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**CHAPTER 84.26 WIND ENERGY SYSTEMS - ACCESSORY**

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**Sections:**

- 84.26.010 Purpose
- 84.26.020 Applicability
- 84.26.030 Development standards

**84.26.010 Purpose**

As allowed by Government Code Section 65892.13, the purpose of this Chapter is to provide a uniform and comprehensive set of standards for the placement of accessory wind energy systems on parcels in unincorporated areas of the County in order to encourage the generation of electricity for on-site use, thereby reducing the consumption of electrical power supplied by utility companies. These regulations are intended to ensure that accessory wind energy systems are designed and located in a manner that minimizes visual and safety impacts on the surrounding community.

Adopted Ordinance 4011 (2007)

**84.26.020 Applicability**

This Chapter provides development standards for accessory wind energy systems.

Adopted Ordinance 4011 (2007)

**84.26.030 Development Standards**

- (a) **Number of units and required separation.** Normally, only one unit per parcel shall be allowed. However, additional units may be allowed at the rate of one unit for every 10 acres to a maximum of three units. The acreage requirement may be met by one parcel or the total acreage of multiple parcels held under common ownership. Units shall be installed with at least 240 feet separation from each other. If the units are to 50 feet in height, a maximum of two units may be installed per five acres. For every additional five acres, one additional unit may be added not to exceed a maximum of five units. Additionally, the separation between the units may be reduced to twice the height of the systems.
- (b) **Maximum tower height.** The tower height limitations in Table 84-12 (Maximum Tower Heights for Accessory Wind Energy Systems) shall apply to all accessory wind energy systems, provided that the application for a system includes evidence that the proposed height does not exceed the height recommended by the manufacturer or distributor of the system. Variances to the tower height limitations may be approved in compliance with Chapter 85.17 (Variances).

**Table 84-14**  
**Maximum Tower Heights for Accessory Wind Energy Systems**

Land Use Zoning District ( <u>parcel size within zoning district</u> )	Region		
	Valley	Mountain62	Desert
AG	80'	80'	120'
RC	80'	80'	120'
RL ( <u>1 acre to less than 2.5 Acres</u> )	65'	65'	80'
RL (2.5 acres to less than 5 acres)	65'	65'	<u>80'</u>
RL (5 acres or greater)	80'	80'	<u>100'</u>
RM ( <u>minimum one acre</u> )	52.5'	52.5'	52.5'
RS ( <u>minimum one acre</u> )	52.5'	52.5'	52.5'
All other land use zoning districts	65' <sup>(1)</sup>	65' <sup>(1)</sup>	80' <sup>(1)</sup>
Note: (1) Or the maximum structure height specified in Division 2 (Land Use Zoning Districts and Allowed Land Uses) for the land use zoning district in which the system is located, whichever is greater.			

- (c) **Setbacks.** The minimum setback from any property line shall be equal to the system height.
- (d) **Climbing apparatus.** Climbing apparatus shall be located at least 12 feet above the ground, and the tower shall be designed to prevent climbing within the first 12 feet.
- (e) **Lighting.** Tower structure lighting shall be prohibited unless required by another code or regulation.
- (f) **Noise.** The noise performance standards in Section 83.01.080 (Noise) shall apply, except during short-term events (e.g., utility outages, windstorms, etc.).
- (g) **Visual effects.** An accessory wind energy system shall not substantially obstruct views of adjacent property owners.
- (h) **Location.**
- (1) An accessory wind energy system shall be placed or constructed below any major ridgeline when viewed from any designated scenic corridor as identified in the Open Space Element of the General Plan and in Chapter 82.19 ([Open Space \(OS\) Overlay](#)).
  - (2) An accessory wind energy system shall not be:
    - (A) Located within a scenic corridor as identified in the Open Space Element of the General Plan and in Chapter 82.19 ([Open Space \(OS\) Overlay](#)).

- (B) Allowed where otherwise prohibited by any of the following:
- (I) The Alquist-Priolo Earthquake Fault Zoning Act.
  - (II) The terms of any easement.
  - (III) The listing of the proposed site in the National Register of Historic Places or the California Register of Historical Resources.
- (i) **Turbine certification.** The system's turbine shall be approved or shall have been approved by the California Energy Commission or certified by a national program (i.e., National Electrical Code (NEC), American National Standards Institute (ANSI), and Underwriters Laboratories (UL)).
- (j) **Engineering analysis.** The application shall include standard drawings and an engineering analysis of the system's tower, showing compliance with the Uniform Building Code (UBC) or the California Building Code and certification by a professional mechanical, structural, or civil engineer licensed by the State. However, a wet stamp shall not be required, provided that the application demonstrates that the system is designed to meet the:
- (1) UBC requirements for wind exposure D;
  - (2) UBC requirements for Seismic Zone 4;
  - (3) Requirements for a soil strength of not more than 1,000 pounds per square foot;  
or
  - (4) Other relevant conditions normally required by a local agency.
- (k) **Compliance with aviation law.** The system shall comply with all applicable Federal Aviation Administration requirements and the State Aeronautics Act (Public Utilities Code Section 21001 et seq.).
- (l) **Compliance with electrical code.** The application shall include a line drawing of the electrical components of the system in sufficient detail to allow for a determination that the installation conforms to the National Electric Code.
- (m) **Reduction in onsite electricity consumption.** The system shall be used primarily to reduce onsite consumption of electricity.

Adopted Ordinance 4011 (2007); Amended Ordinance 4098 (2010)

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