

[San Bernardino County](#)[■ Code of Ordinances](#)[■ Title 8. Development Code](#)[■ Division 4. Standards For Specific Land Uses And Activities](#)[■ Chapter 84.29. Renewable Energy Generation Facilities](#)

## § 84.29.030. Wind Energy Development Standards.

*Latest version.*[Latest Version](#)[Updated Version](#)

(a) *Height Limits.* Wind generator machine and associated meteorological tower overall height shall not exceed 500 feet. For the purposes of this Chapter, machine height shall be measured as follows:

(1) Overall machine height of horizontal axis of machines shall be measured from grade to the top of the structure, including the uppermost extension of any blades.

(2) Machine height of vertical axis or other machine designs shall be measured from grade to the highest point of the structure. Further restrictions may apply to ensue aviation safety.

(b) *Setbacks and Spacing.* Wind generator setbacks shall be as follows:

(1) *Setbacks Where Adjacent Parcels Contain Less than 40 Acres.*

(A) A minimum wind generator setback of two times the overall machine height (measured from grade to the top of the structure, including the uppermost extension of any blades) or 500 feet, whichever is less, shall be maintained from exterior project boundaries where the project site is adjacent to existing parcels of record that contain less than 40 acres and are not zoned as any of the compatible districts, which are as follows:

RC (Resource Conservation).

AG (Agriculture).

FW (Floodway).

RL (Rural Living).

IR (Regional Industrial).

(B) The Director may allow a reduction in this setback, not to exceed a minimum setback of one times the overall machine height (measured from grade to the top of the structure,

including the uppermost extension of any blades) if a letter of consent from the owner(s) of record of adjacent parcels is filed with the County Advance Planning Division.

(2) *Setback Where Adjacent Parcels Contain 40 Acres or More.* A minimum wind generator setback of one and one-half times the overall machine height (measured from grade to the top of the structure, including the uppermost extension of any blades) or 500 feet, whichever is less, shall be maintained from all exterior project boundaries. The Director may allow a reduction or waiver of this setback requirement in accordance with both of the following provisions:

(A) The project exterior boundary is a common property line between two (2) or more approved wind energy projects or both properties are located within compatible districts as listed above; and

(B) The property owner of each affected property has filed a letter of consent to the proposed setback reduction with the Director.

(3) *Setback from Off-Site Residence(s) on Adjacent Parcels.* In all cases, regardless of parcel area, a minimum wind generator setback of one and one-half times the overall machine height (measured from grade to the top of the structure, including the uppermost extension of any blades) or 1,500 feet, whichever is greater, shall be maintained from any off-site residence. The Director may allow a reduction in this setback, not to exceed a minimum setback of one times the overall machine height, if a letter of consent from the owner(s) of record of the adjacent parcel is filed with the Director.

(4) *Setback from On-Site Residences and Accessory Structures Designed for Human Occupancy.* A minimum wind generator setback of one times the overall machine height (measured from grade to the top of the structure, including the uppermost extension of any blade) shall be maintained from any on-site residence or accessory structure designed for human occupancy.

(5) *Setback from Public Highways and Streets, Public Access Easements, Public Trails, and Railroads.* A minimum wind generator setback of one and one-half times the overall machine height (measured from grade to the top of the structure, including the uppermost extension of any blade) shall be maintained from any publicly maintained public highway or street. A minimum wind generator setback of one times the overall machine height shall be maintained from any public access easement or railroad right-of-way. A minimum wind generator setback of 150 feet shall be maintained from the outermost extension of any blade to any public trail, pedestrian easement, or equestrian easement.

(6) *Project Interior Wind Generator Spacing.* Wind generator spacing within the project boundary shall be in accordance with accepted industry practices pertaining to the subject machine.

(c) *Compliance with Aviation Law and Department of Defense Restrictions.* The wind generator machines shall comply with all applicable Federal Aviation Administration requirements and the State Aeronautics Act (Public Utilities Code §§ 21001 *et seq.*). Additionally, the local Department of Defense contact person(s) shall be notified and clearance from the Department of Defense shall be required for all wind generators.

(d) *Lighting.* Wind energy generation facilities shall be lighted in compliance with FAA (Federal Aviation Administration) regulations.

(e) *Site Design for Protection of Biological Resources.* Wind energy generation facilities will be designed in such a manner as to protect special-status species and avian and bat species, including the following:

- (1) The design will discourage the use of the site by raptors by including landscaping and ground conditions that are unattractive to raptors.
- (2) The design and siting of these facilities shall avoid the placement of turbines on or immediately adjacent to the upwind side of ridge crests;
- (3) The design may include other design features to minimize impacts to bats and birds; and
- (4) An avian and bat management plan shall be required for all projects to address unanticipated significant adverse impacts on the population of avian or bat species or with any other migratory corridor.

(Ord. 4098, passed - -2010; Am. Ord. 4156, passed - - 2011)

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