

**TOWN OF YUCCA VALLEY
PLANNING COMMISSION MEETING MINUTES
MAY 24, 2011**

Chair Lombardo called the regular meeting of the Yucca Valley Planning Commission to order at 6:00 p.m.

Commissioners Present: Alberg, Hildebrand, Humphreville and Chair Lombardo

Pledge of Allegiance was led by Chair Lombardo

APPROVAL OF AGENDA

Commissioner Alberg moved to approve the agenda. Commissioner Humphreville seconded. Motion carried 4-0 on a voice vote.

PUBLIC COMMENTS

None

PUBLIC HEARINGS

1. CONTINUATION OF PUBLIC HEARING ON THE REGULATION OF WIND ENERGY GENERATORS AND PRESENTATION OF A DRAFT ORDINANCE.

A request from staff that the Commission discuss and provide direction on regulations regarding wind energy generators

With reference to the complete printed staff report provided in the meeting packets and preserved in the project and meeting files, Associate Planner Kirschmann presented the project discussion to the meeting. A PowerPoint presentation was projected on the screen during the discussion, a printed copy of which is preserved in the meeting file.

The Town has no regulations for the installation of renewable energy systems and has recently received a number of inquiries for the installation of both roof-mounted and free standing wind generators. The intent of the standards contained in the Draft Ordinance is to ensure compatibility with building architecture, the neighborhood and community appearance, and to minimize the visual appearance of WECS within neighborhoods and the community.

Deputy Town Manager Stueckle commented it was the Commissions desire to hear input from community on these standards and recommended going directly to the public hearing to take public testimony at this point.

Chair Lombardo opened the public hearing.

Eugene Buchanan, Apple Valley, advised he has been active trying to sell the wind turbines in the community. He agrees with the standard regarding sound limitation and that the poles be under 35 fee. He described the small turbines he installs and advised he does not agree to limiting a property to one unit. He noted that one turbine will not save enough money to warrant the monthly lease cost. In addition, the Federal and State Government are offering subsidies for these units this year so there is next to no out of pocket costs, but there is only a short window.

Edward Hewitt, Apple Valley, advised he has two windmills on his property. One is a 100' bergey that has been up for 8 years and he has no electric bill at all. He also has a 35' with a 1.8 kw unit on top for a test to make sure it does that they say it does. It appears to be pretty efficient, makes less noise than the bergey and is closer to the ground. He has not seen any evidence of damage to birds or bats in the 8 years his tower has been up and has not had any complaints from his neighbors. Feels notification of those within 350' of the proposed projects should be sufficient, and 1,000 is excessive. Chair Lombardo questioned if Mr. Hewitt receives a check from the power company. Mr. Hewitt advised he has not noting the law just changed in January 1st allowing you to choose receiving \$.06 per kw or placing excess kw into a bank.

Andy Canada, Yucca Valley, spoke in favor of allowing windmills on smaller lots not just for people on the outskirts of town. He believes the 300' is quite a distance.

Don Cannon, Yucca Valley, spoke in opposition to the windmills noting they are ugly and he doesn't want them in his neighborhood.

Dana Collins, Joshua Tree, spoke in opposition questioning the noise, and expressed hope that a lot more research is done before anything is allowed to go up.

Melinda Allen, Yucca Mesa, spoke in favor of allowing windmills noting if the lot size is limited to 2 acres a lot of people in Yucca Valley will be excluded, especially lower income people who would benefit the most. You would also limit the benefit the local community would get from having truly green energy. We need everything possible to boost the economy and get people back to work.

There being no one else wishing to speak, Chair Lombardo returned to Commission discussion.

Commissioner Hildebrand asked questions regarding the bergey systems. Mr. Buchanan advised that they require a 100' tower and have a huge footprint. With reference to the smaller lower units you would need about 5 of them to get enough of a savings.

Commissioner Alberg questioned if the fact that Net Metering does not allow the sale of power back to the electric company is a directive of the utility or the Town. Chair Lombardo advised that that ruling has been changed. Deputy Town Manager Stueckle advised it is up to the utility company. Commissioner Alberg questioned why a roof top unit would require a setback. Associate Planner Kirschmann advised that when the ordinance was drafted roof top units were not under consideration, and would take a language modification. Commissioner Alberg questioned if the sound level numbers used in the ordinance are based on industry standard. Deputy Town Manager Stueckle advised those are typical residential noise limits.

Commissioner Humphreville recommended looking at allowing roof mounted units on smaller lots. He expressed concern regarding requiring engineering for these towers, noting we could be hurting more than helping by eliminate allowing placement where they could be hidden more, and it seems unnecessary. He questioned what constitutes a wind farm, noting it would be nice to see difference between 2 or 3 smaller units versus the taller type. He suggested holding a joint meeting with the Town Council.

Chair Lombardo advised he visited the existing unit in Pioneertown and one in Joshua Tree noting that both were the older technology and had some noise associated with them. He stated when staff writes the regulations, he likes the idea of stating a decibel level at the lot line. As far as height, if the tower is under 35' it is a lot less intrusive than the 100' towers he has seen in those two cases. The draft ordinance forces newer technology to make it work. In addition there should be color guidelines, and he also thinks notification of 1000 feet are excessive and should be 300'. It was suggested that there might be a test of perhaps 50 turbines in town to see if they perform as expected, and we should get a lot more public comment on it, perhaps the newer technology would alleviate some of the concerns that have

already been stated.

Commissioner Humphreville questioned if there is a city in California that allows these units on smaller lots. Deputy Town Manager Stueckle advised that Hesperia does, and Twentynine Palms does not specify lot size.

Paula Finefrock, Yucca Valley, commented she has not decided if she is for or against allowing these units, noting her biggest fear is driving into town and seeing a bunch of them because they are an eyesore and make a lot of noise.

Mr. Buchanan invited people to come to Hesperia to see what they have there and answered questions regarding roof mounted units.

It was noted that time is a factor due to rebates being allowed this year.

Deputy Town Manager Stueckle recapped that the Commission would like a joint meeting with the Council, a modification to the ordinance to allow for roof top and side yards for towers less than 35' in height, for staff to come back with additional data in terms of efficiency and the issue of dealing with multiple units, review of the notification area. Staff can take that as direction if the Commission is comfortable

Chair Lombardo requested input regarding the required fall zone. Commissioners Hildebrand and Humphreville did not feel the fall zone was necessary due to the need for engineering, and Commissioner Alberg did feel it was necessary. Chair Lombardo added he did not feel there was a necessity for a fall zone if we know it is not coming down and if it can be serviced.

Deputy Town Manager Stueckle clarified that direction from Commission is for staff to look at the language so can the Commission can look at allowing more than one WECS on a piece of property, staff needs to come back with a little bit of data, and the Commission wants to look at minimum lot sizes. Commissioner Hildebrand commented that the people who need it are on smaller properties. Commissioner Humphreville stated the Commission can look at roof mounted units on half acre lots. Commissioner Alberg added that he does not feel there needs to be a minimum acreage for roof mounted units. Deputy Town Manager Stueckle advised that staff will rework the ordinance and bring it back for future consideration. He recommended continuing the public hearing to the to second meeting in June.

Commissioner Alberg moved to continue the public hearing to June 28, 2011. Commissioner Humphreville seconded. Motion carried 4-0 on a voice vote.

2. CONDITIONAL USE PERMIT, CUP 02-11 NIELSON WIND TURBINES

A request to install two 30' tall towers, one with three (3), five (5) foot tall wind turbines and one (1) with two (2) five (5) foot tall wind turbines installed on the towers.

Associate Planner Kirschmann advised the applicant has requested that the item be continued.

Commissioner Humphreville moved to continue the public hearing to the meeting of June 14, 2011. Commissioner Alberg seconded. Motion carried 4-0 on a voice vote.

DEPARTMENT REPORTS:

None

CONSENT AGENDA

3. Minutes

Commissioner Alberg moved to approve the minutes of the regular meeting held on April 26, 2011 as submitted. Commissioner Hildebrand seconded. Motion carried 4-0 on a voice vote.

FUTURE AGENDA ITEMS

June 14, 2011

Conditional Use Permit, CUP 02-11 Nielson Wind Turbines
Minor Permit Processing

STAFF REPORTS AND COMMENTS

None

COMMISSIONER REPORTS AND REQUESTS

None

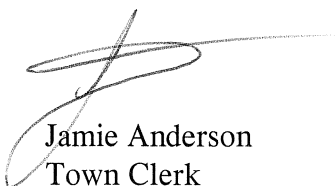
ANNOUNCEMENTS

The next regular meeting of the Yucca Valley Planning Commission is Tuesday, June 14, 2011 at 6:00 p.m. in the Yucca Valley Community Center.

ADJOURNMENT

The meeting was adjourned at 7:18 p.m.

Respectfully submitted,



Jamie Anderson
Town Clerk