

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

Date: 8/11/22 Weekly Agenda Date: 8/16/22 4:40

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Mark Nahra and Daniel Priestley

WORDING FOR AGENDA ITEM:

A) Receive staff report. B) Public Hearing for an ordinance to amend portions of Woodbury County Ordinance #56: An amendment to modify Section 6.1.A: Wind Turbines Set Back Requirements in the ordinance regulating Commercial Wind Energy Conversion Systems in unincorporated Woodbury County. C) Approve the 2nd Reading of the Ordinance Amendment

ACTION REQUIRED:

Approve Ordinance Approve Resolution Approve Motion
Public Hearing Other: Informational Attachments

EXECUTIVE SUMMARY:

The Board will hold a public hearing and the second reading of the proposed ordinance to amend portions of Woodbury County Ordinance #56: An amendment to modify Section 6.1.A: Wind Turbines Set Back Requirements in the ordinance regulating Commercial Wind Energy Conversion Systems in unincorporated Woodbury County. On page 10, Section 6.1.A, to repeal and replace the Wind Turbine Set Back Requirement for the Occupied Residence Protected Area from 1,250 feet to 2,500 feet.

BACKGROUND:

Staff has been directed to review setback requirements and schedule hearings for amending Ordinance #56. The Board and staff have received multiple comments regarding the inadequacy of the current 1250' setback. Research studies have shown that additional setback distance from residences may be justified to protect occupied buildings from damage from ice or blade failure. The board will review comments and research and consider changing the generating tower setback from occupied buildings.

FINANCIAL IMPACT:

No financial impact. Potential exists to limit the areas available to develop wind energy facilities which has a potential to reduce future property tax valuation which could be generated by the presence of wind energy.

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:

Receive county staff report.
Open and close the Public Hearing. (Set Time: 4:40 PM)
Conduct and approve the 2nd Reading of the Ordinance Amendment.
The 3rd and Final Public Hearing and Reading of the Ordinance Amendment has been scheduled for Tuesday, August 23 at 4:40 PM.

ACTION REQUIRED / PROPOSED MOTION:

A) Motion to receive county staff report.
B) Open and close the Public Hearing (Set Time: 4:40 PM) for an ordinance to amend portions of Woodbury County Ordinance #56: An amendment to modify Section 6.1.A: Wind Turbines Set Back Requirements in the ordinance regulating Commercial Wind Energy Conversion Systems in unincorporated Woodbury County.
C) Motion to conduct and approve the 2nd Reading of the Ordinance Amendment

ORDINANCE NO. _____
WOODBURY COUNTY, IOWA

AN ORDINANCE AMENDING PORTIONS OF WOODBURY COUNTY ORDINANCE #56: AN AMENDMENT TO MODIFY SECTION 6.1.A: WIND TURBINES SET BACK REQUIREMENTS IN THE ORDINANCE REGULATING COMMERCIAL WIND ENERGY CONVERSION SYSTEMS IN UNINCORPORATED WOODBURY COUNTY.

NOW, THEREFORE, BE IT ENACTED BY THE BOARD OF SUPERVIORS OF WOODBURY COUNTY, IOWA THAT THE BELOW AMENDMENT BE MADE:

AMENDMENT:

On page 10, Section 6.1.A, to repeal and replace the Wind Turbine Set Back Requirement for the Occupied Residence Protected Area from 1,250 feet to 2,500 feet.

Adopted this ____ day of _____, 2022

ATTEST:

Patrick Gill, Woodbury County Auditor

Keith Radig, Chairman

Jeremy Taylor, Vice Chairman

Rocky De Witt

Matthew Ung

Justin Wright

Adoption Timeline

_____: Public Hearing and 1st Reading
_____: Public Hearing and 2nd Reading
_____: Public Hearing and 3rd Reading
_____: Adopted
_____: Published/Effective Date