

ORDINANCE NO. 2024-03

AN ORDINANCE OF CLAY COUNTY, SOUTH DAKOTA, AMENDING ORDINANCE NO. 2013-04, BEING THE 2013 REVISED ZONING ORDINANCE FOR CLAY COUNTY BY ADDING CHAPTER 3.16, GENERAL DISTRICT REGULATIONS, UTILITY-SCALE SOLAR ENERGY CONVERSION SYSTEMS (USES); AND AMENDING CHAPTER 4.05.01, DISTRICTS AND BOUNDARIES, DISTRICT REGULATIONS ESTABLISHED, NRC: NATURAL RESOURCE CONSERVATION; CHAPTER 4.05.02, DISTRICTS AND BOUNDARIES, DISTRICT REGULATIONS ESTABLISHED, A-1: AGRICULTURAL DISTRICT; CHAPTER 4.05.03, DISTRICTS AND BOUNDARIES, DISTRICT REGULATIONS ESTABLISHED, RR: RURAL RESIDENTIAL DISTRICT; CHAPTER 4.05.04, DISTRICTS AND BOUNDARIES, DISTRICT REGULATIONS ESTABLISHED, C-1: COMMERCIAL DISTRICT; CHAPTER 4.05.05, DISTRICTS AND BOUNDARIES, DISTRICT REGULATIONS ESTABLISHED, I-1: LIGHT INDUSTRIAL DISTRICT; CHAPTER 4.05.06, DISTRICTS AND BOUNDARIES, DISTRICT REGULATIONS ESTABLISHED, I-2: GENERAL INDUSTRIAL DISTRICT; AND CHAPTER 2.02, DEFINITIONS, DEFINITIONS.

BE IT ORDAINED BY CLAY COUNTY, SOUTH DAKOTA:

Section 1: That the 2013 Revised Zoning Ordinance for Clay County is hereby amended to include the following:

Section 3.16 Utility-Scale Solar Energy Conversion System (USES)

- A. Intent. The intent of Utility-Scale Solar Energy Conversion Systems (USES) regulations is to encourage the development of alternative energy sources while protecting the health, safety, and welfare of the public.
- B. Applicability. It shall be unlawful for any person, firm, or corporation to erect, construct in place, or place any USES without first receiving a permit(s) from the Zoning Administrator or authorized agent of Clay County. Nor may any person, firm, or corporation alter, modify, transform, add to, or change in any way an existing USES without first receiving a permit(s) from the Zoning Administrator or authorized agent of Clay County.
- C. General Standards.
 - 1. USES shall be a conditional use only on lands zoned A-1 Agricultural Zoning District.
 - 2. The applicant must submit evidence that the solar power farm can connect to the off-site power transmission system, and evidence of electric power