

# **Attachment I**

**Board of Supervisors Minute Order  
February 25, 2009 & September 15, 2012**

**COUNTY OF SAN DIEGO  
BOARD OF SUPERVISORS  
WEDNESDAY, FEBRUARY 25, 2009**

**MINUTE ORDER NO. 2**

**SUBJECT: NOTICED PUBLIC HEARING:  
AN ORDINANCE AMENDING THE ZONING ORDINANCE RELATED  
TO METEOROLOGICAL TESTING FACILITIES; POD 08-015;  
(DISTRICTS: ALL)**

**OVERVIEW:**

On September 24, 2008 (4), the Board of Supervisors directed the Chief Administrative Officer to prepare a Zoning Ordinance amendment that requires an Administrative Permit, rather than a Major Use Permit, for the installation of temporary wind turbine testing equipment. In recent years, the need for renewable energy has become increasingly important as our region looks for ways to become more energy self-sufficient. In support of this, the County continues to look for ways to keep its regulations current and to promote renewable energy sources. Pursuant to direction given, the Department of Planning and Land Use is returning with a report containing alternatives to allow for Meteorological Testing Facilities and to streamline the regulations for Residential Wind Turbine Systems. Depending on which Alternative is selected by the Board, an environmental analysis for the proposed project may need to be completed, requiring preparation of environmental documents.

**FISCAL IMPACT:**

Funds for this project are not budgeted. If the Board selects an option that would incur costs it would be necessary to direct the Chief Administrative Officer to identify adequate funds. Depending on which Alternative is selected by the Board, an environmental analysis for the proposed project may need to be completed. If Alternative A1 or B1 is selected, the action is expected to result in costs of approximately \$150,000 for procuring professional services to prepare technical environmental documents. If Alternative B2 is selected, the action will result in costs up to \$350,000 for the technical environmental documents. These costs could increase if substantial controversy occurs, an increased technical study is determined necessary, or an environmental impact report (EIR) is required. No costs are associated with the remaining three alternatives. Additionally, approximately one quarter Full Time Employee staffing would be necessary to process any changes to the Zoning Ordinance.

**BUSINESS IMPACT STATEMENT:**

With the proposed change in regulations, the number of requests for Wind Turbines in the County may increase. The proposed changes to the Zoning Ordinance would further County goals of utilizing alternative passive and renewable energy resources as well as minimizing economic impacts of energy supply and demand by creating the potential for alternative sources of energy.

**RECOMMENDATION:  
PLANNING COMMISSION**

On December 19, 2008 the Planning Commission voted 3-Yes, 3-No on a motion to approve staff's recommendation. Pursuant to Planning Commission Policy PC-2, in cases where the Commission is unable to take action due to the inability to obtain four votes to pass a motion, the Commission shall be deemed to have made a recommendation that the project be disapproved.

**DEPARTMENT OF PLANNING AND LAND USE**

1. Find that the project as proposed complies with the California Environmental Quality Act (CEQA) and State and County CEQA Guidelines because the amendments can be found exempt from CEQA per Section 15061(b)(3) of the CEQA Guidelines. (Attachment E).

2. Adopt the attached Form of Ordinance (Attachment B):

**AN ORDINANCE AMENDING THE ZONING ORDINANCE RELATED TO  
METEOROLOGICAL TESTING FACILITIES**

3. Receive options for amending the County Zoning Ordinance to simplify the permitting requirements for domestic wind turbines.

**2.1 ACTION:**

ON MOTION of Supervisor Roberts, seconded by Supervisor Horn, the Board adopted the A2 meteorological testing facility alternative.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

**2.2 ACTION:**

ON MOTION of Supervisor Roberts, seconded by Supervisor Horn, the Board adopted the B2 wind turbine alternative and directed the Chief Administrative Officer to return to the Board with further analysis of the definition of a smaller tiered residential system and to investigate funding opportunities.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

**2.3 ACTION:**

ON MOTION of Supervisor Roberts, seconded by Supervisor Horn, the Board closed the Hearing and took action as recommended, adopting Ordinance No. 9971 (N.S.), entitled: AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ZONING ORDINANCE RELATED TO METEOROLOGICAL TESTING FACILITIES.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

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State of California)  
County of San Diego) §

I hereby certify that the foregoing is a full, true and correct copy of the Original entered in the Minutes of the Board of Supervisors.

THOMAS J. PASTUSZKA  
Clerk of the Board of Supervisors



By   
Marvice E. Mazyck, Deputy

**COUNTY OF SAN DIEGO  
BOARD OF SUPERVISORS  
WEDNESDAY, SEPTEMBER 15, 2010**

**MINUTE ORDER NO. 5**

**SUBJECT: NOTICED PUBLIC HEARING:  
AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ZONING  
ORDINANCE RELATED TO SMALL, MEDIUM AND LARGE WIND  
TURBINE SYSTEMS, POD 10-007 (DISTRICTS: ALL)**

**OVERVIEW:**

On February 25, 2009 (2), your Board directed the Chief Administrative Officer to streamline the regulations for wind turbine systems by developing a two-tiered ordinance for wind energy systems to simplify the process and update the code.

Pursuant to this direction, in late 2009 the Department of Planning and Land Use drafted a comprehensive ordinance. The proposed ordinance was circulated for public review in early 2010. Currently staff is working on an Environmental Impact Report for the proposed ordinance of comprehensive changes to Wind Turbine Regulations. This proposal is to make minor amendments to the existing Wind Turbine Regulations in the Zoning Ordinance while the more comprehensive changes to streamline these regulations are under further environmental review. The proposed amendments will allow additional wind turbines with an Administrative Permit under the Medium Wind Turbine provisions. Existing size limitations will remain in place. The amendment will also add findings for approval of medium wind turbine systems and remove references to California Assembly Bill 1207 that was repealed in 2006.

**FISCAL IMPACT:**

N/A

**BUSINESS IMPACT STATEMENT:**

With the proposed changes in regulations, the number of requests for small wind turbine permits in the unincorporated county may increase. The proposed changes to the Zoning Ordinance would further County goals of utilizing alternative passive and renewable energy resources, as well as minimizing economic impacts of energy supply and demand by creating the potential for alternative sources of energy. This ordinance will provide additional opportunities for development of small wind turbines when compared to the existing process.

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

1. Find that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the minor ordinance amendments would have a significant effect on the environment (Attachment C) and;

2. Adopt the Ordinance (Attachment A):

AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ZONING  
ORDINANCE RELATED TO SMALL, MEDIUM AND LARGE WIND  
TURBINE SYSTEMS |

**PLANNING COMMISSION**

On July 23, 2010, the Planning Commission, by a vote of 4 in favor, 0 opposed, 3 absent, recommended the adoption of the Zoning Ordinance amendments related to small, medium and large wind turbine systems.

**ACTION:**

ON MOTION of Supervisor Roberts, seconded by Supervisor Jacob, the Board closed the Hearing and took action as recommended, adopting Ordinance No. 10073 (N.S.), entitled: AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ZONING ORDINANCE RELATED TO SMALL, MEDIUM AND LARGE WIND TURBINE SYSTEMS.

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

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State of California)  
County of San Diego) §

I hereby certify that the foregoing is a full, true and correct copy of the Original entered in the Minutes of the Board of Supervisors.

THOMAS J. PASTUSZKA  
Clerk of the Board of Supervisors



By   
Marvice E. Mazyck, Deputy