



A Tradition of Stewardship
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Agenda Date: 11/3/2010
Agenda Placement: 9A
Continued From: October 20, 2010

Napa County Planning Commission Board Agenda Letter

TO: Napa County Planning Commission
FROM: John McDowell for Hillary Gitelman - Director
Conservation, Development & Planning
REPORT BY: Jeff Sharp, PRINCIPAL PLANNER - 259-5936
SUBJECT: Small Wind Energy Systems Zoning Ordinance Amendment P10-00243-ORD

RECOMMENDATION

SMALL WIND ENERGY SYSTEM ZONING ORDINANCE, COUNTY-INITIATED ZONING CODE TEXT AMANDMENT P10-00243-ORD

CEQA Status: Negative Declaration Prepared. According to the proposed negative declaration, the project would not have any potentially significant environmental impacts. This project is applicable to parcels greater than 2 acres in size zoned Agricultural Preserve (AP), Agricultural Watershed (AW) and Industrial District (I), a number of which are included on the lists of hazardous waste sites enumerated under Government Code §65962.5.

Request: First reading and recommendation of adoption of an ordinance, as provided for under California Assembly Bill 45 (Blakeslee. Distributed generation: Small Wind Energy Systems (2009)), permitting the installation of small wind energy systems in the unincorporated areas of Napa County that are outside urbanized areas, on parcels greater than 2 acres in size in the AP, AW, I zoning districts. The ordinance establishes a process for the issuance of administrative and conditional use permits for these systems, subject to specified conditions regarding aspects of the system's location so as to be protective of Napa County's unique and diverse environmental resources. By providing for the safe and effective use of small wind energy systems to foster the local production of renewable energy, there should be reduced local consumption of centralized utility-supplied electricity.

Ordinance Title: AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NAPA, STATE OF CALIFORNIA, REPLACING REPEALED CHAPTER 18.117 WITH A NEW CHAPTER 18.117 TO TITLE 18 OF THE NAPA COUNTY CODE REGULATING THE INSTALLATION AND USE OF SMALL ENERGY WIND SYSTEMS OUTSIDE URBANIZED AREAS IN THE UNINCORPORATED PORTIONS OF NAPA COUNTY

Resolution Title: A RESOLUTION OF THE NAPA COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF NAPA, STATE OF CALIFORNIA, ESTABLISHING PROCESSING FEES FOR PERMITTING SMALL WIND ENERGY SYSTEMS IN THE UNINCORPORATED PORTIONS OF NAPA COUNTY

Staff Recommendation: That the Planning Commission conduct a public hearing and recommend that the Board

of Supervisors adopt the proposed negative declaration, adopt the proposed ordinance, and adopt the proposed resolution.

Staff Contact: Jeff Sharp, (707) 259-5936, jeff.sharp@countyofnapa.org or Hillary Gitelman, (707) 253-4805, hillary.gitelman@countyofnapa.org

(CONTINUED FROM THE OCTOBER 20, 2010 REGULAR COMMISSION MEETING)

EXECUTIVE SUMMARY

Proposed Action:

That the Planning Commission:

1. Recommends Board of Supervisors adoption of the proposed negative declaration, finding that the proposed ordinance and resolution would have no potentially significant environmental impacts.
2. Recommends Board of Supervisors adoption of the proposed ordinance, finding that the proposed ordinance is consistent with the Napa County General Plan, and does not result in internal inconsistencies within Napa County zoning regulations.
3. Recommends Board of Supervisors adoption of the Resolution establishing permitting fees for small wind energy conversion systems.

Summary and Discussion:

On October 20, 2010, planning staff provided the Commission with a presentation on the proposed ordinance (attached), which included background on the County's current and past wind energy ordinances, renewable energy policies, maps of potential wind resource areas, and sample visual comparisons/simulations of small wind energy systems placed in various environs within Napa County.

Following discussion and public testimony the Commission continued the public hearing until November 3, 2010 and directed staff to bring the ordinance back for their recommendation, immediately following the Airport Land Use Commission hearing on the proposed ordinance.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

Negative Declaration Prepared. According to the proposed Negative Declaration, the project would have no potentially significant environmental impacts. The proposed ordinance (project) would apply to parcels greater than 2 acres in size in the Agricultural Preserve (AP), Agricultural Watershed (AW), and Industrial (I) zoning districts of the County, a number of which are included on the lists of hazardous waste sites enumerated under Government Code §65962.5.

BACKGROUND AND DISCUSSION**Continuance from the October 20, 2010 Planning Commission Meeting:**

On October 20, 2010, planning staff provided the Commission with a presentation on the proposed ordinance. The presentation included background on the County's current and past wind energy ordinances and current renewable energy policies in the General Plan. The presentation provided maps illustrating potential wind resource areas in the county and included visual comparisons between small wind energy systems and familiar vineyard frost protection wind machines. Simple visual simulations of small wind energy systems were also presented that placed small wind energy systems in various locations within Napa County.

Following the presentation staff reviewed written comments received to date (Mike Bergey - 10/06/10 email, Building Division - 10/11/10 memo, Jay Brandies - 10/20/10 email). The Commission discussed the proposed ordinance among themselves and with staff and opened the public hearing.

Sole testimony was heard from the Napa County Farm Bureau. The Farm Bureau was in general support of the ordinance, but voiced concerns about potential commercialization of wind energy in agricultural areas and stressed the need to broaden public notice of proposed system installations.

Following additional discussion regarding the need to have the Airport Land Use Commission (ALUC) also review and comment on the proposed ordinance, staff recommended that the Commission delay its recommendation to the Board Supervisors until November 3, 2010, which time the ALUC will have had the opportunity to hear and comment on the matter.

The Commission motioned and approved to continue the public hearing and directed staff to bring the ordinance back for their recommendation on November 3, 2010 (immediately following the ALUC hearing).

SUPPORTING DOCUMENTS

A . Planning Commission Presentation - October 20, 2010

Napa County Planning Commission: Approve

Reviewed By: John McDowell