RESOLUTION #24-29 IMPOSING A MORATORIUM ON ISSUING CONDITIONAL USE/ZONING PERMITS FOR THE CONSTUCTION OF COMMERCIAL WIND ENERGY CONVERSION SYSTEMS

WHEREAS, Iowa Code Chapter 335 grants counties the ability to adopt Zoning Ordinances to regulate land use within its jurisdictional boundaries; and

WHEREAS, from time to time, it is necessary and prudent to review and study ordinances for updates to ensure proper regulation; and

WHEREAS, the size and impact of Commercial Wind Energy Conversion Systems (CWECS) have the potential to create an excessive burden on the County's infrastructure, the environment, wildlife, nearby property owners and a potential to interfere with the operation of Doppler Weather Radar accuracy; and

WHEREAS, CWECS require a rezoning subject to consideration and action by the Emmet County Zoning Board of Supervisors; and

WHEREAS, the Emmet County Board of Supervisors recognizes that Commercial Wind Energy Conversion Systems may affect the character of the surrounding area and the Board desires that all applications for Commercial Wind Energy Conversion Systems be considered consistently within the purpose and intent of an amended Emmet County Zoning Ordinance so that the most appropriate uses of land are encouraged throughout unincorporated Emmet County; and

WHEREAS, the Emmet County Board of Supervisors desires to amend the current zoning ordinance as it pertains to CWECS and has not yet approved the version passed by Emmet County's Planning and Zoning Commission; and

WHEREAS, Emmet County is currently in the process of reviewing the amendment to the zoning ordinance and said process will involve multiple sessions;

NOW, THEREFORE, BE IT RESOLVED that the Emmet County Board of Supervisors hereby establishes a temporary moratorium on the issuing conditional use/zoning permits for the purpose of constructing a CWECS, expiring at 11:59 p.m. Central Time on Friday, January 31, 2025, unless extended by further action of the Board of Supervisors, to allow the above referenced changes to the Emmet County Zoning Ordinance concerning CWECS, to be considered by the Emmet County Board of Supervisors; and

BE IT FURTHER RESOLVED that this resolution and resulting moratorium does not affect any currently filed permit applications for CWECS; and

BE IT FURTHER RESOLVED that the Emmet County Board of Supervisors reserves the right to end the moratorium prior to the approved term of the

moratorium upon completion of the amendments to the Emmet County Zoning Ordinance and satisfactory resolution of the issues as determined by the Emmet County Board of Supervisors; and

BE IT FURTHER RESOLVED that the moratorium approved by this Resolution shall become effective immediately upon adoption of this Resolution.

Approved on this 15th day of October 2024.

Attest: _____
Heidi Goebel, Auditor

_____
Todd Glasnapp, Chair
Emmet County Board of Supervisors