

JOURNAL OF COMMISSION WORK SESSION
May 5, 2009

City Commission Work Session

Mayor Stebbins presiding

CALL TO ORDER: 5:30 p.m.

ROLL CALL: City Commissioners present: Dona Stebbins, Bill Bronson, John Rosenbaum, Mary Jolley and Bill Beecher. Also present were the Assistant City Manager, City Attorney, Directors of Community Development, Fiscal Services, Park and Recreation, Planning, Public Works, Police Chief, Assistant Fire Chief and the Acting City Clerk.

1. WIND-POWERED ELECTRICITY SYSTEMS CHANGES TO LAND DEVELOPMENT CODE

Interim Planning Director, Bill Walters provided a PowerPoint presentation on the benefits and concerns of wind-powered electricity systems. Mr. Walters noted that the State of Montana encourages wind-powered electricity systems, and communities need to design zoning policy to anticipate and accommodate small wind installations. Small wind systems can provide energy independence, reliability, clean energy, and backup power, as well as increase property values and conserve public resources.

Mr. Walters explained that the City adopted a wind-powered generator ordinance in October, 2001. Between 2001 and 2005, no applications were submitted for wind-powered generators. In October, 2005, the City adopted the Land Development Code, but the provisions of the wind-powered generator ordinance were not included. In preparing Ordinance 3034, City staff started with the wind-powered generator ordinance that was adopted in 2001, and upgraded it after reviewing codes from other communities (including Mason City, Iowa and Billings), recent publications, and input from local individuals.

Proposed Ordinance 3034 includes small wind-powered electricity systems with a rated capacity up to 100 kilowatts. Systems over 100 kilowatts are not allowed in the City. The proposed ordinance includes a tower height measurement from the base of the tower to the tip of the highest piece of equipment, but does not include the height of the building on which the tower is mounted. Systems rated up to 10 kilowatts and a maximum height of 80 feet would be allowed in all residential zoning districts, and systems rated up to 100 kilowatts and a maximum height of 125 feet would be allowed in commercial, mixed-use and industrial zoning districts. The minimum setback for systems 80 feet or less would be 110% of the tower height, and for systems more than 80 feet in height it would be 200% of the tower height.

Mr. Walters reported that wind turbines must be tall and unobstructed. He said some people object to their appearance and find the turning of the blades distracting. Attempts to address the appearance were made through color, signs and lighting provisions in proposed Ordinance 3034. Small wind-powered electricity systems in a residential setting (up to 10 kilowatts) are typically quieter than most external air conditioners and operate at near ambient sound levels. He noted that instead of singling out turbines in sound regulations, it would be fairer and administratively

simple to use default sound/noise regulations that apply universally to other objects and appliances in the City. (Chapter 8.56 OCCGF)

Commission Jolley said that someone asked if the proposed ordinance would need to go before the Design Review Board because of the different variations of aesthetics. Commissioner Rosenbaum said that the Commission would need to make that part of the criteria. Commissioner Bronson reported that Missoula is currently reviewing their land development code. After reviewing their draft ordinance, he said they don't appear to be interpreting the setback requirements as strictly, and will probably allow more of these systems than will be allowed under our ordinance. Mr. Walters said that if the City adopts a wind-powered electricity system ordinance, staff will probably want to come back at some time and propose modifications.

Commissioner Rosenbaum asked if anyone is aware of a community that has erected a number of wind-powered electricity systems in residential areas and what has been their experience. Mr. Walters said there are some communities who have had this kind of ordinance for several years, and inquiries could be made about their experiences with them. Commissioner Beecher expressed concern of living next door to a propeller going all day. Commissioner Rosenbaum questioned if the reason staff is considering a conditional use ordinance rather than one which could address each type of system separately is because staff time could be cumbersome. Mr. Walters explained that it could get to that point, however, some vendors and potential applicants are waiting to see the results of our proposed ordinance. Commissioner Bronson said Missoula is trying to avoid a cumbersome process, while still trying to cover the common situation.

Mayor Stebbins noted that the setback requirements are restrictive enough to avoid some of these concerns. Commissioner Beecher requested staff research communities that have erected these systems to find out what their experience has been. Assistant City Manager Cheryl asked for clarification on how staff should proceed. Mayor Stebbins requested staff obtain information from Mason City and Billings, the codes they've passed, any problems they've had, etc. However, she said that staff should proceed with scheduling the public hearing.

Scott Palmer, Wind Power of Montana, said he was born and raised in Great Falls and now sells wind turbines. He said he has researched turbines that are designed for our severe wind and weather. Turbine heights and towers have been approved by an engineering firm to withstand 120 mph winds with the turbine on top. He said the setbacks can be eliminated if engineering guidelines are followed. Mr. Palmer explained that roof-mount systems will tear off a roof with the winds that are experienced in Great Falls. He said that Deb Hudson, Manager of the Golden Corral Restaurant, would like to put up a turbine to run the restaurant, and it will require a 50 kilowatt turbine. Mr. Palmer also noted that towers designed by engineering firms do not require guide wires. He recommended the City prohibit guide wires because children can run into them and be injured. An engineering firm would require 32 yards of concrete for a 20 kilowatt turbine (80 feet in the air). A 52-foot tower is recommended for a residential turbine, and it has a hydraulic system that holds the tower in place and allows it to be lowered for repairs. Ken Thornton, 31 Paradise Lane, Great Falls, Montana, said that these systems should be checked at least every two years, preferably every year.

2. BUDGET UPDATE

Assistant City Manager, Cheryl Patton, said that departments have submitted their first adjustment submittals. Though some adjustments have been made, the budget is not anywhere near where it needs to be. City Manager, Greg Doyon, has scheduled tomorrow (May 6th) and Friday (May 8th) to further review budgets with departments. Ms. Patton said the Commission will receive a balanced budget, hopefully by the end of the month. After the public hearings are scheduled, the Commission will have opportunity to make additional adjustments, and Mr. Doyon will lay out the adjustments he made for Commission consideration. She said the goal is to provide the Commission with a balanced budget, which is the City Manager's responsibility under the Charter, and he will do that. She explained that it is not easy this year. The big hole is in the general fund. And, even though a department is not funded in the general fund, it doesn't mean that significant adjustments won't be made because adjustments will be made City-wide.

ADJOURN

There being no further discussion, Mayor Stebbins adjourned the work session of May 5, 2009, at 6:10 p.m.