

Jefferson Co. Planning & Zoning Hearing Agenda

March 9, 2023

7:00 pm: Jefferson Co. Courthouse, 411 4th Street
District Courtroom

Item 1: Call meeting to order.

According to the opens meeting act, it is available on the table for anyone to view.

Approve agenda as printed.

Approve paper notice as printed

Item 2: Reading and approval of minutes

Item 3: Hearing for proposed changes to the zoning regulations adopted March 13, 2013

Outline of Proposed changes to Zoning Regulations Adopted March 13, 2013:

Article 6.65 (A)(6): Commercial Wind Energy Conversion System General Site and Design Standards. (B), (C) & (E)

Article 6.65 (A)(11): Commercial Wind Energy Conversion System General Site and Design Standards

Article 6.69: Commercial Wind Energy Conversion System Discontinuation and Decommissioning

Item 4: General discussion

Jefferson Co. Board of Commissioners public hearing on these items will be March 23, 2023 @ Jefferson Co. Fairgrounds 4H building @ 7:00 pm.


John McKee
Administrator
402-729-3602

The County Zoning Committee reserves the right to go into executive session in accordance with Section 84-1410.

Article 6.65(A)(6) Commercial Wind Energy Conversion Systems General Site and Design Standards.

b) One (1) mile from the turbine to any residence of a non-participating property owner, measured from the nearest exterior wall of the residence to the turbine. One-half (1/2) mile from any property line of non-participating property owners.

c) One and one-tenth (1.1) times the height of the total system from any occupied primary residence of a participating property owner, measured from an exterior wall of the occupied primary residence.

e) One (1) mile setback from incorporated communities, state owned recreation areas, schools and churches

Article 6.65 (A)(11): Commercial Wind Energy Conversion System General Site and Design Standards

Shadow Flicker limit of 30 hours per year of actual flicker at any non-participating primary occupied residence

Article 6.69: Commercial Wind Energy Conversion System Discontinuation and Decommissioning

a) CW ECS shall be considered a discontinued use after one (1) year without energy production, unless a plan is developed and submitted to the Jefferson County Zoning Administrator outlining the steps and schedule for returning the CW ECS to service. All CW ECS and accessory facilities shall be removed four (4) feet below ground level within eighteen (18) months of the discontinuation of use. This period may be extended by the Jefferson County Board of Commissioners following a written request by an agent of the owner of the CW ECS.

b) Each CW ECS shall have a decommissioning plan outlining the anticipated means and costs of removing each CW ECS at the end of the serviceable life or upon becoming a discontinued use. The cost estimates shall be made by a competent party, such as a professional engineer, a contractor capable of decommissioning or a person with suitable expertise or experience with decommissioning. Such person shall be approved by the Jefferson County Board of Commissioners. Such decommissioning plan and cost estimates shall be updated every five (5) years.

c) At the end of the aggregated project's useful life, the entire site shall be restored in accordance with the requirements of this condition within eighteen (18) months.

d) An escrow account, bond, or equivalent enforceable security instrument shall be determined by the Jefferson County Board of Commissioners and is required at the time of application to guarantee removal and restoration upon discontinuation, decommissioning or abandonment and shall be equal to or greater than the cost estimate provided for in the decommissioning plan. Such bond or equivalent enforceable security instrument shall be reviewed and updated every five years so as to be equal to or greater than the cost estimates from the most recent decommissioning plan. Upon transfer of any CW ECS permit, the permit holder shall submit proof that the escrow account, bond, or other security instrument has been reassigned, or that a new escrow account, bond or other security instrument has been obtained for decommissioning. The transfer of a CW ECS permit and any assignment of an escrow account, bond, and security instrument and all other or new escrow accounts, bonds, and security instruments must be filed with the Register of Deeds and evidence of that filing shall be presented to the Jefferson County Planning and Zoning Administrator and Jefferson County Board of Commissioners.