

STAFF REPORT
City of Lancaster

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09-08-09
MVB

Date: September 8, 2009

To: Mayor Parris and Council Members

From: Brian S. Ludicke, Planning Director

Subject: **Amendment to Title 17 (Zoning Ordinance) of the Municipal Code modifying the Wind Energy requirements to regulate non-commercial Vertical Axis Wind Turbine Systems (VAWTS) in the residential zones**

Recommendation:

1. Introduce **Ordinance No. 933**, amending Title 17 of the Lancaster Municipal Code (LMC) by modifying the Wind Energy regulations in Residential Zones.
2. Determine that the application fee for VAWTS would be the same as established for a Director's Review (Checklist B) fee of \$338.00.

Background:

The Planning Commission held a public hearing on August 17, 2009, and recommended approval of an amendment to the Zoning Ordinance to modify the Wind Energy requirements and establish standards for regulating VAWTS in the residential zones.

Analysis:

In 2001, the California legislature passed Assembly Bill 1207, which promoted small wind turbine installations and established incentives through rebates for residents, in order to address the high demand for alternative renewable energy and reduce the demand on the state electric grid.

Currently, Section 17.08.070.DD of the LMC requires a conditional use permit for all wind energy devices. The filing fee for a conditional use permit application is \$7,929.00. Staff is requesting a modification to Section 17.08.070.DD, which would exclude VAWTS from the conditional use permit process by adding Section 17.08.060.Y to require a Director's Review application (Category B) for all VAWTS in residential zones. The cost for a Director's Review application (Category B) would be \$338.00, making it more financially feasible for residential owners to install VAWTS in residential zones. The proposal is consistent with the goals and objectives of Policy 3.6.6 of the City's new General Plan.

The addition of Section 17.08.335 would address guidelines and regulations for the installation of VAWTS in residential zones. This section would deal with development issues as to the location, setbacks, size and various other issues as they pertain to VAWTS in residential zones.

Staff recommends that the City Council adopt the amendments and modification to the zoning ordinance to regulate Vertical Axis Wind Turbine Systems in residential zones.

CCN:BSL/jr

Attachments:

Ordinance No. 933

Exhibit "A" (LMC Section 17.08.335 – Vertical Axis Wind Turbine System (VAWTS))

Planning Commission Staff Report, dated August 17, 2009