

Synopsis of Zoning Changes

Street Frontage Required (*page 19, Section J*)

- Current: Any lot having a residence needs to either abut a road a minimum of 40 ft or have an easement 20 ft wide for up to 2 residences or 24 for 3.
- Proposed: Change the easement width to 33 ft to coincide with subdivision rules.

Dwelling Standards (*page 20, Section R*)

- Current: The dwelling shall be affixed to a permanent foundation and be 24 ft wide.
- Proposed: Kept the current provision but specifically included manufactured, earth home and shouses as a dwelling (this was “implied” but not really specified); and also added a provision that tiny homes may be allowed as an accessory dwelling following Board of Adjustment approval.

Minimum Lot Size in the R-1 District (*page 24*)

- Current: 20,000 sq ft
- Proposed: 1.5 acres. We currently have at least one Subdivision that is closer to the current lot size for the R-1 District. It has a common well, but even so, it is still very difficult to get an adequately sized septic system on these lots because the houses take up so much of the lot itself.

CSR requirement for minimum lot in the AG District from a percentage to an average (*contained in the bulk requirements table on page 24 and included in permitted uses #11 of the AG District page 46*):

- Current: We require 35 acres minimum unless it’s an existing building site prior to 1978 (farmstead) or 75% of the parcel has a CSR 70 or below, then we would allow a 1.5-acre minimum building lot.
- Proposed: Changing the percentage to an average, i.e. the average CSR is 70 or below
- Reasoning: Because of our various soil types, many proposed parcels have pockets of high CSR ground that makes the percentage criteria very hard to meet and we have a lot of variance requests on this. Most of the time the proposed lots are very low production or not even being farmed at all and after figuring the average for these same parcels, the average was clearly 70 and below and under the average criteria, a variance would not even be necessary. While the intent of the percentage is to preserve prime farm ground, these sites were clearly not prime ground and the average might be more reasonable while still accomplishing the same thing.

Telecommunications Towers (*page 26*)

- Current: These are allowed after approval of the Planning & Zoning Commission and Board of Supervisors. There are no standards that have to be met and setbacks are the same as any other structure.
- Proposed: We differentiate between minor and major significance towers.
 - Minor significance towers are reviewed by the Zoning Administrator and staff internally; include towers less than 35 ft high, co-location of equipment, or towers utilizing a camouflage design and are less than 75 ft high; and are permitted in all districts with the exception that only monopole towers can be placed in the Residential Districts.
 - Major significance towers must first go through approval with the Planning & Zoning Commission to determine necessity and appropriateness of the tower. They are looking at whether co-location efforts were utilized as well as other design standards found on page 28. The Supervisors would then review the Commission’s recommendation to make a final

determination if the tower is necessary and appropriate. If approved, they would be allowed with a Special Exception (Board of Adjustment approval) in the AG, Commercial and Manufacturing Districts.

- Includes more appropriate setbacks (page 29)
- Includes an Abandonment provision (page 29)

Wind Energy Conversion Systems (WECs) page 30:

- Current: Basic wind energy ordinance.
- Proposed: We differentiate between commercial & non-commercial/micro-WECs
 - Commercial WECs are towers that generate 100 kW in total name plate generating capacity. Commercial WECs are only allowed in the A-2 District as a special exception. The process is outlined as follows:

- The applicant must first hold an initial project meeting with the County Engineer, County Attorney and Zoning Administrator to discuss the scope of the project and discuss the approval process.
- The applicant must then hold a public informational meeting at their expense prior to any easement negotiations taking place with landowners.
- They can then apply to rezone the area to A-2 which would require public hearings with the Zoning Commission with final determination by Board of Supervisors.
- If approved, they would then have to apply for a special exception from the Board of Adjustment before submitting building permit applications with my office.

Note: There is an entire outline of design standards and other requirements that would need to be submitted through the approval process including identifying wetlands and consulting with the State Fish & Wildlife Agencies and DNR agencies through their environmental review process regarding migratory birds and other sensitive areas; an acoustical analysis, Federal Aviation Permits, and Decommissioning Plan, etc.

They would be required to file a bond in an amount to be determined by the Board of Supervisors and approved by the County Engineer to pay for damages to roads, streets, highway and bridges. All haul routes shall be reviewed and approved by the County Engineer.

Decommissioning Plan must also be submitted (page 36) and shall outline the means and cost of removing WECs including the concrete pad to a depth of 6 ft below grade, the cost estimates must be made by a competent party such as a Professional Engineer, the plan shall identify the financial resources available to pay for decommissioning as well as file financial security such as an irrevocable letter of credit or performance bond with the County for the cost identified to decommission.

Setbacks can be found on page 34 and detailed requirements and standards can be found starting on page 35.

- Non-Commercial & Mico WECs are reviewed by the Zoning Administrator internally as an accessory use and can not exceed 65 ft in height. Both are defined in on page 30.

While we realize the concern with the big wind farms, we didn't want to prohibit or be too restrictive for small scale towers to be utilized by County residences that are looking for more green energy options.

Solar Energy (*page 37*)

- Current: No regulations at all
- Proposed: We tried to stay as consistent as possible with wind energy and the review process is very similar and there is a differentiation between large solar energy and small solar energy facilities.
 - Large Solar Energy Facilities would be allowed in the A-2 District following an initial project meeting; public informational meeting; rezoning through P&Z and Board of Supervisors; and special exception by Board of Adjustment. The same type of bonds would be required as WECs as well as decommissioning plan, etc. The only real difference is the design standards due to the different type of structure, but a lot of the same stuff we require for WECs will be required for the large solar energy projects as well.
 - Small solar energy facilities would be reviewed by the Zoning Administrator internally as an accessory use.

A-1 Agricultural District (*page 46*)

- Permitted Uses are pretty much the same, we just added a minor significance tower as an additional use permitted.
- Accessory Uses Added (uses allowed in addition to the primary use such as a residence):
 - Private nurseries & greenhouses
 - Excavation & Tiling Contractors
 - Seasonal/recreational cabins (not for rent)
 - Non-Commercial WECs
 - Micro-WECs
 - Small Solar Energy Facilities
- Special Exceptions to the A-1 District (uses that require Board of Adjustment approval) were added and defined as follows (*page 47-48*):
 - A secondary dwelling for farm operations
 - An accessory dwelling for the provision of medical care which can include a tiny home/house, mobile home or living quarters provided the occupant of said accessory dwelling is in need of medical care by the occupant of the primary dwelling or vice versa
 - Agritourism and Seasonal Agriculture Events, including wineries and farmers markets Reasoning: they tend to generate a lot of traffic. See definitions on *pages 2 & 12*.
 - Bed & Breakfast & Boarding Houses
 - Commercial Dog Kennel
 - Landscapers
 - Service & Storage Garages
 - Recreational & vacation rental properties similar to Air BnBs & VRBO rentals. *Page 11*.
 - Seasonal Farm Workers Housing. We also added some criteria starting on *page 22*, with definition on page 12.
 - Special events as a special exception in the Agriculture Districts. This would include concerts or other large events. Initially we had the definition including things like

weddings but after the fireworks display application the Supervisors implemented, it occurred to me that these types of events could potentially require Board of Adjustment review so we altered to definition to be events that were for profit and that exceeded 200 people. Page 13.

- Large animal incinerators page 48

A-2 Agricultural District (pages 49-53)

- Permitted uses are very similar as to what we currently have but we have added some of the uses that require a special exception from the A-1 District as an outright permitted use including:
 - Meat processing plant, small scale
 - Commercial greenhouses & nurseries
 - Landscapers
- Special Exceptions in the A-2 District (require Board of Adjustment Approval):
 - Sandpits & Quarries – Currently list as a Special Exception in the A-2 District but added criteria they need to meet starting on page 52.
 - Temporary & Permanent Redi-Mix plants
 - The remaining uses listed as a special exception in the A-1 district that we did not allow as a permitted use were kept as a special exception, including agritourism, B&Bs, etc.
 - Commercial Solar & WECs

R-1 & R-2 Districts (pages 54-57)

- We cleaned up these districts and the uses to be consistent with uses already defined but not necessarily included or further defining uses that were not clear, but not a whole lot of changes.

Commercial Districts (pages 58-62)

- Cleaned up uses and removed outdated uses and defined any uses that were not clear.

Manufacturing District (pages 65-67)

- Added Ammunition & Firearm Manufacturing, Railroad Yards, Grain Processing Plants, Animal Mineral Processing, Manufacture of Building Supply Materials, and Transload facilities, auto/railroad yards, livestock truck washes as special exceptions in the M District. Also added some industrial buffer criteria starting on page 66.

Outdoor Advertising Signs & Billboards (pages 74-75)

- Cleaned up this section a little bit to remove redundant language and a provision regarding removal of abandoned signs.

Violation and Penalty (page 90)

- Adds a little more teeth to better enforce the ordinance including a stiffer penalty of \$750 per day a violation exists vs the \$100 per day we currently have.