

Clinton County Board of Supervisors

Clinton County Administration Building
1900 North Third Street

Daniel A. Srp, Chairperson
Shawn Hamerlinck, Vice Chairperson
John F. Staszewski

P.O. Box 2957
Clinton, Iowa 52733-2957
Telephone: (563) 244-0575

www.clintoncounty-ia.gov

PUBLIC NOTICE is hereby given that the Clinton County Board of Supervisors will meet at the following time and place: MONDAY, October 3, 2016, 9:00 A.M.; Clinton County Administration Building, Conference Room B, 1900 N. 3rd St., Clinton, IA.

9:00 a.m. Review Correspondence & Claims
Call to Order – Pledge of Allegiance

9:15 a.m. Formal Action & Motions

CONSENT AGENDA

- RESOLUTION 2016-231: Liquor license approval – BS General Store
- RESOLUTION 2016-232: Tax suspension request – Code of Iowa Sec. 427.8 (Horan)
- MOTION: Utility permit number 10-88 for Eastern Iowa Light and Power

RESOLUTIONS

RESOLUTION: Adopt amendments to the Clinton County Zoning Ordinance regulating Utility Scale and Non-Utility Scale Solar Installations and also amending the definition of “Setback”

UNFINISHED BUSINESS

GENERAL PUBLIC

DEPARTMENT HEADS, ELECTED OFFICIALS & EMPLOYEES

DISCUSSION WITH POSSIBLE ACTION

1. Planning and Zoning Director recruitment update

9:20 a.m. Clinton County Jail Project Update

The Supervisors will discuss temporary parking options for the time during construction of the jail, receive an update on requests to the City of Clinton in regards to the project and other jail-project related updates.

11:30 a.m. New Jail Replacement Facility Groundbreaking Ceremony

The Supervisors will participate in the groundbreaking ceremony for the Jail Replacement Facility project at the Clinton County Courthouse/Law Center campus.

October 3, 2016

RESOLUTION 2016-231

BE IT RESOLVED by the Clinton County Board of Supervisors that Susan K. Peters and Brenda L. Shultz, d/b/a BS General Store, will electronically file a new application for a Class C Commercial liquor license with endorsements for Sunday Sales and Outdoor Service, effective November 8, 2016. Said application be and is hereby approved by the Clinton County Board of Supervisors.

Roll Call:

Staszewski: _____

Hamerlinck: _____

Srp: _____

Chairperson, Daniel A. Srp

ATTEST:

County Auditor, Eric Van Lancker

October 3, 2016

RESOLUTION # 2016-232

WHEREAS, Mary JoAnn Horan has petitioned for property tax suspension under provision of Code of Iowa, Section 427.8, on the following described property:

2606 Roosevelt, Clinton IA

Parcel #8628560000

WHEREAS, the eligibility for said suspension has been verified by Kim Ralston, CAP Director.

BE IT RESOLVED by the Clinton County Board of Supervisors that tax suspension [for the collection of taxes, special assessments, and rates or charges, including interest, fees and costs] be and is hereby approved and the County Treasurer is authorized to make entry on her records accordingly, all under provision of Section 427.8, Code of Iowa.

BE IT FURTHER RESOLVED that tax suspension under provision of Section 427.8, Code of Iowa is for the 2015 Assessment Year and all prior years and it is the responsibility of the petitioning taxpayer to reapply for further tax suspension.

Roll Call:

Staszewski: _____

Hamerlinck: _____

Srp: _____

Daniel A. Srp, Chairperson
Clinton County Board of Supervisors

ATTEST:

Eric Van Lancker
County Auditor
County of Clinton
State of Iowa

APPLICATION FOR APPROVAL OF CONSTRUCTION
WITHIN CLINTON COUNTY RIGHT-OF-WAY

This is a Permit Application for telecommunications, electric, gas, water, drainage utilities and other miscellaneous work within county ROW. The applicant agrees to comply with the following permit requirements. Compliance shall be determined by the sole discretion of the County Engineer as deemed necessary to promote public health, safety and the general welfare. These requirements shall apply unless waived in writing by the County Engineer prior to installation.

Applicant Name: Eastern Iowa Light & Power
Street Address: 500 S. 5th Street
City, State, Zip: Dewitt, IA, 52742
Contact Person: Larry Mork: 563-649-3146 x7393 or 563-529-3748

1. Location Plan. An applicant shall file a completed location plan as an attachment to this Permit Application. The location plan shall set forth the location of the proposed utility and/or construction on the secondary road system and include a description of the proposed installation.
2. Written Notice. At least 10 working days prior to the proposed construction, an applicant shall file with the County Engineer a written notice stating the time, date, location and nature of the proposed construction.
3. Inspection. The County Engineer may provide a full-time inspector during the installation of utility lines and construction within ROW to insure compliance with this permit. The inspector may have the right, during reasonable hours and after showing proper identification, to enter any installation site in the discharge of the inspector's official duties, and to make any inspection or test that is reasonably necessary to protect the public health, safety and welfare.
4. Inspection Fees. Upon approval of the application by the Board of Supervisors, the permit will be issued by the County Engineer upon payment of the required prepaid \$100.00 permit fee made payable to the County Treasurer's office. Inspection fees may be required by the County Engineer and paid by the applicants. The applicant shall pay actual costs directly attributable to the installation inspection conducted by the County Engineer.
5. Requirements. The installation inspector shall assure that the following requirements have been met:
 - A) Construction signing shall comply with the Manual on Uniform Traffic Control Devices.
 - B) Depth - (Add additional depth if ditch has silted to the thickness of the deposited silt.) The minimum depth of cover shall be as follows:

Telecommunications.....	36"	Electric.....	48"
Gas.....	48"	Water.....	60"
Sewer.....	60"		

- C) The applicant shall use reference markers in the right-of-way ("R.O.W.") boundary to locate line and changes in alignment as required by the County Engineer. A permanent warning tape shall be placed one (1) foot above all underground utility lines.
 - D) All tile line locations shall be marked with references located in the R.O.W. line.
 - E) No underground utility lines shall cross over a crossroad drainage structure without written approval.
 - F) Residents along the utility route shall have uninterrupted access to public roads. An all-weather access shall be maintained for residents adjacent to the project.
 - G) A joint assessment of the road surfacing shall be made by the applicant and the County Engineer both before and after construction. After construction, granular surfacing shall be added to the road by the applicant to restore the road to its original condition. After surfacing has been applied, the road surface shall be reviewed by the County Engineer once the road has been saturated, to determine if additional surfacing on the roadway by the applicant is necessary.
 - H) All damaged areas within the R.O.W. shall be repaired and restored to at least its former condition by the applicant or the cost of any repair work caused to be performed by the County will be assessed against the applicant.
 - I) Areas disturbed during construction which present an erosion problem shall be solved by the applicant in a manner approved by the County Engineer.
 - J) All trenches, excavations, and utilities that are knifed shall be properly tamped.
 - K) All utilities shall be located between the bottom of the backslope and the bottom of the foreslope, unless otherwise approved in writing by the County Engineer prior to installation.
 - L) Paved road crossings shall be bored. The depth below the road surface shall match the minimum depth of cover for the respective utility.
6. Non Conforming Work. The County Engineer may suspend the installation at any time if the applicant's work does not meet the requirements set forth in this Permit.
 7. Emergency Work. In emergency situations, work may be initiated by an applicant without first obtaining a permit. However, a permit must be obtained within fourteen (14) days of initiation of the work. All emergency work shall be done in conformity with the provisions of this ordinance and shall be inspected for full compliance.
 8. County Infraction. Violation of this permit is a county infraction under Iowa Code Section 331.307, punishable by a civil penalty of \$100 for each violation. Each day that a violation occurs or is permitted to exist by the applicant constitutes a separate offense.
 9. Hold Harmless. The utility company shall save the County harmless of any damages resulting from the applicant's operations. A copy of a certificate of insurance naming the County as an additional insured for the permit work shall be filed in the County Engineer's office prior to installation. The minimum limits of liability under the insurance policy shall be \$1,000,000.



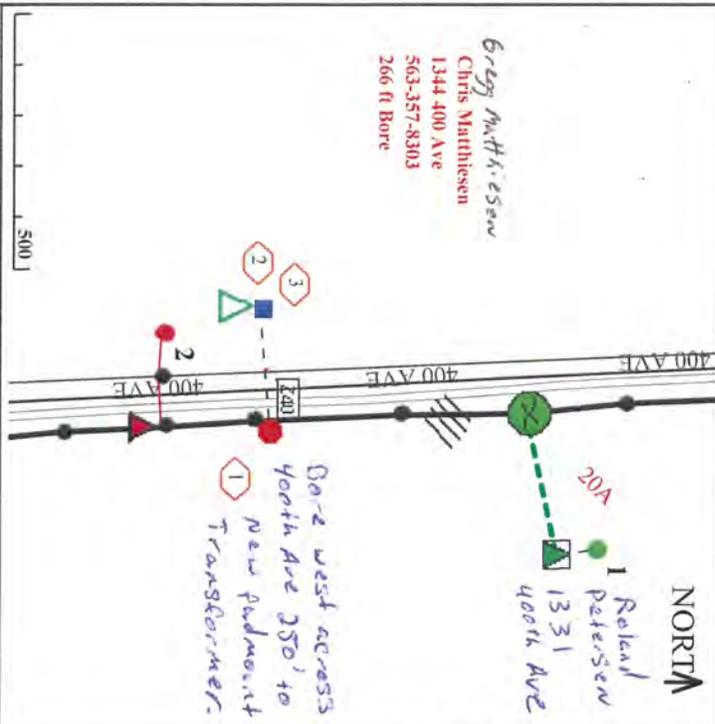


STATUS
Ready
Page 1 of 1

DATE: 2016-03-23
WORKORDER #: 27369
STAKER: Larry Mork
JOB TYPE: 31-Farm Building Only,
Garage
OP CODE: 1B-New Extension OH
(Other)
ONE-CALL #:
County/State #: *
Inspection #: Yes

MEMBER NAME: Chris Mathiesen
ADDRESS: *
SERVICE ADDRESS: 1344 400 Ave
FEDER: 4
PHONE: 563-357-8303
LOCATION: 83-5E-24-
TOWNSHIP: 23 DEEP CREEK

SUBSTATION: 15
ANDOVER
PHASE: A
DISTRICT: 1 : Dewitt
COUNTY: 23 CLINTON
CUSTOMER #: *



Greg Mathiesen
Chris Mathiesen
1344 400 Ave
563-357-8303
266 ft Bore

1 Existing OH 0 feet
Source: none
Angle: 85 deg. RT
Lat: N 41.98341706380005
Lon: W -90.31513689113264
Comments: 35/4 C-1
Riser Pole
Existing (0) 2 ACSR 6/1
New (1) 35-4
New (1) C1.11
New (1) UA3
Retire (1) 30-6
Retire (1) C1.11

2 New UG 246 feet
Source: 1
Angle: None
Lat: N 41.98338598377769
Lon: W -90.31603955289677
Comments: 37 1/2 Pad mount Transformer and 200 mp Coop Loop
New (291) 1/0 JACR 220
Comment: Make-up
New (1) UG6
Comment: 37 1/2 Pad Mt
New (1) UMB-3
New (1) ZZZINNERDUCT
Comment: 266 ft of 2" interduct

3 New OH 10 feet
Source: none
Angle: None
Lat: N 41.98341808212913
Lon: W -90.3160409560387
Comments: New
400 Amp Coop Ped for Machine Shed
New (30) 4/0 TRIPLEX
Comment: Make-up
New (1) UMB-3 400A

COMMENTS: New Ext. to Shed

UNIT SUMMARY

POLES	PRIMARY WIRE
New: 1 Retire: 1	New: 291 Retire: 0 Phase:
TRANSFORMERS	SECONDARY WIRE
New: 1 Retire: 0	New: 30 Retire: 0 Phase:

WORKORDER #: 27369

CLINTON COUNTY ENGINEER

Clinton County Administration Building
1900 North Third Street
P.O. Box 2957
Clinton, Iowa 52733-2957
563-244-0564
Fax: 563-243-3739

October 3, 2016

Larry Mork
Eastern Iowa Light & Power
500 S. 5th Street
DeWitt, Iowa 52742
563-649-3146 x7393

Subject: Permit 10 – 88 for Electrical Utility Installation

Dear Larry,

Please find enclosed one signed copy of your requested permit for construction within the county right-of-way. The permit was approved based on the following stipulation:

- Eastern Iowa Light & Power shall not place guy wires within 10 feet of the edge of shoulder.
- Eastern Iowa Light & Power shall bore all utility work within County ROW at a minimum depth of 48-inches.
- Utility cable shall be bored under culverts or installed around the ends of culverts. This stipulation applies to all culverts located within the county right-of-way.

Please call 24 hours before construction and keep one copy of the permit and construction plans at the job site. As built plans or a letter stating that the above permitted utility has been constructed as permitted will be required within sixty (60) days of construction. The \$100 permit fee is waived. If you have any questions, please call the office at the above listed number.

Thank you,

Elliott Pennock
Asst. Clinton County Engineer

**CLINTON COUNTY
BOARD OF SUPERVISORS
MOTION**

October 3, 2016

Supervisor _____ moved to authorize the Chairperson to sign Utility Permit Number 10 – 88 for Eastern Iowa Light and Power to install new underground electrical lines in Section 19 of Elk River Township, T83N-6E along the east side of 400th Avenue and in Section 24 of Deep Creek Township, T83N-5E along the west side of 400th Avenue.

Roll Call:

Staszewski: _____

Hamerlinck: _____

Srp: _____

Motion _____

STAFF REPORT

DATE: September 7, 2016
TO: Clinton County Board of Supervisors
FROM: Clinton County Planning and Zoning Office
Paul Ketelsen
RE: An Ordinance amending the Clinton County Zoning Ordinance to permit Utility Scale and Non-Utility Scale Solar Installations subject to certain requirements; and also adopting a new definition of “Setback”.

Background

The Clinton County Zoning Ordinance has no provision for Solar Installations. There is a proposal for a Utility Scale Solar Farm to be constructed near Goose Lake. Since there is no provision in the Ordinance to allow a Solar Farm as a Permitted or Special Exception Use, its’ construction would be prohibited. Therefore an amendment to permit and regulate a solar farm is needed. Since Utility Scale Solar Installations are being permitted, now is also the time to specifically permit Non-Utility Scale Solar Installations as accessory uses in all zoning districts.

In addition, the definition of “Setback” has been subject to differing interpretation over the years since the Ordinance was adopted. Therefore, the Administrator is recommending a new definition be adopted to clarify where the starting is located for measuring setback.

Proposed Amendments

See attached Exhibit for text of Ordinance Amendments

Review of Text Amendment Criteria (9.3.2.B.7) for an Ordinance Amendment adopting Solar Regulations.

Clinton County Zoning Ordinance section 9.3.2.B.7: “When a proposed amendment would result in a change in the text of this ordinance but would not result in a change of the zoning map, the recommendation of the Planning & Zoning Commission shall describe:”

a. Whether such a change is consistent with the intent and purpose of this ordinance and the goals and policies of the Master Plan.

The intent of this amendment is to permit both Utility Scale and Non-Utility Scale Solar Installations in various zoning districts and to adopt regulations to ensure that such Installations have a limited impact on neighboring properties. Part of the intent and purpose of this Ordinance is to allow various uses that enhance economic development and allow property owners to utilize their property in ways that benefit both them and the community while ensuring that those uses do not have a negative impact on their neighbors. Permitting these Solar Installations through this amendment is consistent with the intent and purpose of this ordinance and the goals and policies of the Master Plan.

b. Whether the change is a result of an error or omission in the original text.

This change is intended to fill a gap in the original text of the ordinance. At the time of adoption of the first Ordinance in 1964 and subsequent revisions, there was no provision for permitting of Solar Installations. As such Installations have become economically viable, there is a need for the

Ordinance to permit and regulate these Installations.

c. The areas that are most likely to be directly affected by such change and the likely effects.

This change will affect nearly all areas of the county. Non-Utility Scale Solar Installations would be permitted in all Zoning Districts while Utility Scale Solar Installations would be a Special Exception Use in all Zoning Districts except the Residential R-1 and R-2 Zoning Districts.

d. The changes in physical, social, or economic conditions or development practices that justify the proposed change.

As solar energy systems have become more efficient and cost effective, there is a demand for both Utility Scale and Non-Utility Scale Solar Installations in more locations, including within Clinton County.

Staff Recommendation

Staff recommends approval of these ordinance amendments.

Review of Text Amendment Criteria (9.3.2.B.7) for an Ordinance Amendment adopting new setback definition.

Clinton County Zoning Ordinance section 9.3.2.B.7: “When a proposed amendment would result in a change in the text of this ordinance but would not result in a change of the zoning map, the recommendation of the Planning & Zoning Commission shall describe:”

a. Whether such a change is consistent with the intent and purpose of this ordinance and the goals and policies of the Master Plan.

Definitions of many parts of the Ordinance are needed to effectively administer the Ordinance. Adopting definitions and revising such definitions as needed to meet changing situations is consistent with the intent and purpose of this ordinance and the goals and policies of the Master Plan.

b. Whether the change is a result of an error or omission in the original text.

The current definition is subject to interpretation, and has been interpreted differently depending on the Administrator. This change will clarify the language of the definition to eliminate varying interpretations.

c. The areas that are most likely to be directly affected by such change and the likely effects.

This change will affect all areas and all properties of the county subject to the setback requirement.

d. The changes in physical, social, or economic conditions or development practices that justify the proposed change.

There are no changes in these conditions that justify this change, except to adopt a clear definition that applies to all property.

Staff Recommendation

Staff recommends approval of this ordinance amendment.

RESOLUTION # 2016 - _____
RESOLUTION APPROVING A TEXT AMENDMENT TO THE ZONING ORDINANCE
OF CLINTON COUNTY, IOWA

WHEREAS, on the matter herein, the Clinton County Planning and Zoning Commission held a Public Hearing on September 7, 2016 and following said hearing the Commission recommended approval of the attached text amendments to the Clinton County Zoning Ordinance; and

WHEREAS the Clinton County Board of Supervisors held a public hearing and first reading of the proposed text amendments on September 26, 2016 to consider said amendment and to hear comments for and against; and

WHEREAS the Clinton County Board of Supervisors held a second reading of the proposed text amendment on October 3, 2016 to consider said amendment; now

THEREFORE BE IT RESOLVED by the Clinton County Board of Supervisors as follows:

1. The attached ordinance numbered 2016-03 is hereby adopted.
2. The Auditor is directed to publish said ordinance as required by law.
3. This ordinance shall be in effect from and after its adoption and publication as required by law.

Roll Call:	Staszewski:	_____
	Hamerlinck:	_____
	Srp:	_____

Daniel A. Srp, Chairperson
Clinton County Board of Supervisors

ATTEST:

Eric Van Lancker, County Auditor
County of Clinton, State of Iowa

ORDINANCE #2016 – 03

AN ORDINANCE AMENDING THE TEXT OF THE CLINTON COUNTY ZONING ORDINANCE TO PROVIDE FOR REGULATION OF AND THE METHOD OF APPROVAL FOR UTILITY SCALE AND NON-UTILITY SCALE SOLAR INSTALLATIONS, AND ADOPTING A NEW DEFINITION OF “SETBACK”.

Section 1: Be it enacted by the Clinton County Board of Supervisors that the text of the Clinton County Zoning Ordinance be amended as follows:

Section 3.6 Zoning District Regulations (Add the following uses to the indicated Zoning Districts.)

- 3.6.1.C (A-1 Prime Agricultural Zoning District)(Accessory Uses)
 - 7. Non-Utility Scale Solar Installations, as provided in Section 4.2.19 of this ordinance.
- 3.6.1.D (A-1 Prime Agricultural Zoning District)(Special Exception Uses)
 - 21. Utility Scale Solar Installations, as provided in Section 4.2.18 of this ordinance.
- 3.6.2.C (AR-1 Agricultural Recreation Zoning District)(Accessory Uses)
 - 7. Non-Utility Scale Solar Installations, as provided in Section 4.2.19 of this ordinance.
- 3.6.2.D (AR-1 Agricultural Recreation Zoning District)(Special Exception Uses)
 - 19. Utility Scale Solar Installations, as provided in Section 4.2.18 of this ordinance.
- 3.6.3.C (R-1 Suburban Residential Zoning District)(Accessory Uses)
 - 6. Non-Utility Scale Solar Installations, as provided in Section 4.2.19 of this ordinance.
- 3.6.4.C (R-2 Urban Residential Zoning District)(Accessory Uses)
 - 4. Non-Utility Scale Solar Installations, as provided in Section 4.2.19 of this ordinance.
- 3.6.5.C (C-1 Highway Commercial Zoning District)(Accessory Uses)
 - 6. Non-Utility Scale Solar Installations, as provided in Section 4.2.19 of this ordinance.
- 3.6.5.D (C-1 Highway Commercial Zoning District)(Special Exception Uses)
 - 7. Utility Scale Solar Installations, as provided in Section 4.2.18 of this ordinance.
- 3.6.6.C (C-2 Rural Support Commercial Zoning District)(Accessory Uses)
 - 5. Non-Utility Scale Solar Installations, as provided in Section 4.2.19 of this ordinance.
- 3.6.6.D (C-2 Rural Support Commercial Zoning District) (Special Exception Uses)
 - 6. Utility Scale Solar Installations, as provided in Section 4.2.18 of this ordinance.
- 3.6.7.C (M-1 Limited Industrial Zoning District)(Accessory Uses)
 - 5. Non-Utility Scale Solar Installations, as provided in Section 4.2.19 of this ordinance.
- 3.6.7.D (M-1 Limited Industrial Zoning District)(Special Exception Uses)
 - 6. Utility Scale Solar Installations, as provided in Section 4.2.18 of this ordinance.

3.6.8.C (M-2 General Industrial Zoning District)(Accessory Uses)

5. Non-Utility Scale Solar Installations, as provided in Section 4.2.19 of this ordinance.

3.6.8.E (M-2 General Industrial Zoning District)(Special Exception Uses)

11. Utility Scale Solar Installations, as provided in Section 4.2.18 of this ordinance.

Chapter IV: Supplemental Conditions

New Section

4.2.18 Utility Scale Solar Installations.

The Purpose of this section is to encourage utility scale photovoltaic solar installations. Concentrating solar power (CSP) systems shall be prohibited.

1. **Major site plan and Special Exception Use Permit required:** A site plan shall be submitted and reviewed as part of the approval of a utility scale solar installation. A utility scale solar installation shall require a Special Exception Use Permit.
2. **Additional information:** In addition to all submittal requirements of a Special Exception Use Permit application, the application for a utility scale solar installation shall include the following information on the site plan or in narrative form, supplied by the utility scale solar installation owner, operator or contractor installing the structure(s):
 - a) Number, location and spacing of solar panels/arrays.
 - b) Planned location of underground or overhead electric lines.
 - c) Project development timeline.
 - d) Interconnection agreement.
 - e) Operation and maintenance plan.
 - f) Decommissioning plan.
3. **Site and Structure Requirements**
 - a) **Setback.** Setbacks for all structures (including solar arrays) must adhere to the minimum principal setback standards for the zoning district where the project is located; greater setbacks may be required by the Board of Adjustment.
 - b) **Screening.** A landscape buffer may be required to be installed and maintained during the life of the operation. Determination of screening requirements will be made by the Board of Adjustment as part of the review and approval process and will be based on adjacent or nearby surrounding land uses and topography.
 - d) **Utility Connections.** Reasonable efforts shall be made to place all utility connections from the solar installation underground, depending on appropriate soil conditions, shape and topography of the site, distance to the connection, or other conditions or requirements.
 - e) **Grading plan.** A grading plan shall be submitted and shall include all proposed changes to the landscape of the site (e.g., clearing, grading, topographic changes, tree removal, etc.).
 - f) **Glare minimization.** All solar panels must be constructed to minimize glare or reflection onto adjacent properties and adjacent roadways and must not interfere with traffic, including air traffic, or create a safety hazard.
 - g) **Compliance with local, state and federal regulations.** Utility scale solar installations shall comply with applicable local, state and federal regulations.
 - h) **Appurtenant structures.** All appurtenant structures shall be subject to bulk

- and height regulations of structures in the underlying zoning district.
- i) **Floodplain considerations.** Utility scale solar installations are considered to be maximum damage potential structures and facilities for purposes of the floodplain district regulations.
 - j) **Signage.** No signs other than appropriate warning signs, or standard manufacturer's, operator's or installer's identification signage, shall be displayed.
 - k) **Fencing/security.** A security fence must be installed along all exterior sides of the utility scale solar installation and be equipped with a minimum of one gate and locking mechanism on the primary access side. Security fences, gates and warning signs must be maintained in good condition until the utility scale solar installation is dismantled and removed from the site.
4. **Operation and maintenance plan.** The applicant shall submit a plan for the operation and maintenance of the solar installation, which shall include measures for maintaining safe access to the installation, stormwater and erosion controls, as well as general procedures for operation and maintenance of the installation.
- a) **Soil erosion and sediment control considerations.** The applicant agrees to conduct all roadwork and other site development work in compliance with a National Pollutant Discharge Elimination System (NPDES) permit as required by the Iowa Department of Natural Resources and comply with requirements as detailed by local jurisdictional authorities during the plan submittal. If subject to NPDES requirements, the applicant must submit the permit for review and comment, and an erosion and sediment control plan before beginning construction. The plan must include both general "best management practices" for temporary erosion and sediment control both during and after construction and permanent drainage and erosion control measures to prevent damage to local roads or adjacent areas and to prevent sediment laden runoff into waterways.
 - b) **Stormwater management considerations.** For the purposes of pollutant removal, stormwater rate and runoff management, flood reduction and associated impacts, the applicant shall provide a detailed analysis of pre- and post-development stormwater runoff rates for review by local jurisdictional authorities.
 - c) **Ground cover and buffer areas.** Ground around and under solar arrays and in project site buffer areas shall be planted and maintained in perennial vegetated ground cover, and meet the following standards:
 - (i) Top soils shall not be removed during development, unless part of a remediation effort.
 - (ii) Soils shall be planted and maintained in perennial vegetation to prevent erosion, manage run off and build soil. Seeds should include a mix of grasses and wildflowers, ideally native to the region of the project site that will result in a short stature prairie with a diversity of forbs or flowering plants that bloom throughout the growing season. Blooming shrubs may be used in buffer areas as appropriate for visual screening.
 - (iii) Seed mixes and maintenance practices should be consistent with recommendations made by qualified natural resource professionals such as those from the Department of Natural

Resources, County Soil and Water Conservation Service, or Natural Resource Conservation Service.

- d) Cleaning chemicals and solvents.** During operation of the proposed installation, all chemicals or solvents used to clean photovoltaic panels should be low in volatile organic compounds and the operator should use recyclable or biodegradable products to the extent possible. Any onsite storage of chemicals or solvents shall be referenced.
- e) Maintenance, repair or replacement of facility.** Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Site access shall be maintained to a level acceptable to emergency response officials. Any retrofit, replacement or refurbishment of equipment shall adhere to all applicable local, state and federal requirements.

5. Decommissioning and site reclamation plan.

- a)** The application must include a decommissioning plan that describes: the anticipated life of the utility scale solar installation; the anticipated manner in which the project will be decommissioned; the anticipated site restoration actions; the estimated decommissioning costs in current dollars; and the method for ensuring that funds will be available for decommissioning and restoration.
- b)** The applicant shall provide the basis for estimates of net costs for decommissioning the site (decommissioning costs less salvage value). The cost basis shall include a mechanism for calculating adjusted costs over the life of the project.
- c)** Restoration or reclamation activities shall include but not be limited to the following:
 - (i)** Restoration of the pre-construction surface grade and soil profile after removal of structures, equipment, graveled areas and access roads.
 - (ii)** Re-vegetation of restored soil areas with crops, native seed mixes, plant species suitable to the area, consistent with the county's weed control plan.
 - (iii)** For any part of the energy project on leased property, the plan may incorporate agreements with the landowner regarding leaving access roads, fences, gates or repurposed buildings in place or regarding restoration of agricultural crops or forest resource land. Any use of remaining structures must be in conformance with the regulations in effect at that time.
- d)** Following a continuous 1 year period in which no electricity is generated, or if substantial action on the project is discontinued for a period of 1 year, the permit holder will have 1 year to complete decommissioning of the utility scale solar installation. Decommissioning shall be completed in accordance with the approved decommissioning plan. The land owner or tenant must notify the County when the project is discontinued.

Chapter IV: Supplemental Conditions

New Section

4.2.19 Non-Utility Scale Solar Installations

1. **Permitted Accessory Use.** Active solar energy systems shall be allowed as an accessory use in all zoning classifications where structures of any sort are allowed, subject to certain requirements as set forth below.
 - a) **Height.** Active solar energy systems must meet the following height requirements:
 - (i) Building- or roof-mounted solar energy systems shall not exceed the maximum allowed height in any zoning district. For purposes for height measurement, solar energy systems other than building-integrated systems shall be given an equivalent exception to height standards as building mounted mechanical devices or equipment.
 - (ii) Ground- or pole-mounted solar energy systems shall not exceed 20 feet in height when oriented at maximum tilt.
 - b) **Set Back.** Active solar energy systems must meet the accessory structure setback for the zoning district and primary land use associated with the lot on which the system is located.
 - (i) Roof-mounted solar energy systems. In addition to the building setback, the collector surface and mounting devices for roof-mounted solar energy systems shall not extend beyond the exterior perimeter of the building on which the system is mounted or built, unless the collector and mounting system has been explicitly engineered to safely extend beyond the edge, and setback standards are not violated. Exterior piping for solar hot water systems shall be allowed to extend beyond the perimeter of the building on a side yard exposure.
 - (ii) Ground-mounted solar energy systems. Ground-mounted solar energy systems may not extend into the side-yard or rear setback when oriented at minimum design tilt.
 - c) **Approved Solar Components.** Electric solar energy system components must have a UL listing and solar hot water systems must have an SRCC rating.
 - d) **Approval Required.** All solar energy systems shall require a Zoning Permit from the Clinton County Planning and Zoning office. Zoning approval does not indicate compliance with Building Code or Electric Code.
 - e) **Compliance with Building Code.** All active solar energy systems shall be consistent with the State of Iowa Building Code and solar thermal systems shall comply with HVAC-related requirements of the Electric Code.
 - f) **Compliance with State Electric Code.** All photovoltaic systems shall comply with the Iowa State Electric Code.

- g) **Compliance with State Plumbing Code.** Solar thermal systems shall comply with applicable Iowa State Plumbing Code requirements.
- h) **Utility Notification.** All grid connected solar energy systems shall comply with the interconnection requirements of the electric utility. Off-grid systems are exempt from this requirement.

NEW DEFINITIONS

Add to Chapter II, Section 2.2

Active Solar Energy System - A solar energy system whose primary purpose is to harvest energy by transforming solar energy into another form of energy or transferring heat from a collector to another medium using mechanical, electrical, or chemical means.

Concentrating solar power system (CSP). Systems that use lenses/mirrors and tracking systems to focus or reflect a large area of sunlight onto a small area. The concentrated energy is absorbed by a thermal medium, such as water, salt, or a permanently gaseous fluid, and used as a heat source for a conventional power plant, such as a steam power plant, or for a power conversion unit, such as a sterling engine. Although several concentrating solar technologies exist, the most common types are the solar trough, parabolic dish and solar power tower. Energy storage technologies used by concentrating solar thermal devices (e.g. molten salt storage) are also included within this definition.

Ground-mount – a solar energy system mounted on a rack or pole that rests or is attached to the ground. Ground-mount systems can be either accessory or principal uses.

Non-Utility Scale Solar Installation (accessory use). A solar panel or array mounted on a building, pole or rack that is accessory to the primary use of the parcel on which it is located and which is directly connected to or designed to serve the energy needs of the primary use.

Roof-mount – a solar energy system mounted on a rack that is fastened to or ballasted on a building roof. Roof-mount systems are accessory to the principal use.

Solar array. A group of solar panels connected together.

Solar collector. A device or structural feature of a building that collects solar energy and that is part of a system for the collection, storage and distribution of solar energy.

Solar Farm - A commercial facility that converts sunlight into electricity, whether by photovoltaics (PV), or other conversion technology, for the primary purpose of wholesale sales of generated electricity.

Solar glare. The effect produced by light reflecting from a solar panel with intensity sufficient to cause annoyance, discomfort or loss in visual performance and visibility.

Solar Mounting Devices - Racking, frames, or other devices that allow the mounting of a solar collector onto a roof surface or the ground.

Solar panel. A device composed of groups of individual solar cells used to convert solar energy into electrical current

Off-grid Solar Energy System - A photovoltaic solar energy system in which the circuits energized by the solar energy system are not electrically connected in any way to electric circuits that are served by an electric utility company.

Power purchase agreement. A power purchase agreement refers to a contract entered into by an independent power producer and an electric utility. The power purchase agreement specifies the terms and conditions under which electric power will be generated and purchased. Power purchase agreements require the independent power producer to supply power at a specified price for the life of the agreement.

Photovoltaic. The technology that uses a semiconductor to convert light directly into electricity.

Utility scale solar installation (primary use). A group of interconnected solar panels/arrays that convert sunlight into electricity for the primary purpose of wholesale or retail sales of generated electricity. This definition does not apply to consumer scale solar installations that are constructed primarily to provide power for use onsite.

SECTION 2.2 (DEFINITIONS)-Delete current definition of “Setback” and replace with “**Setback. The minimum horizontal distance between a lot line or Right-of-Way line (where applicable) and a building or structure located upon such lot, as required by the provisions of this Ordinance. (See Exhibit 2.2.8 and Chapter III).**”

Section 2: The change as hereinabove set forth shall be entered and made part of the Zoning and Ordinance of the County of Clinton, Iowa.

Section 3: If any section, provision or part of this Ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 4: This Ordinance shall be in full force and effect from and after its adoption and publication as required by law.

PASSED AND ADOPTED this 3rd day of October, 2016 by the Board of Supervisors, Clinton County, State of Iowa.

John F. Staszewski

Shawn Hamerlinck

Daniel A. Srp, Chairperson
Clinton County Board of Supervisors

ATTEST:

Eric Van Lancker County Auditor
County of Clinton State of Iowa

October 3, 2016

RESOLUTION 2016-_____

WHEREAS, the Clinton County Board of Supervisors of Clinton County, Iowa, had extended an employment offer to Thomas Barnes of DeWitt for the position of full-time Clinton County Planning and Zoning Director; and

WHEREAS, Barnes has agreed to the employment offer that includes an annual salary of \$45,000 a year with a 12-month probationary period and that he will earn 90% of said salary for the first six months and then receive the full salary upon a successful evaluation; now

BE IT RESOLVED by the Clinton County Board of Supervisors of Clinton County, Iowa, that said employment offer to Thomas Barnes of DeWitt be accepted for the position of Clinton County Planning and Zoning Director; also

BE IT FURTHER RESOLVED by the Clinton County Board of Supervisors of Clinton County, Iowa, that the County Auditor be and is hereby authorized to issue biweekly paychecks on the Rural Fund, Office of Planning and Zoning, to Thomas Barnes, as a full-time Planning and Zoning Director, effective October 24, 2016, at an annual salary of \$45,000 to be paid at 90% for the first six months and in full after that following a successful evaluation.

Roll Call:

Staszewski: _____

Hamerlinck: _____

Srp: _____

Daniel A. Srp, Chairman

ATTEST:

County Auditor, Eric Van Lancker

October 3, 2016

RESOLUTION # 2016 - _____

WHEREAS, the Clinton County Board of Supervisors has agreed with the City of Clinton to provide temporary parking in the Ashford University Field parking lot for employees and public who work and conduct business in the Clinton County Courthouse during construction of the replacement Jail; and

WHEREAS, the Clinton County Board of Supervisors have purchased a vehicle to transport said employees and public between the Ashford University Field parking lot and the Clinton County Courthouse; now

THEREFORE BE IT RESOLVED by the Board of Supervisors of Clinton County, Iowa, that the Clinton County Justice Coordinating Commission Coordinator be authorized to hire temporary, part-time transport drivers at \$10 an hour for up to 55 hours of service a week from the General Basic Fund, Clinton County Justice Coordinating Commission Department;

BE IT FURTHER RESOLVED that the Clinton County Justice Coordinating Commission Coordinator be authorized to advertise for said temporary, part-time transport drivers.

ROLL CALL:

Staszewski: _____

Hamerlinck: _____

Srp: _____

Daniel A. Srp, Chairperson

ATTEST:

Eric Van Lancker, County Auditor
County of Clinton
State of Iowa