

STAFF REPORT

July 5, 2001

**ORD #010A008 - Ordinance Amendment - Wind Energy
Conversion Systems**

ITEM 47

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	ORD #010A008 - Ordinance Amendment - Wind Energy Conversion Systems
LEGAL DESCRIPTION	An Ordinance adding Section 17.04.752 to Chapter 17.04 and Section 17.50.215 to Chapter 17.50 pertaining to Wind Energy Conversion Systems and amending Section 17.22.030 of Chapter 17.22 by adding a new Subsection J allowing Wind Energy Conversion Systems as a use permitted on review in the Light Industrial District and amending Section 17.24.030 of Chapter 17.24 by adding a new Subsection 24 allowing Wind Energy Conversion Systems as a use permitted on review in the Heavy Industrial District and adding Section 17.42.025 to Chapter 17.42 allowing uses permitted on review to the Mining and Earth District and adding Subsection 17.42.025a allowing Wind Energy Conversion Systems as a use permitted on review in the Mining and Earth District to the Rapid City Municipal Code.
REPORT BY	Bill Lass

RECOMMENDATION: Staff recommends that the Ordinance Amendment pertaining to Wind Energy Conversion Systems be approved.

GENERAL COMMENTS: This proposed amendment to the Zoning Ordinance would allow wind energy conversion systems as a Use on Review in the Light Industrial, Heavy Industrial, and Mining and Earth Extraction Zoning Districts. The Planning Commission reviewed and revised several drafts of this Ordinance Amendment this spring before directing Staff to publish the amendment.

Some of the highlights of the attached Ordinance are as follows:

- Where Allowed - Wind Energy Conversion Systems would be allowed only as an accessory use and only as a Use on Review in the Light Industrial, Heavy Industrial and Mining and Earth Extraction Zoning Districts.
- Setbacks – A minimum setback of one and one-half times the height of the wind energy conversion system is required between the system and any property line, structure, overhead utility line, or other tower support base.

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- Tower Height – the maximum tower height shall not exceed ninety feet as measured from the ground to the rotor hub.
- Noise Levels – The maximum noise level that can be generated by the wind energy conversion system is sixty decibels as measured at the closest property line to the system. Sixty decibels is roughly equivalent to the sound generated by conversation in a restaurant or to that generated by an average office environment.
- Other Requirements – Other requirements pertain mostly to the mitigation of safety or nuisance hazards such as electromagnetic interference, tower access, warning information, lighting, warranty and maintenance information, lightning protection, and requirements related to the abandonment and removal of systems.

STAFF REVIEW: Staff has reviewed this proposed Ordinance Amendment and is recommending approval. As per the Planning Commission's direction, the proposed Ordinance allows wind energy conversion systems only on a very limited basis. The systems can be allowed only as an accessory use, only as a Use on Review, and only in three of the most intensive zoning districts. Staff feels that the provisions contained in the proposed Ordinance will afford the City every opportunity to mitigate any adverse impacts that could arise from the construction of a wind energy conversion system. It is important to mention that if this Ordinance is adopted in its present form, wind energy conversion systems – even very small ones; will be prohibited in all residential or commercial zoning districts.