



AGENDA MEMORANDUM

Future Item for the City Council Meeting of March 18, 2014
Action Item for the City Council Meeting of March 25, 2014

DATE: March 7, 2014

TO: Ronald L. Olson, City Manager

FROM: Tom Tagliabue, Director, Intergovernmental Relations
tomtag@cctexas.com
361.826.3850

Resolution Opposing Wind Farm Development in the City's Extra-Territorial Jurisdiction

CAPTION:

Resolution opposing construction of wind turbines (wind farms) at Chapman Ranch and in other areas within the City's extra-territorial jurisdiction and discouraging wind farm developers from locating in the City's extra-territorial jurisdiction.

PURPOSE:

New wind farms have recently been proposed in Nueces County, including one near Chapman Ranch in the City of Corpus Christi's extra-territorial jurisdiction. The Chapman Ranch Wind project is a 200 megawatt wind energy facility with about 150 wind turbines proposed by Apex Clean Energy. Currently, no municipalities, counties, state agencies, or federal agencies have statutory authority to regulate the citing, sizing, or density of wind farm developments. The City Council is being asked to adopt a resolution opposing future development of wind turbine developments in the City's extra-territorial jurisdiction, which might stifle residential and commercial growth in the extra-territorial jurisdiction.

BACKGROUND AND FINDINGS:

South Texas and the Coastal Bend have been targeted as prime areas to develop wind farms because of the steady wind conditions and large areas of undeveloped acreage. Neighboring San Patricio County is home to Papalote Creek Wind Farm near which has an array of 196 wind turbines. The wind farm is operated by E.On Climate and Renewables. E.On plans to build Patriot Wind Farms in Kleberg County near Kingsville. New wind farms have recently been proposed in Nueces County, including one near Chapman Ranch in the City of Corpus Christi's extra-territorial jurisdiction. The Chapman Ranch Wind project is a 200 megawatt wind energy facility with about 150 wind turbines proposed by Apex Clean Energy.

Currently, no municipalities, counties, state agencies, or federal agencies have any statutory authority to regulate the citing, sizing, or density of wind farm developments. Wind farm developers. At the same time, wind farm projects are heavily subsidized through production tax credits, accelerated depreciation schedules, and other taxpayer-funded incentives.

There have been and there may be other companies in the future who are attempting to enter into lease agreements with landowners in Nueces County and the Coastal Bend for the purpose of erecting wind turbines (wind farms). Outside of its city limits within its extra-territorial jurisdiction, cities have no authority to do land use planning, zoning, or other regulatory controls to effectively manage wind farm development.

The Corpus Christi Board of Realtors and the Corpus Christi Builders Association have adopted resolution opposing wind farm development in the City's extra-territorial jurisdiction because of concerns with noise, land devaluation, negative impacts to the tax base, scenic blight, and environmental concerns.

ALTERNATIVES:

The City Council has several options:

1. Adopt the resolution without changes.
2. Amend the resolution with additional guidance or instruction.
3. Take no action.
4. Work with surrounding cities, counties and school districts to voice opposition to proposed wind farm developments.
5. Work with the Texas Municipal League, the Conference of Urban Counties, the Texas Association of Counties, the Texas Association of School Board, and other interested stakeholders to encourage the 84th Texas Legislature to extend some reasonable level of regulation or land use planning authority to protect the health, safety, and welfare of homeowners and the local government.

OTHER CONSIDERATIONS:

CONFORMITY TO CITY POLICY:

EMERGENCY / NON-EMERGENCY:

This is a non-emergency item.

DEPARTMENTAL CLEARANCES:

Assistant City Manager for Business Support Services, Development Services Department, Public Works, City Attorney

FINANCIAL IMPACT:

Operating Revenue Capital X Not applicable

Fiscal Year: 2014-2015	Project to Date Expenditures (CIP only)	Current Year	Future Year FY 14	TOTALS
Line Item Budget				
Encumbered / Expended Amount				
This item				
BALANCE				

Comments: None

RECOMMENDATION:

City staff recommends adoption of the resolution.

LIST OF SUPPORTING DOCUMENTS:

Resolution – Opposing Wind Farm Development
Map – Construction Growth Trends