

RESOLUTION 2023-34

WHEREAS, on May 18, 2023, the Buffalo County Planning and Zoning Commission held a public hearing for an amendment to Buffalo County Zoning Regulations, Section 6.6, Wind Farms' Location and Distancing Requirements, to add language, requiring setbacks from inventoried wetlands.

That Commission voted unanimously, with two absences, to recommend that this Board adopt the proposed amendment, and

WHEREAS, no protests have been filed with the Buffalo County Clerk against such proposed amendments, and

WHEREAS, on June 13, 2023, this Board conducted a public hearing concerning proposed amendments to Buffalo County's Zoning Regulations and no parties appeared to oppose such proposed amendment,

NOW THEREFORE, BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF COMMISSIONERS in regular session with a quorum present, that the following amendment is adopted with amending language generally shown by underlining as additions and strikethrough as deletion, as reflected below, and renumbering as necessary:

Amend Section 6.6, Wind Farms' Location and Distancing Requirements:

"1. LOCATION AND DISTANCE REQUIREMENTS-WIND FARMS:


A. A Wind Farm, as herein defined within the Buffalo County Zoning Regulations:

Shall not be located or expanded within:

- a. Three-miles of Agricultural Residential (AGR) zoned property.
- b. Three miles of any owned in whole or in part by a non-applicant of the wind farm, unless the applicant secures consent of all property owners of parcels within three miles of the parcel boundaries containing the proposed wind farm. This can be waived, with an agreement in writing filed with the Register of Deeds, executed and filed prior to submittal of the application.
- c. Three-miles of any church, synagogue or temple, hospital, public school or public park, or any licensed day care center or day care home.
- d. Five-miles of any incorporated village or city.
- e. Two Miles of a private or public burial site.
- f. The south river bank of the Platte River to three miles from the north right of way for Highway 30 and three miles from the centerline of Highway 2.
- g. Three miles from the thread of the stream of the South Loup River.
- h. Five miles from any Federal or State wildlife preservation or management area.
- i. One-quarter mile from any and all inventoried Wetlands, as set out in the U.S. Fish and Wildlife's mapping and inventory of Wetlands, namely the mapping contained at: (<https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/>).

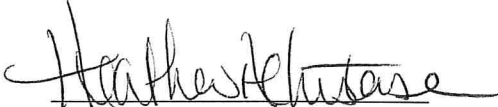
- B. Measurements pursuant to the foregoing section shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or structure used as a part of the premises of a Wind Farm to the following distances, whichever applies:
- a. The nearest property line of any real estate situated in the Agricultural Residential (AGR) use district by the Zoning Map of Buffalo County; and
 - b. The nearest portion of the building or structure used as a part of a Wind Farm;
 - c. The nearest property line of the premises of a windfarm non-applicant property line, church, synagogue, temple, hospital, public school, public park, licensed day care center, and day care home, and
 - d. The nearest grave marker at a burial site.
 - e. The nearest property line of a Federal or State wildlife preservation or management area.
 - f. The nearest municipal corporate limit line, exclusive of areas annexed for economic development.
 - g. The nearest edge of inventoried Wetlands as set out in the U.S. Fish and Wildlife's mapping and inventory of Wetlands, namely the mapping contained at: (<https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/>)."

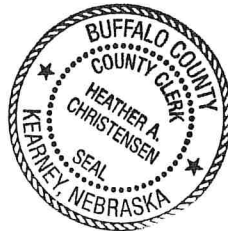
PASSED AND APPROVED THIS 13TH DAY OF JUNE 2023.


Ivan H. Klein, Chairperson
Buffalo County Board of Commissioners

ATTEST:

(SEAL)


Heather A. Christensen
Buffalo County Clerk



RESOLUTION 2023-33

WHEREAS, on May 18, 2023, the Buffalo County Planning and Zoning Commission held a public hearing for an amendment to Buffalo County Zoning Regulations, Section 5.52, Permitted Principal Uses and Structures, in the Commercial (C) District to amend and define “mini storage facilities”.

That Commission voted unanimously, with two absences, to recommend that this Board adopt the proposed amendment, and

WHEREAS, no protests have been filed with the Buffalo County Clerk against such proposed amendments, and

WHEREAS, on June 13, 2023, this Board conducted a public hearing concerning proposed amendments to Buffalo County’s Zoning Regulations and no parties appeared to oppose such proposed amendment,

NOW THEREFORE, BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF COMMISSIONERS in regular session with a quorum present, that the following amendment is adopted with amending language generally shown by underlining as additions and strikethrough as deletion, as reflected below, and renumbering as necessary:

Amend Section 5.52 (12), Permitted Principal Uses and Structures, in the Commercial (C) District:

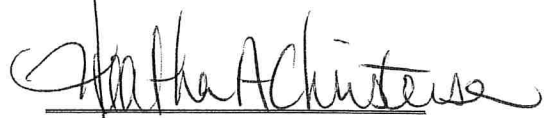
Mini storage facilities; Storage facilities having no more than the following special limitations per each unit of storage: a maximum area of no more than 640 square foot per each storage unit area; an entry access or accesses to each storage unit that has no greater dimensional area than that of 224 total square feet; and a maximum exterior height of no greater than twenty feet.

PASSED AND APPROVED THIS 13TH DAY OF JUNE 2023.



Ivan H. Klein, Chairperson
Buffalo County Board of Commissioners

ATTEST:



Heather A. Christensen
Buffalo County Clerk

(SEAL)

