

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that there is now on file with the Board of Supervisors of Cerro Gordo County, Iowa, the recommendation of the Planning and Zoning Commission for amendments to Ordinance No. 15 Cerro Gordo County Zoning Ordinance and a draft ordinance, ORDINANCE NO. 69, AN ORDINANCE AMENDING CERRO GORDO COUNTY ORDINANCE NO. 15 TO REGULATE ZONING DISTRICTS' PERMITTED LAND USES RELATING TO INDUSTRIAL OR UTILITY-SCALE ELECTRICITY GENERATION AND STORAGE INSTALLATION AND SYSTEMS IN CERRO GORDO COUNTY, IOWA, which is summarized as follows:

1. Article 4, Definitions, shall be amended by repealing and replacing the applicable sections of the Ordinance to *add* the following definitions:

INDUSTRIAL OR UTILITY-SCALE:

Battery Energy Storage System: One or more devices, assembled together, capable of storing energy in order to supply electric energy for the primary purpose of wholesale or retail sales of generated electricity, and which is proposed either as part of a commercial solar energy system or wind energy conversion system or that is proposed as a standalone project. This includes all accessory equipment necessary for energy storage, including but not limited to, inverters, transformers, cooling equipment, switching gear, metering equipment, transmission tie-lines, other power interconnection facilities, and/or a project substation.

Solar Energy System: A solar energy system that generates electricity from solar energy primarily for off-site use and/or wholesale or retail sale, including all panels, support structures, and accessory structures. This does not include a solar energy system which is intended primarily for on-site use as an accessory use to a permitted principal use.

Wind Energy Conversion System: An electrical generating project that operates by converting the kinetic energy of wind into electrical energy for sale to a rate regulated or nonregulated utility, or for use off site. This does not include a wind energy system, as herein separately defined, which is intended to primarily serve an on-site electrical power load.

2. Article 7, A-1 Agricultural District, amended to *add* a new Section 7.7, Prohibited Uses, as follows:

7.7 PROHIBITED USES

The following uses are not considered farm uses and therefore, county land zoned A-1 shall not be used for the following purposes, unless otherwise expressly permitted by state or federal law:

- A. Industrial or Utility-Scale Solar Energy Systems;
- B. Industrial or Utility-Scale Wind Energy Conversion Systems; or
- C. Industrial or Utility-Scale Battery Energy Storage Systems

3. Article 8, A-2 Agricultural District, amended to *add* a new Section 8.7, Prohibited Uses, as follows:

8.7 PROHIBITED USES

The following uses are not considered farm uses and therefore, county land zoned A-2 shall not be used for the following purposes, unless otherwise expressly permitted by state or federal law:

- A. Industrial or Utility-Scale Solar Energy Systems;
- B. Industrial or Utility-Scale Wind Energy Conversion Systems; or
- C. Industrial or Utility-Scale Battery Energy Storage Systems

4. Article 20, Special Uses, Section 20.2(J), amended by repealing and replacing the applicable sections of the Ordinance to *add* the following underlined phrase:

- J. Commercial microwave, radio and television towers, public utility structures and accessory equipment, including their transmitting stations and towers, and wireless telecommunications facilities. Unless otherwise prohibited herein, any district except residential provided the following requirements are met:

The Planning & Zoning Commission, after public hearing, has recommended amending the Code to prohibit Industrial or utility-scale solar energy systems, wind energy conversion systems, and battery energy storage systems.

You are further notified that public hearing on this ordinance will be held by the Board of Supervisors on **December 23, 2024, at 10:15 a.m.** in the Boardroom at the Cerro Gordo County Courthouse, 220 N. Washington Ave., Mason City, Iowa. At said date and time, all interested parties and citizens shall have an opportunity to be heard. The option to attend the hearing via conference phone will be made available as follows:

Conference phone: 641-351-6385

Conference ID: 635061475#

If there are technical difficulties with the conference phone, the hearing will still go on as scheduled in person.

Written comments may be submitted and may be considered by the Board if received prior to the public hearing at the following:

Cerro Gordo Planning and Zoning
220 N. Washington Ave.
Mason City, IA 50401
Email: plz@cerrogordo.gov

The Board will consider the proposed Ordinance No. 69 at the aforementioned date and time following public hearing.

Notice dated this 9th day of December, 2024.

Lori Meacham Ginapp, Chairperson

Cerro Gordo County Board of Supervisors