

Not adopted
1st 4-14-09
Pending on 4-28-09

CITY OF ST. PETE BEACH, FLORIDA

ORDINANCE NO. 2009-01

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, PINELLAS COUNTY FLORIDA PROVIDING FOR AMENDMENT OF THE LAND DEVELOPMENT CODE; PROVIDING FOR THE ESTABLISHMENT OF SECTION 6.25 OF THE SUPPLEMNETAL STANDARDS, SMALL WIND ENERGY SYSTEMS; PROVIDING FOR THE REPEAL OF ORDINANCES OF PARTS OF ORDINANCES IN CONFLICT HERewith, TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City desires to promote renewable energy resources; and

WHEREAS, the City desires to permit small wind energy systems designed for smaller parcel applications; and

WHEREAS, the City's Planning Board has reviewed the Ordinance, determined it to be consistent with the City's adopted Comprehensive Plan and has recommended approval thereof; and

WHEREAS, the City Commission has determined the Ordinance to be in the best interest of the health, safety and welfare of the citizens of the City; and

WHEREAS, notice of this Ordinance has been provided in accordance with applicable law;

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA HEREBY ORDAINS:

Section 1. Division 6 of the City of St. Pete Beach, Florida Land Development Code, pertaining to Supplemental Standards, is hereby amended to add Section 6.25, Small Wind Energy Systems, in accordance with the following:

(1) Definitions

- a. Small Wind Energy System shall mean a wind energy conversion system, less than 100 kW, consisting of a wind turbine, tower, base and associated control or conversion electronics.
- b. Total Height shall mean, when referring to a Wind Turbine, the distance measured from ground level to the blade extended at its highest point.

- c. Wind Turbine shall mean the parts of the wind system including the blades, generator and tail.

(2) Minimum Ground Clearance.

- a. The blade tip of any Wind Turbine shall, at its lowest point, have ground clearance of no less than fifteen (15) feet, as measured at the lowest point of the arc of the blades.
- b. No blades may extend over parking areas, driveways or sidewalks.

(3) Location.

- a. All small wind energy systems or wind turbines shall be located in the rear yard or on the roof of the structure of the subject property.

(4) Setbacks and Height

- a. Setbacks
 - 1. Setbacks for rooftop turbines shall be the same as those required for the subject zoning district for the principal structure for new construction; Rooftop applications added to structures that are non-conforming due to setbacks may not increase the non-conformity, but may add the rooftop wind turbine to the part of the structure that is conforming.
 - 2. A wind tower for a small wind system located in the rear yard shall be set back a minimum of 15 feet from each side lot line and 10 feet from the rear lot line.
- b. Height: The total height of the structure, including the blade extended to the highest point, shall be no taller than the maximum height established by the subject zoning district.

(5) Access.

- a. All ground mounted electrical and control equipment shall be labeled or secured to prevent unauthorized access.
- b. The tower shall be designed and installed so as to provide step bolts or a ladder no lower than 8 feet above the ground, in order to be accessible only to the property owner or applicable service and repair personnel.

(6) Electrical Wires.

- a. All electrical wires associated with a small wind energy system, other than wires necessary to connect the wind generator to the tower wiring, the tower wiring to the disconnect junction box, and the grounding wires shall be located underground.

(7) Lighting.

- a. A wind tower and generator shall not be artificially lighted unless such lighting is required by the Federal Aviation Administration.

(8) Appearance, Color, and Finish.

- a. The wind generator and tower shall remain painted or finished the color or finish that was originally applied by the manufacturer or a neutral color.

(9) Signs.

- a. Small Wind Energy Systems shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the wind turbine.

(10) Building Permit.

- a. A building permit shall be required for the installation of a small wind energy system and shall be constructed per the manufacturer's specifications and the Florida Building Code.
- b. Documents: The building permit application shall be accompanied by a site plan and building plans drawn to scale, signed and sealed by a Florida registered engineer or architect, which at a minimum shall include the following:
 - 1. Property lines and physical dimensions of the property;
 - 2. Location, dimensions, and types of existing major structures on the property;
 - 3. Location of the proposed wind system tower;
 - 4. The right-of-way of any public road that is contiguous with the property;
 - 5. Any overhead utility lines;
 - 6. Wind system specifications, including manufacturer and model, rotor diameter, tower height, tower type (freestanding or guyed);
 - 7. Tower foundation blueprints or drawings;
 - 8. Tower blueprint or drawing.

Section 2. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent of any conflict with the Ordinance.

Section 3. If any portion of part of this Ordinance is declared invalid by a court of competent jurisdiction, the valid remainder hereof shall remain in full force and effect.

Section 4. This Ordinance shall become effective immediate upon adoption.

Mike Finnerty, Mayor

FIRST READING:
PUBLISHED:
SECOND READING:

4-14-08

PUBLIC HEARING: _____

I, Theresa McMaster, City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of applicable law this _____ day of _____, 2009.

CITY CLERK