

**Q: What is happening with Wind Farms/ Wind Turbines in Douglas County?**

A: The County is revising their Wind Energy Conversion System (WECS) Regulations. These are the regulations which establish standards and requirements of any proposed wind farm in the unincorporated areas of Douglas County.

This is being done through what's called a "Text Amendment" which will revise [Section 12-306-44](#) of the Douglas County Zoning and Land Use Regulations.

As of 9/26/23, there are no wind farm applications submitted for review.

**Q: What is a "WECS"?**

A: WECS stands for Wind Energy Conversion System, commonly known as wind turbine or windmill. The term "WECS" is frequently used by the industry and regulatory bodies, and it refers to a single machine harnessing wind energy.

There are two types of WECS: C-WECS and P-WECS.

A C-WECS is a commercial-scale wind turbine, likely over 100 feet and primarily used for generating energy used off-site. A C-WECS Project is a series of turbines and associated equipment working together to generate energy, frequently called a "wind farm".

A P-WECS is a personal-scale wind turbine. These turbines are under 75 feet and the energy created by them must be used by the property owner, not for commercial sale. This would be similar to solar panels on the roof of someone's house or barn.

**Q: What is a Conditional Use Permit or CUP?**

A: A conditional use permit provides a public hearing process for the establishment of land uses which may be desired in the community but which, by the nature or scale of the use, have the potential to negatively impact surrounding land uses, the character of the area, the road network, or other features in the area.

The Governing Body's action on a conditional use permit is a purely discretionary act that will be decided based upon the facts and circumstances discovered in the review of each application. There is no implied "right" for any person or landowner to obtain a conditional use permit for any use on any property.

**Q: Who is working on revising these regulations?**

A: County Zoning & Codes Staff: Tonya Voigt, Ben Harris, Karl Bauer

City-County Planning Staff: Sandy Day, Cece Riley

Planning Commission Ad Hoc Committee: Gary Rexroad (chair), Charlie Thomas, Mike Kelso, Prasanth Duvvur.

Specialized review has also been provided by the County Public Works Director, Office of Sustainability, Building Codes, and County Legal Staff.

**Q: How do I contact the people working on this?**

A: You can send an email to [windregs@lawrenceks.org](mailto:windregs@lawrenceks.org), and your message will be sent to the right people. You can also call the Planning and Development Services at 785-832-7700 or Douglas County Zoning and Codes at 785-331-1343 to talk to specific staff members.

**Q: Why is this website on the City of Lawrence page?**

A: The Lawrence-Douglas County Planning office is a joint office that oversees growth and development in the City of Lawrence and Unincorporated Areas of Douglas County with respect to zoning and land use. This includes review of both City and County development applications, assists with text amendments (such as this), and provides staff for the Lawrence Douglas County Metropolitan Planning Commission.

City and County staff work together to review applications and develop recommendations based on applicable codes and regulations that conform to the recommendations of *Plan 2040*, the comprehensive plan for Unincorporated Douglas County and the City of Lawrence.

**Q: If someone applied for a Wind Farm right now, what would happen?**

A: There are existing WECS Regulations which were adopted in 2016. This land-use is currently permitted in Douglas County per [Section 12-306-44 of the Douglas County Zoning Regulations](#).

If someone wanted to develop a C-WECS Project, they would need to apply for a conditional use permit. With that application a notice would be sent to property owners within 1-mile of the project boundary. Planning staff would then review the application and give a recommendation to the Planning Commission. The Planning Commission would hold a public hearing and make a recommendation to Approve, Approve with Conditions, or Deny the application and that recommendation would be forwarded to the Board of County Commissioners. The County Commission then decides if the project can be approved or not.

**Q: Will revising these regulations make it easier for wind farms to come into the County?**

A: No, the goal of changing the regulations is not to make it easier or harder to build wind farms/ C-WECS Projects. The intent of the text amendment is to clarify existing code language and develop standards that appropriately regulate this land use.

**Q: Why are the regulations being revised now?**

A: After writing the solar regulations in 2022, the Planning Commission recognized that they needed to update the Wind Regulations too. Their goal was to make sure the rules for wind energy were consistent with the new solar regulations in regard to contents of application, depth of review, and changing technology.

**Q: Has the Planning office received any applications for commercial scale wind farms?**

A: As of 9/26/2023, no one has applied to build a commercial-scale WECS Project.

**Q: Why are property owners being approached to sign leases if there is no application?**

A: Developers frequently test the viability of a project with the property owners first to make sure there is enough land area for the development. These negotiations are private between a property owner and a developer.

**Q: How is NextEra involved?**

A: NextEra is an energy company that has expressed interest in developing a C-WECS Project in the southwest portion of Douglas County. They have sought approval from the Board of County Commissioners for MET (meteorological tower) towers and SoDAR (sonic detection and ranging) permits as a means to test the wind patterns in the area which they have leased, or plan to lease, on private land.

Regarding the Revised Wind Energy Regulations: NextEra can make comments on the proposed regulations the same way that any other member of the public/ private industries is able to. NextEra has not been given special opportunities to make changes to the regulations. Their comments are weighed the same as other industry professionals.

On April 7, 2023, Ad Hoc Members met with a sound engineer and an environmental health expert who had been brought to town by NextEra for the community meeting they had hosted the evening prior. This meeting was recorded and can be found in the "Past Meeting" section of the [www.lawrenceks.org/windregs](http://www.lawrenceks.org/windregs) website.

**Q: What has happened so far? I heard you have been working on this for over a year, but I just found out about it.**

A: The County and City staff have been working since January 2022 to review the existing regulations, research best practice, and learn from experts. They created a first draft of the changes proposed to the WECS regulations in December 2022. ([shown here](#))

The Planning Commission created an Ad Hoc Committee in March of 2023 to review the regulations in further detail. The Ad Hoc committee met weekly to discuss the proposed regulations, spoke with residents as well as industry experts, conducted site visits to operating C-WECS Projects, and met with state and county agencies that monitor and regulate public roads, emergency management systems, and natural resources. They have now completed the review and drafted a revised set of regulations for public consideration. This draft will be made available to the public and to the Planning Commission at a future meeting.

All previous public meetings have brief descriptions (and videos if recorded) on the “Past Meetings” portion of the website.

**Q: Why has the County not reached out to property owners individually?**

A: It is not typical for property owners to be notified of text amendments. Text amendments apply to all the unincorporated land area in Douglas County. Notice is not required or practical to be provided to all property owners in the unincorporated area of Douglas County for every text amendment that is proposed.

In the meantime, staff relies on newspapers, social media, and the website to share information with the public. [www.lawrenceks.org/windregs](http://www.lawrenceks.org/windregs)

Planning staff aren't able to reach out to property owners until they receive an application. They will send notices to property owners within a specified boundary of the C-WECS Project once an application is submitted.

**Q: Do the revised wind energy regulations discuss solar energy at all?**

A: No, the revised regulations only focus on wind energy. Solar energy has its own regulations that were adopted in 2022 [Section 12-306-49](#)

If you'd like to know more about the current status of proposed solar projects in Douglas County, please reach out to the Lawrence-Douglas County Planning office by calling 785-832-7700.

**Q: What happens next?**

A: As of 9/26/23, the WECS Regulations Draft #2 has been published.

In an effort to spread the word that the new draft has been published, the Ad Hoc committee is planning on hosting several community engagement meetings. These meetings will be held in various locations throughout the county and aim to educate the public on why the county code is being revised, explain the logic the Ad Hoc committee used in Draft #2, and discuss the next steps in the process. Once the meetings are scheduled, they will be posted on the website as well as County social media.

The next time the Planning Commission will hold a public hearing to discuss the text amendment is scheduled for October 23, 2023. This will be an opportunity to share 3-minute public comment with the full Planning Commission in-person or via zoom.

Members of the public can also submit their comments in writing to [windregs@lawrenceks.org](mailto:windregs@lawrenceks.org) or by mailing their comment to Lawrence Planning Office (Attn: Wind Regs) 1 Riverfront Plaza, Suite 320 Lawrence, KS 66044. Comments must be received by 10:00 AM on the Monday before the scheduled public hearing meeting.

The website [www.lawrenceks.org/windregs](http://www.lawrenceks.org/windregs) will be the best place to find updates for upcoming meetings, resources, and previous versions of the draft text.

Find more general FAQs on energy.gov:

<https://www.energy.gov/eere/wind/frequently-asked-questions-about-wind-energy>