

PLANNING AND ZONING DEPARTMENT

SAUNDERS COUNTY COURTHOUSE

433 North Chestnut Street, Suite 302

Wahoo, NE 68066

(402) 443-8123 Office (402) 443-5709 Fax

Mitch Polacek  
Zoning Manager  
mpolacek@co.saunders.ne.us

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PLANNING AND ZONING DEPT.



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Notice of Public Hearing

Notice is hereby given that the Saunders County Planning Commission will meet on Monday, December 7, 2020, at 5:00PM in the old District Courtroom, on 3rd floor at the Saunders County Courthouse, Wahoo, Nebraska. The meeting is open to the public for comment.

**\*\*Note\*\* Due to social distancing measurer in place - seating space is limited.**

Agenda

Discussion and consideration of possible action on the following:

At 5:00PM, the Planning Commission will meet with Keith Marvin, of Marvin Planning Consultants Inc, to discuss updates to the Saunders County Zoning regulations.

Hearings to begin at 7:30PM:

1. Application #9150, by David Hilgencamp, Replat of Woodcliff Subdivision Lot S-1035, 1-16-8, Leshara Township.
2. Application #9151, by Rev. Christopher Kubat, Replat of Marianna Subdivision Lots 11-13, 24-17-7, North Cedar Township.
3. Application #9152, by Hancock Construction, to amend the Saunders County Zoning Regulations, regarding the improvement of non-conforming structures.
4. Application SD#123, by Whispering Ridge Estates, Whispering Ridge Estates Final Plat, 6-15-9, Leshara Township.
5. From the Zoning Administrator: Update the Saunders County Zoning Regulations to include the following text, to be inserted into the regulations as Section 6.17:

1.Solar Energy

1. A solar panel which is attached to an integral part of the principal building may project two feet into the front yard; six feet into the rear yard; and two feet into the side yard.
2. A solar panel which is freestanding may be located only in the required rear yard provided it is not less than five feet from the rear lot line and not closer than one foot to any existing structure as measured from the closest point of the structure including its foundation and anchorage's, nor shall the solar panel be located in the required side yard or front yard.

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**Solar Energy:** Radiant energy received from the sun at wavelengths suitable for heat transfer, photosynthetic use, or photovoltaic use.

**Solar Energy System:** Solar energy device or design features of a building used for the collection, storage, and distribution of solar energy for space heating, space cooling, lighting, electric generation, or water heating

**Solar Energy System. Freestanding:** A solar energy system that is not attached to another structure and is ground mounted.

**Solar Energy System. Joint:** A solar energy collector or storage mechanism that supplies energy for structures or processes on more than one lot or in more than one dwelling unit or leasehold, but not to the general public and involves at least two owners or users.

**Solar Sky space:** The maximum three-dimensional space extending from a solar collector to all positions of the sun necessary for efficient use of the collector.

(A) Where a solar energy system is used for heating purposes only, solar sky space shall mean the maximum three-dimensional space extending from a solar energy collector to all positions of the sun between nine o'clock (9:00) A.M. and three o'clock (3:00) P.M. local apparent time from September 22 through March 22 of each year.

(B) Where a solar energy system is used for cooling purposes only, solar sky space shall mean the maximum three-dimensional space extending from a solar collector to all positions of the sun between eight o'clock (8:00) A.M. and four o'clock (4:00) P.M. local apparent time from March 23 through September 21 of each year.

**Solar Sky space Easement:** A right, expressed as an easement, covenant, condition, restriction or other property interest in any deed, will or other instrument executed by or on behalf of any landowner or in any order of taking, appropriate to protect the solar sky space of a solar collector at a particularly described location to forbid or limit any or all of the following where detrimental to access to solar energy: structures on or above ground; vegetation on or above ground; or other activities. Such right shall specifically describe a solar sky space in three-dimensional terms in which the activity, structures or vegetation are forbidden or limited or in which such an easement shall set performance criteria for adequate collections of solar energy at a particular location.

**Solar Storage:** Equipment or elements such as piping and transfer mechanisms, containers, heat exchangers or controls that are utilized for storing Solar Energy gathered by a Solar Collector or Solar Energy System, for subsequent use.

### 3. Site Development Standards:

1. Lot coverage: No more than five percent of the gross site area shall be occupied by enclosed buildings.
2. Setbacks: The required setback shall meet or exceed the required setback for the zoning district in which the Solar Energy System is located. Where Solar Energy System is located on adjacent or contiguous parcels the side and rear setback shall be eliminated so long as the use does not abut a residential use or residential zoning district or the two districts are separated by a public right-of-way. Setbacks shall be applied as 83' from center of the road, 15' side and 25' rear property lines.
3. Height: The average height of the solar panel arrays shall not exceed- 20 feet.
4. Landscaping Buffer: The primary use of the property shall determine the buffer requirement. Where a ground-

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technical codes as applicable.

3. Noise requirements for solar energy projects shall be no more stringent than noise requirements for other types of development in the underlying zoning district.

### 7. Discontinuation.

A solar farm shall be considered abandoned after one year without energy production; provided, however, that a solar farm shall not be considered abandoned if (i) energy is not being produced as a result of maintenance, repairs or replacement of the solar farm system, or (ii) failure to produce energy is a result of factors outside of the solar farm operator's reasonable control. The project owner shall remove all solar farm equipment and appurtenances within 180 days of abandonment.

### 6. Items of a routine nature for approval:

#### A. Annual Review:

- Tabled item from November 9<sup>th</sup> Meeting: LPSNRD – Camp Ashland Fuse Plug Embankment

#### B. Approval of November 9<sup>th</sup> meeting minutes

#### C. Future meeting dates (1/4/21, 2/2/21, 3/1/21)

#### D. Open discussion from the public

#### E. Adjournment

An agenda for such meeting kept continuously current is available for review at the Planning & Zoning Office.

Posted 11/20/20