

## DAKOTA COUNTY PLANNING COMMISSION: February 18, 2025 MINUTES

The regular meeting of the Dakota County Planning Commission was called to order at 7:00 P.M. by Chairman Martin Rohde and the Pledge of Allegiance was said by all.

Roll Call: Present were: Scott Bousquet, Ron Collins, Tim Decker, Ron Gill, Steven Lieber, Dick McCabe, Harold Moes and Martin Rohde. Absent: Gordon Hegge. Also, present: Planning and Zoning Administrator Joe O'Neill and Dakota County Commissioner Rick Bousquet. Public present: Ethan Frazier – Mission Energy, Anthony Staab, Bryce Andersen, Robert Bush- Conservation Nebraska, Daniel Rohde.

Notice was made regarding the Open Meeting Act posted on the wall.

Moved by Tim Decker, second by Steven Lieber to excuse absent member Gordon Hegge. Consent unanimous. Motion Carried.

Moved by Harold Moes, second by Ron Collins, to approve the minutes of the January 21, 2025 meeting minutes. Consent unanimous. Motion carried.

The Commission reviewed a few changes that were needed to solar energy overlay district regulations since the last meeting.

Chairman Rohde called a public hearing to order at 7:04pm for the purpose of giving citizens the opportunity to offer support, opposition, or make neutral comments regarding the addition of solar energy overlay district (SOD) regulations to the Dakota County zoning ordinances. The Planning Commission will give their recommendation for or against to the Dakota County Board of Commissioners for their final approval. Joe stated that the solar overlay district is to promote the use of solar energy as an alternative to fossil fuels and thereby promote the public health, safety, and welfare by protecting the environment and preserving our non-renewable resources while at the same time mitigating and negative impact on wildlife, natural vegetation and aesthetics. To have an overlay district it has to be 50 acres or more and SOD applied for. These regulations are adding to our normal regulations to keep a better eye on where the overlay districts are and what it all encompasses. Martin stated that it would not affect the neighboring landowners. Joe stated the overlay would be taxed as business and then if the property ever closed out of the solar energy the zoning would revert back to AG without having to rezone. This is set up to have no tax impact on surrounding landowners. Commissioner Bousquet questioned whether the improvements to the property with the overlay would impact the surrounding land with tax increases. Joe stated that with incorporating this district overlay, the ground with the improvements would be taxed as business and not affect the taxing of the surrounding landowners. Tim Decker stated that the whole reason for the district overlay is that it would not affect the surrounding property owners according to the county assessor. Joe stated that this one facility is approximately 1600 acres and that the Planning Commission is working on new commercial regulations for this size of a solar farm to also help regulate how it is built to reduce the impact on surrounding landowners. Ethan Frazier with Mission Energy pointed out some changes he would like to see in the regulations, mostly grammatical changes to make them clearer and more concise. Commissioner Bousquet asked if the county attorney had a chance to review. Joe said no, but she will have that opportunity to review them before the Board of Commissioners have their public hearing. The Planning Commission has only worked with the Dakota County Assessor up to this point. The floor was opened for public comment. No comments were made. Motion made by Tim Decker, second Harold Moes to come out of public hearing at 7:27. Roll Call Vote. Unanimous. Motion Carried.

Motion made by Tim Decker, second by Harold Moes to approve the regulations with the changes discussed and send recommendation to the Board of Commissioners for them approve the solar energy overlay district regulations. Roll Call Vote. Unanimous. Motion carried.

The commission discussed who will be attending the NPZA conference in Kearney. Joe O'Neill and Ron Gill will be attending.

The Commission reviewed the Commercial Solar Energy Conversion regulations 25Kw+. Joe recommended a couple of changes. 3.d be changed to setbacks being 90' from the center of the road 3.k be changed to 2 access points per mile.

Miscellaneous and old business. Tabled item regarding the 66 Conditional Use Permits from Summit Carbon Solutions will remain tabled. No permits issued since last meeting. Joe stated that there has been a lot of talk about nuclear energy. Woodbury County is having a meeting about nuclear energy and Joe is planning on attending.

Marty opened up the floor to public comment. Bobby Bush with Conservation Nebraska informed the commission about a renewable energy educational session featuring Conservation Nebraska and the Nebraska Extension program at the South Sioux City public library on February 24<sup>th</sup> at 6:30pm. They will discuss solar grazing and integrating solar with agricultural operations.

Moved by Steven Lieber, second by Harold Moes to adjourn. Consent unanimous. Motion carried

Meeting was duly adjourned at 7:33 P.M.

Respectfully submitted,

Jolene Gubbels