

COUNTY COMMISSION ORDER NUMBER: 04-23-2024

IN THE COUNTY COMMISSION OF CALDWELL COUNTY, MISSOURI

AN ORDER AMENDING SECTION IV OF THE CALDWELL COUNTY ZONING ORDINANCE TO REGULATE SOLAR AND WIND ENERGY.

WHEREAS, the Caldwell County Planning and Zoning Board proposed an amendment to Section 4.17 of the Caldwell County Zoning Ordinance to regulate solar and wind energy, as the Board considered such an amendment to be in the best interest of the citizens of Caldwell County, Missouri.

WHEREAS, notice was published in the Caldwell County News on March 26th, 2024 setting forth of a public meeting of the Caldwell County Planning and Zoning Board to be held on April 11th, 2024 to discuss and consider approval or denial of a recommendation to the Caldwell County Commission to adopt such an Ordinance; and

WHEREAS, a public hearing was held before the Caldwell County Planning and Zoning Board on April 11th, 2024 regarding said Ordinance; and

WHEREAS; the Caldwell County Planning and Zoning Board, with a quorum present voted in favor and recommended that the Caldwell county approve and adopt the proposed amendment at Section 4.17 and the Caldwell County Zoning Ordinance; and

WHEREAS; the Caldwell County Commission find that it is the best interest of the citizens of Caldwell County to adopt the proposed Amendment to Section 4.17 of the Caldwell County Zoning Ordinance as recommended by the Caldwell County Planning and Zoning Board.

NOW, THEREFORE, it is hereby ordered by the Caldwell County Commission as follows:

Section 1. APPROVAL OF THE AMENDMENT. The Commission hereby amends Section 4.17 of the Caldwell County Zoning Ordinance in accordance with the language approved and recommended by the Caldwell County Planning and Zoning Board after public notice and public hearing such that Section 4.17 of the Caldwell County Zoning Ordinance shall read as follows:

Caldwell County Zoning Ordinance;

Section IV
SOLAR AND WIND ENERGY

4.17 Solar and Wind Energy Systems:

1. Small Solar Energy Systems. The use of small solar energy conversion systems is a permitted use within all zoning districts. A small solar energy conversion system may consist of solar collectors, towers, arrays, battery storage facilities, panel systems, and distribution components for space heating, water heating, and electrical energy generation which has a rated capacity of not more than 100 kilowatts, and is intended to reduce on-site energy consumption through stand alone systems or for

offsetting grid utility usage. Solar systems over 100 kilowatts would be permissible only with a Special Use permit with conditions approved by the Planning and Zoning Board and the County Commission.

2. Commercial Solar Energy Systems. The use, installation, and maintenance of Commercial Solar Energy Systems designed to send locally generated energy over the utility scale power grid to commercial buyers for profit are a prohibited use within all Residential districts. Commercial systems shall only be permitted in the Commercial, Agricultural, and Industrial districts by way of a Special Use Permit with conditions approved by the Planning and Zoning Board and the County Commission. A Commercial Solar Energy System is an electrical generating facility of greater than 100 kilowatts in total nameplate generating capacity, comprised of one or more solar arrays and accessory facilities, including, but not limited to, power lines, transformers, and substations, which operate by converting solar energy into electrical energy.

3. The provisions of paragraph 1 and 2 above, shall not apply to any Solar Energy Systems previously approved by the County Commission. However, any expansion or enlargement of any previously approved system shall comply with these requirements.

4. Small Wind Energy Conversion Systems. The use of small wind energy conversion systems as defined in this subsection is a permitted use within all zoning districts. A small wind energy conversion system may consist of a wind turbine, a tower, and associated control or conversion electronics which has a rated capacity of not more than 100 kilowatts, which is not more than 120 feet in height, and which is intended solely to reduce on-site consumption of purchased utility power.

5. Commercial Wind Energy Conversion Systems. The use, installation and maintenance of Commercial Wind Energy Conversion Systems is a prohibited use within all zoning districts. A Commercial Wind Energy Conversion System is an electrical generating facility of greater than 100 kilowatts in total nameplate generating capacity, comprised of one or more wind turbines and accessory facilities, including, but not limited to, power lines, transformers, substations and meteorological towers, which operate by converting the kinetic energy of wind into electrical energy

The Amendment to Section 4.17 dated April 11th 2024 was approved by the following;

Section 2. EFFECTIVE DATE. This Order shall be effective immediately upon passage.

Done this 11th day of April, 2024

Marvin Stevenson
Zoning Board Chair

[Signature]
Presiding Commissioner

Jamy Aubrey
ATTEST: County Clerk

