

JAN 27 2021

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# A BILL FOR AN ACT

RELATING TO ENERGY.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that Hawaii's clean  
2 energy initiative is admirable and worthy of our best efforts to  
3 achieve one hundred per cent renewable energy by 2045. Hawaii  
4 is blessed with diverse and abundant alternative energy  
5 potential, yet the legislature recognizes the importance of  
6 properly siting renewable energy systems if we are to  
7 successfully implement this energy transformation. Wind-powered  
8 systems can be a valuable part of the renewable energy  
9 portfolio, but intense community opposition to the latest wind  
10 energy development on the north shore of Oahu demonstrates the  
11 need to update setback policies.

12           More specifically, the legislature finds that the current  
13 setback policy for industrial wind turbines is inadequate for  
14 siting near residential communities. Existing policies were  
15 established when wind turbines were much smaller and far less  
16 imposing on a surrounding community. A ratio of one foot  
17 setback for one foot of height may have been appropriate when



1 turbines were two hundred feet tall, but it is no longer  
2 appropriate as turbine heights approach six hundred feet and  
3 technology pushes turbines ever higher into the sky. The taller  
4 the structure, the more it should be set back relative to its  
5 surroundings.

6 The purpose of this Act is to require each county to adopt  
7 ordinances that require wind turbines and other wind-powered  
8 energy systems to be set back at least ten feet for each one  
9 foot of height, measured from the highest vertical extension of  
10 the system, from all property lines.

11 SECTION 2. Chapter 46, Hawaii Revised Statutes, is amended  
12 by adding a new section to part I to be appropriately designated  
13 and to read as follows:

14 **"§46- Wind-powered energy systems; required setbacks.**

15 Each county shall adopt ordinances that establish setback  
16 requirements for wind-powered energy systems. At a minimum, the  
17 ordinances shall require that a wind-powered energy system be  
18 set back ten feet for each one foot of the system's height, as  
19 measured from the highest vertical extension of the system, from  
20 all property lines on any land classified as urban or rural  
21 land."



# S.B. NO. 957

1 SECTION 3. New statutory material is underscored.

2 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: *Gil Puccio*



# S.B. NO. 957

**Report Title:**

Counties; Renewable Energy Technologies Income Tax Credit; Wind-powered Energy Systems; Wind Turbines; Urban Lands; Rural Lands; Setback Requirement

**Description:**

Requires each county to adopt ordinances that require wind turbines and other wind-powered energy systems to be set back at least 10 feet for each 1 foot of the system's height, measured from the highest vertical extension of the system, from all property lines on any land classified as urban or rural land.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

