

What happens next?

MONTEREY — County officials met last week to discuss how to proceed on two requests from Highland New Wind Development, LLC, for its proposed wind energy facility. Each of those requests may be handled in a variety of ways, based on how the county decides to set its policy on commercial wind energy here. Below are the two requests, and how they might be handled according to state code and the Highland zoning ordinance regulations.

Request for a zoning amendment

Highland New Wind Development requested a change to the county zoning ordinance to create an additional exception from the general height limits for commercial wind turbines.

1. An initial review was held by the planning commission Aug. 26. Planners have 60 days from this date to make a recommendation to supervisors. Deadline: Oct. 25.
2. Next commission meeting: Sept. 23. Planners will set a public hearing for the request. At the hearing, which may be held jointly with supervisors if they choose, planners may also consider options presented by the county attorney to modify or add to the ordinance descriptions in a way that specifically addresses commercial wind turbines.
3. Planners make a recommendation to supervisors. If no recommendation is made by Oct. 25, the request is deemed approved. A recommendation to supervisors then starts a 12-month clock — the board will have one year to ultimately take a vote on the request.
4. Supervisors schedule and hold a public hearing on the request if they have not done so jointly with planners yet. If the board also changes the zoning ordinance with new policy, the request might move to the board of zoning appeals where it would be treated like a variance request.

5. Supervisors approve or deny the request within 90 days of the hearing date, and within 12 months of the date they received a recommendation from planners.

6. If denied, Highland New Wind Development can choose to file an appeal in Highland County Circuit Court within 30 days.

5. The request is sent to the BZA, which has an initial review.

6. BZA schedules and holds a public hearing.

7. BZA votes to approve or deny the request within 60 days of the date of the hearing.

8. If request is denied, applicant has 30 days to appeal that decision in circuit court.

Request for a conditional use permit

Highland New Wind Development requested a conditional use permit to construct and operate its proposed wind facility in an agriculturally zoned district.

1. An initial review of this request was held by the planning commission Aug. 26.
2. Next commission meeting: Sept. 23. Planners will either set a public hearing for the request, or choose not to hold one. No hearing is required on a permit request according to ordinance. Planners have until Oct. 25 to make a recommendation to supervisors on the request, whether or not they choose to hold a public hearing.

3. Planners schedule and hold a public hearing.

4. Planners make a recommendation to supervisors. Deadline: Oct. 25, and supervisors proceed with their own hearing.

3. Planners proceed to make a recommendation to supervisors by Oct. 25 without a public hearing.

4. Supervisors schedule and hold a public hearing.

5. Supervisors vote to deny or approve the request, within 12 months of the time they received the recommendation and within 60 days of holding the public hearing.

6. If request is denied, applicant has 30 days to appeal that decision to circuit court.