



**RENEWABLE ENERGY (WIND)  
A SUBCOMMITTEE OF THE LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)**

**MINUTES OF THE SEPTEMBER 30, 2009 SUBCOMMITTEE MEETING**

**PREPARED BY ANN DEVEAUX, SITE PLANNER I**

On Wednesday, September 30, 2009 the Renewable Energy (Wind) Subcommittee met at the Vista Center, Room VC-2E-12-Zoning, at 2300 North Jog Road, West Palm Beach, Florida. The meeting began at 10:18 a.m.

**A. Attendance**

**LDRAB Members:** Joanne Davis, Rosa Durando and Raymond Puzzitiello

**FPL:** Ryan Fair

**Interested Party:** Stella Rossi

**County Staff:** Ann DeVeaux and Barbara P. Nau

**B. MINUTES**

Ann DeVeaux gave a brief summary of the minutes of the last subcommittee meeting held on June 12, 2009 and the LDRAB meeting held on July 22, 2009. The LDRAB directed staff and the subcommittee to reconvene to address 1) the review process; 2) impacts on bird migration patterns and 3) siting requirements for the Renewable Energy (Wind) proposed amendment.

**REVIEW PROCESS**

Ms. DeVeaux stated that the focus of the meeting was to review the proposed amendment previously presented at the July 22<sup>nd</sup> LDRAB meeting and resolve the issues of concern which were raised at the meeting. The subcommittee discussed blanket approval of windmills in the DRO process as Staff had proposed to LDRAB. The committee members were concerned with the lack of public notification and public involvement. It was agreed that the approval process should be revised from a "D" (DRO) to "R" in PDDs or "A", (Condition Use A), in Standard Zoning Districts, which requires BCC approval. This approval process would accommodate public notification and public participation.

Ms. DeVeaux clarified an error that was made in Part 2 of the exhibit. Table 3.E.1.B-21 PDD Use Matrix showed the approval process as a "B", requiring Zoning Commission approval which is not a valid approval process for a PDD.

**SITING**

Ms. DeVeaux stated that the issue of locating windmills in a Multiple Use Planned Developments (MUPDs) and Mixed Use Planned Developments (MXPD) should be discussed. Raymond Puzzitiello stated that the minimum lot size and setback requirements of 110 percent if adjacent to residential lots appear to be sufficient to

address any negative impact to surrounding residential uses and the subcommittee agreed.

Ms. Durando asked about a windmill being located atop a house and the possibility of toppling in a storm. Ms. Nau clarified that the language is for windmill farms as opposed to individual residential turbines. Ryan Fair explained wind turbine design, construction and wind load factors.

### **BIRD MIGRATION IMPACTS**

Two video presentations received from Joanne Davis gave broad insight on wind turbines, siting and studies demonstrating the impact on the mortality rate of birds and bats. Additionally, she shared a list of websites, maps and other reference materials to be considered when Staff draft language to address the impact of wind turbines on bird migration patterns.

Discussion ensued regarding construction of windmills adjacent to flyway zones and wetlands attracting birds, such as wood stork or ibis. Ms. Davis and Ms. Durando shared resources which could provide the information the topics such as, the National Audubon Society and Environmental Resource Management (ERM).

Ms. DeVeaux asked the height of the wind turbines that FP&L planned to construct. Mr. Fair stated approximately 400 feet. Raymond Puzitiello questioned the size of the turbine blades. Mr. Fair explained the size of the blade is approximately 200 feet and the overall height of the turbine could be up to 600 feet.

Ms. DeVeaux asked if there was specific type of turbine design that could be constructed that would minimize impact on bird migration patterns such as, the adjustable windmills seen in the video presentation. Mr. Fair explained that the type of windmills being considered for siting in Florida would not be adjustable and a model of the type of wind turbine being considered by FP&L was shown.

**Ms. DeVeaux asked if FP&L** was contemplating any specific location to site windmills in unincorporated Palm Beach County near known flyway zones, wetlands or preserves. Joanne Davis related that the County should be concerned with state parks and federal lands. Several sites (preserves, parks etc.) were mentioned and Ms. Nau explained that zoning regulations only apply to unincorporated Palm Beach County (PBC) and are not applicable to parcels governed by other municipalities. Ms. DeVeaux stated that FP&L has to get approval through other permitting agencies prior to zoning approval and asked Mr. Fair to explain what they are. Mr. Fair stated that there is not a large opportunity for windmill siting in unincorporated Palm Beach County and the areas with sufficient wind to produce efficient energy are primarily on located on the coast. Permitting agencies that FP&L would get approval through are U.S. Fish and Wildlife Service and Florida Fish & Wildlife Conservation Commission. Ms. Durando stated that FP&L should not be allowed to get grant monies before zoning approval.

Raymond Puzzitiello stated that the framework or foundation of regulations must be in place so that when grant monies are available, FP&L can apply. He further added that the regulation that is being drafted is not approval, but instead, permission for siting.

In conclusion, the subcommittee suggested consideration of the following when staff draft code language:

- A website link to reference maps of natural preserve areas and bird migratory patterns;
- A requirement that stipulates submission of verifiable proof that a phased migratory study has been completed and approved by US Fish and Wildlife Service, Florida Fish and Wildlife Conservation Commission and/or other permitting agencies; or
- A recommendation requiring submission of approved studies prior to final approval; and
- Review and approval of studies by ERM.

**C. Goals for Next Meeting-**

1. Staff will prepare draft of language discussed and meet on next week to finalized for recommendation to LDRAB.

**D. Adjourned at 11:42 a.m.-**