

Board of Supervisors  
Boone County, Iowa  
Ordinance No. 139

Ordinance amending Section 8.04 the Boone County Zoning Ordinance as follows:

**WHEREAS, BOONE COUNTY DESIRES TO HAVE ORDERLY DEVELOPMENT OF PROPERTIES WITHIN ITS BORDERS, AND**

**WHEREAS, BOONE COUNTY HAS PROMULGATED AND ENFORCED ZONING REGULATIONS TO PROVIDE FOR THIS ORDERLY DEVELOPMENT THAT PROTECTS THE INTERESTS OF ALL PROPERTY OWNERS WHILE PROVIDING FOR THE USE AND DEVELOPMENT OF PROPERTY WITHIN THESE REGULATIONS, AND**

**WHEREAS, THE BOONE COUNTY ZONING COMMISSION HAS UNDERTAKEN A STUDY OF THESE REGULATIONS AS REQUESTED BY THE BOARD OF SUPERVISORS, AND**

**WHEREAS, THE ZONING COMMISSION HAS MADE CERTAIN RECOMMENDATIONS TO THE BOARD OF SUPERVISORS, AND**

**WHEREAS, THE BOARD OF SUPERVISORS HAS DIRECTED THE DIRECTOR OF PLANNING AND DEVELOPMENT TO PREPARE CHANGES TO THE APPLICABLE SECTIONS OF THE ORDINANCE TO ACCOMPLISH GOALS CONSISTENT WITH THEIR POLICIES AND DEVELOPMENT GOALS:**

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF BOONE COUNTY, IOWA AS FOLLOWS:**

**SECTION ONE:**

THE PURPOSE OF THIS ORDINANCE IS TO PROTECT THE PUBLIC HEALTH, SAFETY WELFARE AND ENVIRONMENT IN WHICH WE LIVE BY MODIFYING THE CONSTRUCTION REQUIREMENTS OF THE BOONE COUNTY ZONING ORDINANCE # 88 SECTION 8.04 FILED JULY 21, 2008 DOCUMENT # 083467 IN THE OFFICE OF THE BOONE COUNTY RECORDER AS THEY RELATE TO COMMERCIAL WIND ENERGY CONVERSION FACILITIES TO INCREASE THE SETBACKS TO RESIDENTIAL DWELLINGS AND ALSO REQUIRE CERTAIN SECURITIES IN THE DECOMMISSIONING PLAN.

**SECTION TWO:**

THAT BOONE COUNTY SHALL, AND IT DOES HEREBY, ADOPT THE AMENDMENTS TO ARTICLE VIII, SECTION 8.04 AS FOLLOWS:

**SECTION THREE:**

AMEND TABLE 1 WIND TURBINE / METEOROLOGICAL TOWER SETBACKS TO INCREASE NEIGHBORING DWELLING UNITS\* WIND TURBINE – COMMERCIAL / UTILITY WECS SETBACKS TO 1250 FEET.

**SECTION FOUR:**

THAT THIS AMENDMENT SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE AND APPROVAL IN THE MANNER PROVIDED BY LAW.

ADD THE FOLLOWING LANGUAGE TO SECTION 8.04.08 (10) "THE APPLICANT SHALL PROVIDE A BOND OR OTHER SECURITY ACCEPTABLE TO BOONE COUNTY FOR AN AMOUNT OF AT LEAST 110 PERCENT OF THE DECOMMISSIONING COST AS SPECIFIED IN THE DECOMMISSIONING ESTIMATE WITHIN 30 DAYS OF THE ISSUANCE OF THE ZONING PERMIT(S) FOR THE FACILITY."

**ACTION UPON FIRST READING**

Moved by: Behn

Seconded by: Zinnel

Discussion:

**DATE:** 7/24/2019

AYES (A), NAYES (N), ABSENT (X):

Chad Behn

Steve Duffy

Bill Zinnel

**ACTION UPON SECOND READING**

Moved by: Behn

Seconded by: Zinnel

Discussion:

AYES (A), NAYES (N), ABSENT (X):

Chad Behn

Steve Duffy

Bill Zinnel

DATE: 7/31/2019

**ACTION UPON FINAL READING**

Moved by: Waived

Seconded by: \_\_\_\_\_

Discussion:

AYES (A), NAYES (N), ABSENT (X):

Chad Behn

Steve Duffy

Bill Zinnel

DATE: Not held

Stephen Duffy

Chairman

*Boone County Board of Supervisors*

\_\_\_\_\_  
Date

**ATTEST:**

**PHILIPPE E. MEIER, COUNTY AUDITOR**

\_\_\_\_\_  
Date