



**City of El Paso – City Plan Commission**  
**Ordinance amending Title 20 (Zoning), Chapter 20.10**  
**(Supplemental Use Regulations) Section 20.10.200 (Energy**  
**Conversion Systems) Subsection B. (Wind-Driven Generators Or**  
**Wind-Driven Pumps) to revise and add location and height**  
**requirements.**

- It is necessary to amend the wind energy conversion systems standards and requirements to provide alternative energy regulations which currently offer limited flexibility in the El Paso City Code for clean energy, to promote the effective and efficient use of Energy Conversion Systems, and to facilitate economic opportunities for local residents and business owners consistent with the public health, safety and general welfare of the community.

**Attachments:**

Attachment 1: Proposed Redlined Ordinance

Attachment 2: Final Ordinance

**ATTACHMENT 1: PROPOSED REDLINED ORDINANCE**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.10 (SUPPLEMENTAL USE REGULATIONS) SECTION 20.10.200 (ENERGY CONVERSION SYSTEMS) SUBSECTION B. (WIND-DRIVEN GENERATORS OR WIND-DRIVEN PUMPS) TO REVISE AND ADD LOCATION AND HEIGHT REQUIREMENTS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

**WHEREAS**, Title 20 (Zoning) of the El Paso City Code, Chapter 20.10 regulates wind energy conversion systems; and,

**WHEREAS**, it is necessary to revise and add location and height requirements as relevant to wind energy conversion systems to provide alternative energy regulations which currently offer limited flexibility or are non-existent in the El Paso City Code for clean wind energy, to promote the effective and efficient use of Wind Energy Conversion Systems, and to facilitate economic opportunities for local residents and business owners consistent with the public health, safety and general welfare of the community; and,

**WHEREAS**, a public hearing regarding the proposed amendment was held before the City Plan Commission, and the Commission recommended approval of the amendment; and,

**WHEREAS**, the El Paso City Council has determined that this amendment is in the best interest of the public and will promote the public health, safety and welfare of the City;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

**SECTION 1.** That Title 20 (Zoning), Chapter 20.10 (Supplemental Use Regulations), Section 20.10.200 (Energy Conversion Systems), Subsection B. (Wind-Driven Generators or Wind –Driven Pumps) of the El Paso City Code be amended as follows:

B. Wind-driven generators or wind-driven pumps, where permitted, are subject to the following conditions:

1. Must be located in the rear yard ~~for all residential Zoning Districts R-1, R-2, R-2A, R-3, R-3A, R-4, R-5, A-1, A-2, A-3, A-4, A-O and residential special districts P-R I, P-R II, SRR, and P-MD;~~
2. ~~Shall not exceed forty five feet in height;~~ ~~Shall not exceed eighty feet in height in commercial C-1, C-2, C-3, C-4 and manufacturing M1- M-2, M-3 zoning districts and not to exceed thirty five feet in height in residential R-1, R-2, R-2A, R-3, R-3A, R-4, R-5, A-1, A-2, A-3, A-4, A-O and residential special districts P-R I, P-R II, SRR, and P-MD;~~
3. Any propeller blades or similar devices shall come no closer than ten feet to the ground or to any structure, and shall have clearance from any overhead wires in accordance with electric utility company requirements;

4. No portion of the system shall project over any property line or required front, side, or side street setback;
5. The structural integrity of every wind-driven generator and pump, regardless of height, shall be designed and sealed by a registered professional engineer in the state of Texas;
6. The construction of wind-driven generator and pump foundations must comply with the building code of the city;
7. Noise and vibration levels must be in compliance with [Title 9](#) (Health and Safety) of this Code.

**SECTION 2.** Except as expressly herein amended, Title 20, Zoning, of the El Paso City Code shall remain in full force and effect.

ADOPTED THIS \_\_\_\_\_ day of \_\_\_\_\_ 2016.

CITY OF EL PASO

ATTEST:

\_\_\_\_\_  
Oscar Leeser, Mayor

\_\_\_\_\_  
Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

\_\_\_\_\_  
Brie L. Franco  
Assistant City Attorney

\_\_\_\_\_  
Larry F. Nichols, Director  
Planning and Inspections

**ATTACHMENT 2: FINAL ORDINANCE**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.10 (SUPPLEMENTAL USE REGULATIONS) SECTION 20.10.200 (ENERGY CONVERSION SYSTEMS) SUBSECTION B. (WIND-DRIVEN GENERATORS OR WIND-DRIVEN PUMPS) TO REVISE AND ADD LOCATION AND HEIGHT REQUIREMENTS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

**WHEREAS**, Title 20 (Zoning) of the El Paso City Code, Chapter 20.10 regulates wind energy conversion systems; and,

**WHEREAS**, it is necessary to revise and add location and height requirements as relevant to wind energy conversion systems to provide alternative energy regulations which currently offer limited flexibility or are non-existent in the El Paso City Code for clean wind energy, to promote the effective and efficient use of Wind Energy Conversion Systems, and to facilitate economic opportunities for local residents and business owners consistent with the public health, safety and general welfare of the community; and,

**WHEREAS**, a public hearing regarding the proposed amendment was held before the City Plan Commission, and the Commission recommended approval of the amendment; and,

**WHEREAS**, the El Paso City Council has determined that this amendment is in the best interest of the public and will promote the public health, safety and welfare of the City;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

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1. Must be located in the rear yard for all residential Zoning Districts R-1, R-2, R-2A, R-3, R-3A, R-4, R-5, A-1, A-2, A-3, A-4, A-O and residential special districts P-R I, P-R II, SRR, and P-MD;

2. Shall not exceed eighty feet in height in commercial C-1, C-2, C-3, C-4 and manufacturing M1- M-2, M-3 zoning districts and not to exceed thirty five feet in height in residential R-1, R-2, R-2A, R-3, R-3A, R-4, R-5, A-1, A-2, A-3, A-4, A-O and residential special districts P-R I, P-R II, SRR, and P-MD;

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