

ARTICLE XVI-A

NON-COMMERCIAL WIND ENERGY CONVERSION SYSTEM (NCWECS) REGULATIONS

Article 16-A: Non-Commercial Wind Energy Conversion System (NC-WECS) Regulations

- Section 16-A.1. Purpose and Intent
- Section 16-A.2. Permitted Accessory Uses
- Section 16-A.3. Permitted Conditional Uses
- Section 16-A.4. General Standards
- Section 16-A.5. Compliance with FAA Regulations
- Section 16-A.6. Compliance with National Electric Code
- Section 16-A.7. Utility Notification
- Section 16-A.8. Communication Tower/Facility Co-Location

SECTION 16-A.1. PURPOSE AND INTENT.

The purpose and intent of this section is to establish predictable and balanced regulations for the establishment of noncommercial wind energy conversion systems (NCWECS) in the locations, and circumstances, under which the use may be established without detriment to the public health safety and welfare of neighboring property owners or occupants.

SECTION 16-A.2. PERMITTED ACCESSORY USES.

A NCWECS is allowed in the following districts as a permitted accessory use incidental to a permitted primary use, subject to the regulations of the zoning district in which it is located and the additional regulations outlined in this Article and in [Article XVII](#) of this Ordinance:

1. Agricultural (AG)
2. Environmental Conservation (EC)
3. Rural Residential (RR)
4. Commercial (C)
5. Rural Commercial (RC)
6. Light Industrial (LI)
7. Heavy Industrial (HI)

SECTION 16-A.3. PERMITTED CONDITIONAL USES.

A NCWECS is allowed in the following districts as a conditional use, subject to the regulations outlined in the Article specific to the district, this Article, and [Article XVII](#), of this Ordinance.

1. Single Family Residential (RS)
2. Multi-Family Residential (RM)
3. Mobile and Manufactured Home Residential District (MH)

SECTION 16-A.4. GENERAL STANDARDS.

All NCWECS are subject to the following standards:

1. DENSITY: No more than one WECS shall be permitted per lot.
2. TOWER HEIGHT:
 - A. For property sizes between one-half ($\frac{1}{2}$) acre and one (1) acre the tower height shall be limited to eighty (80) feet.
 - B. For property sizes of one acre or more, there is no limitation on tower height, except as imposed by FAA regulations.
3. SETBACK:
 - A. No part of the wind system structure, excluding guy wire anchors, may extend any closer than 110% of the total tower height to the property boundaries of the installation site, or less than the minimum standard setback requirements for the zoning district in which it is located.
 - B. Guy wire anchors may extend no closer than ten (10) feet to the property boundaries of the installation site.
4. NOISE: Non-Commercial WECS shall not exceed 60 dBA, as measured at the closest neighboring dwelling. The level, however, may be exceeded during short-term events such as utility outages and/or severe wind storms.
5. ENGINEER CERTIFICATION: Applications for Non-Commercial WECS shall be accompanied by standard drawings of the wind turbine structure, including the tower, base, and footings. An engineering analysis of the tower showing compliance with the applicable regulations and certified by a licensed professional engineer shall also be submitted. This analysis is frequently supplied by the manufacturer.

SECTION 16-A.5. COMPLIANCE WITH FAA REGULATIONS.

Non-Commercial WECS must comply with applicable FAA regulations, including any necessary approvals for installations close to airports.

SECTION 16-A.6. COMPLIANCE WITH NATIONAL ELECTRIC CODE.

Applications for Non-Commercial WECS shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the National Electrical Code. (This information is frequently supplied by the manufacturer.)

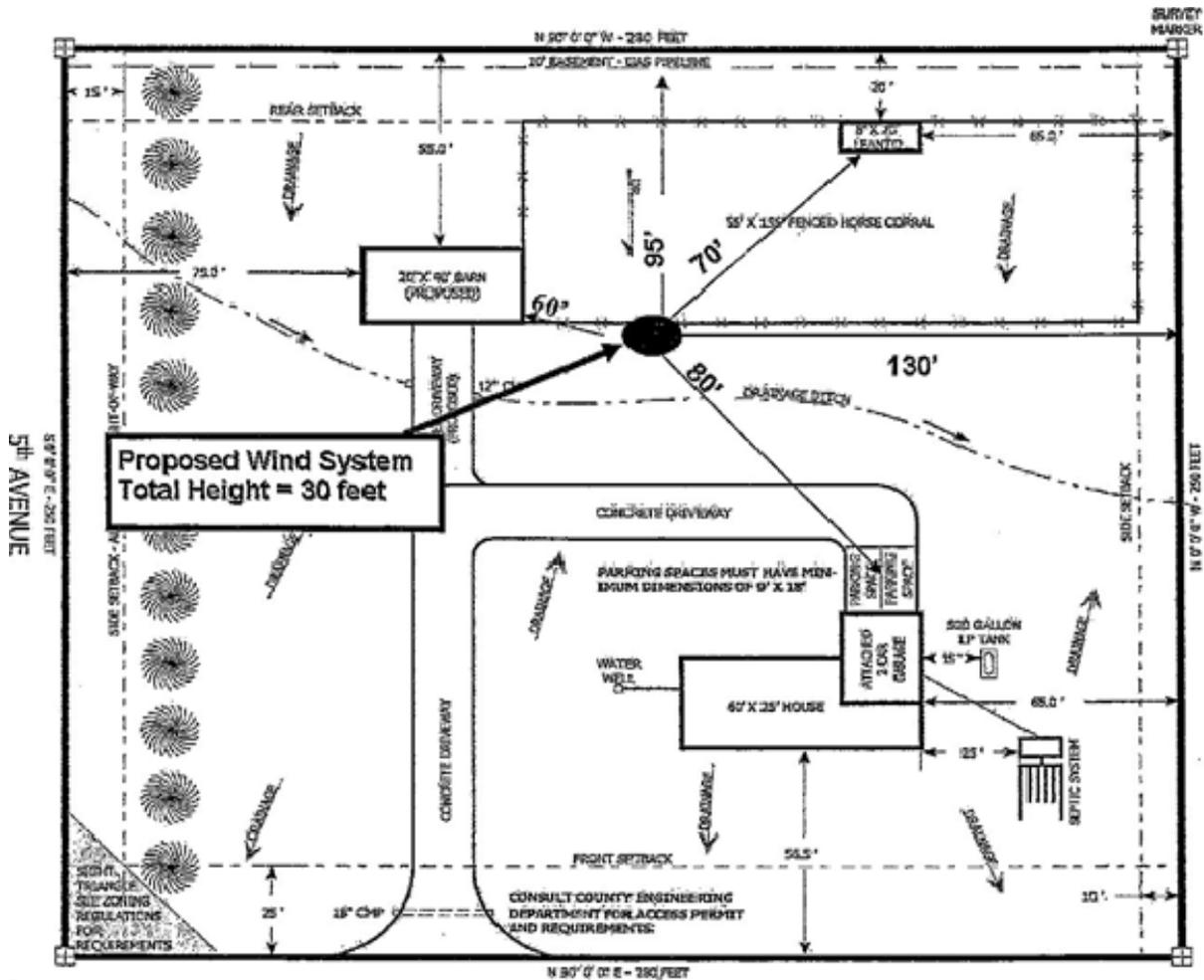
SECTION 16-A.7. UTILITY NOTIFICATION.

No Non-Commercial WECS shall be installed until evidence has been given that the utility company has been informed of the customer's intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.

SECTION 16-A.8. COMMUNICATION TOWER/FACILITY CO-LOCATION.

Antenna co-location on communication towers/facilities constructed prior to August 18, 2008, is subject to the zoning permit process outlined in [Chapter XXIII, Sections 2-7](#).

SAMPLE NON COMMERCIAL WIND ENERGY SITE PLAN



SUMMARY OF WIND ENERGY SYSTEM SITE PLAN CRITERIA – SEE REGULATIONS FOR SPECIFICS	
<ol style="list-style-type: none"> 1. Lot Size: District Minimum or larger 2. Setback: to Property Lines => 110% of total height 3. Clear Zone: no less than 110% from occupied structures (excepting those owned by property owners) 4. Noise – not to exceed 60 decibels 5. Security – Tower climbing apparatus located 12 feet off of ground. Encourage appropriate fencing. 6. Lighting – No lighting except to comply with FAA regulations 7. No advertising signs allowed on structure 8. Must comply with FAA regulations 	<ol style="list-style-type: none"> 9. Approved Wind Turbines: Submit certification that proposed system exceeds approved national standards. 10. Plans-ICC Building Code: Provide engineer structural analysis and certification of wind energy system. 11. Installation: Provide written verification that wind energy system was installed to the standards of the ICC Building Code. 12. Wind Energy System Removal: If unsafe or abandoned, the wind energy system must be removed. 13. Multiple Wind Systems: 110% total height setback required between wind energy systems.