

August 12, 2009
FLOOR AMENDMENT

BILL NO. 2317, Relating to Small Wind Energy Conversion Systems (SWECS)

Introduced by: Derek Kawakami (by request)

Amend Section 8-28.2 as follows:

“Sec. 8-28.2 Definitions. When used in this Article, the following words or phrases shall have the meaning given in this section unless it shall be apparent from the context that a different meaning is intended:

“Blade” means an extension from the hub of the S.W.E.C.S. that is designed, in conjunction with other extensions, to catch the wind and turn the rotor to generate electricity.

“F.A.A.” means Federal Aviation Administration.

“Horizontal axis wind energy conversion system” means a wind energy conversion system that employs a horizontal rotor shaft.

“Hub” means the center of the rotor to which the blades are attached.

“S.W.E.C.S.” means a small wind energy conversion system which is an apparatus for converting kinetic energy from wind to mechanical energy in order to produce electrical energy of no more than [one-hundred (100)] ten (10) kilowatts and is intended primarily to reduce on-site consumption of utility power. The term S.W.E.C.S. applies to tower- and roof-mounted small wind energy conversion systems as well as horizontal and vertical axis small wind energy conversion systems. The term also applies to wind monitoring or meteorological towers used for supporting anemometers, wind vanes, and other equipment to assess the wind resource at a predetermined height above the ground.

“Total Height” means the combined height as measured from the existing grade at the base of the tower or structure to which the S.W.E.C.S. is mounted to the tip of the rotor blade when extended vertically ninety (90) degrees from the horizontal plane of the ground.

“Tower” means the upright portion of a wind energy system to which the primary generator systems are attached, either at the top (i.e. generally for horizontal axis wind energy conversion systems) or the bottom (i.e. generally for vertical axis wind energy conversion systems).

“Vertical axis wind energy conversion system” means a wind energy conversion system that employs a vertical rotor shaft.”

Amend Section 8-28.4 as follows:

Sec. 8-28.4 S.W.E.C.S. that require a Use Permit.

[(a) Tower-mounted S.W.E.C.S. shall require a Use Permit in the following use and overlay districts:]

(a) In addition to the limits set forth in Section 8-28.3(a), tower-mounted S.W.E.C.S. shall require a Use Permit and a Class IV Zoning Permit in the following use and overlay districts:

- (1) Resort District (RR).
- (2) Special Treatment District, Public Facilities (ST-P).
- (3) Special Treatment District, Cultural/Historic (ST-C).
- (4) Special Treatment District, Scenic/Ecological Resources (STR).
- (5) Kapa`a Special Planning Areas A, B, and C.
- (6) Residential District (R-1 – R-20), when the lot is less than one (1) acre in size.
- (7) Neighborhood Commercial District (C-N), when the lot is less than [20,000 square feet] one (1) acre in size.
- (8) General Commercial District (C-G), when the lot is less than 20,000 square feet in size.
- (9) Open District, when the lot is less than five (5) acres in size.
- (10) North Shore Special Planning Area.

[(b) Roof-mounted S.W.E.C.S. shall require a Use Permit in the following use and overlay districts:]

(b) In addition to the limits set forth in Section 8-28.3(b), roof-mounted S.W.E.C.S. shall require a Use Permit and a Class IV Zoning Permit in the following use and overlay districts:

- (1) Resort District (RR).
- (2) Special Treatment District, Public Facilities (ST-P).
- (3) Special Treatment District, Cultural/Historic (ST-C).
- (4) Special Treatment District, Scenic/Ecological Resources (ST-R).
- (5) Kapa`a Special Planning Areas A, B, and C.
- (6) North Shore Special Planning area.
- (7) Residential District (R-1 – R-20), when the lot is less than one (1) acre in size.
- (8) Neighborhood Commercial District (C-N), when the lot is less than one (1) acre in size.
- (9) General Commercial District, when the lot is less than one (1) acre in size.”

(New material to be added is underscored. Material to be deleted is bracketed.)

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