

ORDINANCE NO. _____

AN ORDINANCE OF LINCOLN COUNTY, SD, AMENDING THE 2009 REVISED ZONING ORDINANCE FOR LINCOLN COUNTY BY AMENDING ARTICLE 12, ADDITIONAL USE REGULATIONS.

BE IT ORDAINED BY LINCOLN COUNTY, SD:

Section 1. That Section 12.02(C)(2), of the 2009 Revised Zoning Ordinance for Lincoln County, SD, is hereby amended to read as follows:

2. Setbacks

- a. WECS shall be set back 2 times the total WECS height from any exterior property line.
- b. WECS shall be set back 1.25 times the total WECS height from the right-of-way line of any public road or highway.
- c. WECS shall be set back 5,280 feet or ~~3 times the total WECS height~~ from the closest exterior wall of any habitable structure.

If an applicant wishes to place a Commercial WECS closer than the setbacks set forth above, the applicant can request an exception for the setback from the Planning Commission. The Planning Commission may allow an exception from the setback only when the applicant obtains waivers from all the owners of property within the setback. Any authorized person, business, or governmental entity that is within the setback may waive the setback through a written instrument to be filed with the Lincoln County Register of Deeds. Exception: In no event shall a Commercial WECS be located less than 1,000 feet from the closest exterior wall of a habitable structure.

Adopted this _____ day of _____, 2016.

Chairman, Lincoln County Board of
Commissioners

ATTEST:

Auditor

Seal

First Reading: _____
Second Reading & Adoption: _____
Publication: _____
Effective Date: _____

Published once at the approximate cost of _____.

DRAFT PC RECOMMENDED