approved by the Energy Commission as qualifying under its Emerging Renewables Program pursuant to Section 25744 of the Public Resources Code or has been certified by a national program recognized and approved by the commission. The application shall include standard drawings and an engineering analysis of the system's tower, showing compliance with the current version of the California Building Standards Code and certification by a professional mechanical, structural, or civil engineer licensed by this state. A wet stamp, however, shall not be required if the application demonstrates that the system is designed to meet the most stringent wind requirements (Uniform Building Code wind exposure D), the requirements for the worst seismic class (Seismic 4), and the weakest soil class, with a soil strength of not more than 1,000 pounds per square foot, or other relevant conditions normally required by a county.

6. Airport Review Areas

The system shall comply with all applicable Federal Aviation Administration requirements, including Subpart B (commencing with Section 77.11) of Part 77 of Title 14 of the Code of Federal Regulations regarding installations close to airports, and the State Aeronautics Act (Part 1 (commencing with Section 21001) of Division 9 of the Public Utilities Code). A system that complies with this subdivision shall be deemed to meet the applicable health and safety requirements regarding civil aviation.

7. Guy wires. Guy wires are not allowed.

8. Lighting. Lighting of the tower structure or rotor blades is prohibited unless other wise required for safety reasons.

9. Tower access. Towers shall be constructed to provide one of the following means of access control or other appropriate method approved by the Director of Planning and Building:

a. Tower-climbing apparatus located no closer than 12 feet from the ground;

b. A locked anti-climb device installed on the tower; or

c. The tower shall be completely enclosed by a locked, protective fence at least six feet high.

10. Signs. At least one sign not larger than 4 square feet shall be posted on the tower warning of electrical shock or high voltage. The sign must be at least 10 feet above the ground surface.

11. Visual. The tower shall be constructed below major ridge lines when viewed from any designated State or local scenic highway. To minimize visual impacts ground mounted towers shall incorporate colors that blend with the natural surroundings. Roof mounted systems shall use colors that are the same, or very similar to, the existing roof.

12. Height. The maximum height of the SWES tower, including rotor blades, shall not exceed the following:
a. Parcels up to one acre: Maximum height allowed by the Area Plan or Land Use Category.
b. Parcels between one acre and five acres: 80 feet
c. Parcels over five acres: 100 feet

For roof mounted systems, the height of the structure shall be included in the overall height limit. Modification to the height limit noted in A may be requested through a Minor Use Permit except for height limits established by Planning Area Standard.

13. Noise. The SWES shall be operated in compliance with Land Use Ordinance Section 22.10.120

14. Density. One SWES system tower is allowed per legal parcel.