

Section 132 Public Service and Utility Uses

B. Wind energy generation facilities and towers.

1. **Wind generation facilities with a rated capacity of 40 KW or more.** Wind generation facilities of 40 KW or more, where permitted, require a conditional use permit and are subject to the following:

- a. Towers and all related equipment shall be in compliance with all applicable local, state and federal regulatory standards.
- b. Towers shall be of a monopole type (self-supporting, tubular) and shall be no more than 300 feet in height.
- c. Rotor blades shall not exceed a height of 500 feet above from the ground.
- d. The tower shall be set back as follows:

From:	Setback
Non-owned residence	1.25 times the total height of the unit ¹
Property line	The lesser of the total height of the unit or the engineered fall zone
Road right-of-way	1.25 times the total height of the unit

- e. Lighting and/or flashing equipment shall not be permitted unless required by State or Federal regulations.
- f. All connecting power lines shall be buried underground.
- g. The tower and facilities shall be designed to minimize their visual impact.
- h. Appropriate warning signage shall be placed on wind generation towers, electrical equipment and wind generation facility entrances. No other signage shall be permitted on the facility site.
- i. The tower must have an exterior finish that minimizes off site visibility and is corrosive resistant.
- j. Wind generation towers shall not be climbable up to fifteen feet (15') above ground level.

¹ "Total height" means the vertical distance from ground level to the tip of a wind generator blade when the tip is at its highest point.

- k. Any wind generation facility found to be unsafe by the zoning administrator shall be repaired by the owner to meet federal, state and local safety standards or shall be removed within six (6) months.
- l. All obsolete or unused wind generation facilities, including any accessory facilities, shall be removed within twelve (12) months of the cessation of operations at the site unless a time extension is granted by the Town Board. After the facilities are removed, the site shall be restored to its original or an approved state. The user of the tower and/or accompanying accessory facilities and the landowner shall be responsible for the removal of the facilities and restoration of the site.
- m. The wind generation facility shall be subject to annual inspection by the zoning administrator. The applicant/property owner shall provide proof of compliance with permit approval and the standards of this ordinance.
- n. A building permit is required for installation of a wind generation facility.
- o. The noise emitted from a wind generation facility shall not exceed MPCA standards.

2. **Wind generation facilities with a rated capacity of less than 40 KW.** Wind generation facilities of less than 40 KW, where permitted, require a interim use permit and are subject to the following:

- a. Towers and all related equipment shall be in compliance with all applicable local, state and federal regulatory standards.
- b. Towers shall be of a monopole (self-supporting, tubular) or lattice style and shall be ~~no more than one hundred thirty two (132')~~ **less than two hundred (200) feet** in height and shall be a minimum of thirty feet (30') above any built structures within five hundred feet (500').
- c. The minimum distance of the rotor blade to the ground shall be thirty feet (30').
- d. The tower shall be set back as follows:

From:	Setback:
Non-owned residence	1.25 times the total height of the unit
Property line	The lesser of 1.25 times the total height of the unit or the engineered fall zone plus twenty feet (20')
Road right-of-way	1.25 times the total height of the unit

- e. Lighting and/or flashing lights shall not be permitted unless required by State or Federal regulations.
- f. All connecting power lines shall be buried underground.
- g. The tower and facilities shall be designed to minimize their visual impact.
- h. Appropriate warning signage shall be placed on wind generation towers and electrical equipment. No other signage shall be permitted on the facility site.
- i. The tower must have an exterior finish that minimizes off site visibility and is corrosive resistant.
- j. Wind generation facilities shall not be climbable up to fifteen feet (15') above ground level or shall be secured to prevent unauthorized access to the tower.
- k. Any wind generation facility found to be unsafe by the zoning administrator shall be repaired by the owner to meet federal, state and local safety standards or shall be removed within six (6) months.
- l. All obsolete or unused wind generation facilities, including any accessory facilities, shall be removed within twelve (12) months of the cessation of operations at the site unless a time extension is granted by the Town Board. After the facilities are removed, the site shall be restored to its original or an approved state. The user of the tower and/or accompanying accessory facilities and the landowner shall be responsible for the removal of the facilities and restoration of the site.
- m. The wind generation facility shall be subject to **annual** inspection by the zoning administrator. The applicant/property owner shall provide proof of compliance with permit approval and the standards of this ordinance.
- n. A building permit is required for installation of a wind generation facility.
- o. The noise emitted from a wind generation facility shall not exceed MPCA standards.