

WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM

Date: 9/21/2023

Weekly Agenda Date: 9/26/2023

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Supervisor J. Taylor/M. Nelson

WORDING FOR AGENDA ITEM:

Give Direction to Planning and Zoning/BOA for Further Considerations During Public Hearings Regarding Utility-Scale Zoning

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

The Board of Supervisors unanimously has voiced support for adding solar energy systems (private use) as accessory use in each zoning district and affirming support of solar energy systems (utility scale) in the GI Zoning District. However, given that AP constitutes roughly 75% of Woodbury County's 875 sq. mi and inherent to Agricultural Preservation is the preservation of agriculture, we have an interest in doing what is inherent in the name: preserving agriculture. Toward that end, we are not against solar but think that the following strikes a very reasonable and thoughtful balance.

During the last item, we asked that consideration of adding utility-scale solar be considered in AP with limitations such as slope (<5%, no more than 2% of all AP be for solar, a "C" for conditional use, notification from 500 ft to 1 mi, at least 51% maintained in agricultural production.)

Upon public hearing comments and further reflection, we offer an alternative to be considered that might be preferable, namely the expansion of "Light Industrial." We would ask that landowners who desire such utility-scale solar be rezoned to this presently constituting only 101 acres of Woodbury County's 570,000 acres. Landowners could continue to farm the land but open up an avenue that would be far preferable than Agricultural Preservation and much more appropriate.

BACKGROUND:

- + A conditional use permit for AP "C" with Planning and Zoning and the Board of Adjustment to be able to site-specifically take into consideration the concerns of neighbors, land/soil, and other factors when approving permit.
- + A slope of no more than 5% ONLY for fixed arrays (most technology is now movable arrays) in order to preserve the land and to account for soil erosion, compaction, and future land stewardship.
- + No more than 1% of industrial land conversion every 4 years for reclassification, roughly 5,700 acres.
- + Current notification for utility-scale solar shall be 1 mile for public comment instead of 500 feet.
- + A decommissioning plan from solar companies reviewed by P&Z/BOA subject to approval by the Woodbury County Board of Supervisors.

FINANCIAL IMPACT:

None

IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?

Yes No

RECOMMENDATION:

Move to give direction for a new proposed ordinance in regards to utility-scale solar

ACTION REQUIRED / PROPOSED MOTION:

Move to give direction for a new proposed ordinance in regards to utility-scale solar