

**AMENDMENT TO THE KOSSUTH COUNTY COMPREHENSIVE PLAN
AUGUST 23, 2016**

I. Goals/Objectives

The primary goal of this proposed amendment to the Comprehensive Plan is to help ensure that any specific zoning provisions that are adopted for WECS reflect the goals, and address the concerns, of the citizens of Kossuth County.

Secondary goals include:

- Directing the development of WECS to locations that minimize conflict with existing land uses; and
- Developing specific zoning provisions that are flexible enough to address the fact that WECS are likely to be proposed within various zoning districts throughout the County.

II. Standards and Guiding Principles

In developing specific zoning provisions for wind energy conversion systems, the Planning and Zoning Commission and Board of Supervisors has numerous principles they should consider, to wit:

1. Because Kossuth County is an area of prime agricultural land, the preservation of that land for agricultural purposes should be of foremost consideration. Thus, the impacts that a wind farm has on farming operations must be considered. These impacts include:

- a.) direct and indirect loss of land because of the structures and related infrastructure associated with WECS;
- b.) interruption of agricultural drainage tiles and ditches, and overland surface flows;
- c.) restricting access for aerial applicators;
- d.) soil compaction during installation and repair activities;
- e.) increased traffic and resulting wear and tear on the County road system; and
- f.) impacts on other public utilities.

2. Because WECS involve very large structures arrayed in patterns that may have hundreds of individual turbines that are visible for miles and designed to be operated for decades,

(as well as associated above and below-ground transmission equipment and lines,) there is an obvious need to consider:

- a.) the visual impacts on surrounding land, particularly if that land has residential uses, parks or natural areas, historically, culturally, or environmentally sensitive areas, cemeteries, or other special uses;
- b.) “typical” zoning provisions regarding height, separation distances from lot boundaries and adjacent land uses (e.g. – residences, airports, and sensitive areas identified in (a.) above), noise, density (both on a project basis and county-wide), light flicker, air flows, color, interference with other electrical systems and similar issues attendant with WECS;
- c.) safety and emergency protocols for local responders in the event of an accident involving a WECS that causes injury to persons or property; and
- d.) the obligation for removal of the structures when they are no longer operational, including financial responsibility.

3. The economic impact (both favorable and unfavorable) on Kossuth County resulting from WECS; including job creation, tourism, and the effects on existing and potential business and industry.

4. The promotion of clean and renewable energy sources.

5. Such other considerations as may reflect the community values and desires of the citizens of Kossuth County.

III. Strategies

1. Because of the complex and likely controversial nature of WECS, the drafting of a zoning ordinance to address the siting of such systems in the County will be equally complex and controversial. It is thus imperative that the Board solicit the input and comments from: the citizens of Kossuth County, the individual municipalities and other governmental entities within Kossuth County (including secondary schools and community colleges, townships, and fire districts, the Iowa DNR and DOT, the federal agencies involved with the Union Slough Wildlife Refuge, the owners and operators of the WECS, and other utilities and businesses in Kossuth County. It is recommended that the above parties be directly notified of any public hearings on WECS as well as invited to provide their comments to a central source at the County level. It is further recommended that the Board hold workshops at various locations in the County to review and discuss the specific zoning provisions. Because of the recent proliferation of WECS across Iowa, the Board should also consult with other counties to see what their experiences with WECS have been like, and any recommendations they may have regarding zoning for WECS.

2. Due to the unique and complex set of factors that must be considered with each request for a WECS, the Planning and Zoning Commission recommends that the Board develop a Zoning Ordinance that treats WECS as conditional uses in the existing zoning districts of Kossuth County (rather than make them allowable uses in certain districts, or attempt to develop separate or overlay districts for WECS). The zoning ordinance should identify general uniform conditions for all proposed WECS, while allowing the Planning & Zoning Commission and Board broad discretion in allowing WECS based on more specific considerations that take into account any special conditions or circumstances in the affected area. As such, there is no need to change the existing land use map for WECS.

3. In designing a zoning approval/permitting procedure for WECS, the County should emphasize the need for Applicants to provide IN ADVANCE plans showing the approximate location, and the size, and specs of all structures and lines proposed to be installed, as well as the adjacent areas that will be affected during construction.