

Mapleton City Planning Commission Staff Report

Meeting Date: October 23, 2008

Item #: 5

Applicant: Mapleton City

Prepared by: Cory Branch

REQUEST:

Mapleton City requests to amend Title 18, Development Code, Part III, Zoning, Chapter 18.84, Supplementary Regulations, in order to allow for windmills for the purpose of wind energy.

STAFF ANALYSIS:

1. Based on the recent interests of windmills within Utah County it is the opinion of staff that a text amendment needs to be enacted to protect the public safety, health, and welfare of the citizens by regulating the location of wind energy towers or similar structures within certain limitations within Mapleton City.
2. Attachment 1 includes the proposed text.

PLANNING COMMISSION DISCUSSION ITEMS:

1. Should the City amend its ordinance to allow for windmills?
2. Will the proposed height allow for the ability to generate energy?

STAFF RECOMMENDATION:

Staff is prepared to discuss and answer any questions at the night of the Planning Commission meeting. If the Commission determines that the City should amend Chapter 18.84, staff recommends careful review of the attached text proposing changes that the Commission feels should be included to assist staff in enforcing the ordinance.

ATTACHMENT:

1. Proposed text

AN ORDINANCE ADDRESSING
WIND ENERGY TOWERS OR WINDMILLS

<p>Enact Section 18.84.440. Windmills for Wind Energy</p>	
<p>(1) Purpose It is in the public interest and contributes to the protection of the public’s safety, health and welfare to regulate the location of wind energy towers or similar structures within certain limitation within Mapleton City.</p>	<p>Purpose</p> <p><i>Note: By design no language is provided regarding connections to the power grid since that issue is between the owner and the power company</i></p>
<p>(2) Definitions. As used in this section:</p>	
<p>(a) "Windmill," "wind energy tower," or "wind turbine" means a tower or similar structure designed and used for the purposes of generating energy using wind-energy; and</p>	<p>must be designed and used...</p>
<p>(b) "Windmill" does not include a windmill designed and used solely for decorative landscape purposes.</p>	<p>decorative landscape windmills not included – allow them and flag poles in separate sections</p>
<p>(3) Allowing Windmills. A property owner may erect, construct in place or re-erect, a windmill under the provisions of this section.</p>	<p>Windmills allowed if done in compliance with the section Policy Choice: should a permit be required? – this draft says no</p>
<p>(4) Windmill Restrictions. A windmill may only be erected as an accessory structure which:</p>	<p>tie to accessory structure i.e. it is not a primary structure</p>
<p>(a) may not exceed the maximum height limitation for a primary use building in the zone in which the windmill is located as measured from grade to the peak of the windmill;</p>	<p>maximum height is the same for the zone <input type="checkbox"/> Will this height allow them to be usable to generate energy?</p>
<p>(b) shall have a setback not less than the distance equal to the maximum height limitation as provided under Subsection (4)(a), plus five feet;</p>	<p>set back is the same as the height distance plus five feet so that if the windmill topples, it doesn't cross property lines with a few feet of extra room</p>
<p>(c) may not be located in the front yard of the primary use building unless the windmill is located away from the primary use building not less than the distance equal the setback</p>	<p>limit front yard placement by additional distance requirement from home</p>

required under Subsection (4)(b);	
(d) may not generate noise above 30 decibels as measured from 50 feet away from the windmill during average daily peak wind conditions; and	limit noise to a level of normal outdoor residential settings <input type="checkbox"/> What level do they typically emit?
(e) shall have a smooth, rust-free, nonreflective, coated finish so as to be an attractive and well-maintained appurtenance as long as the windmill is standing.	No eye sore contraptions allowed