

## NOTICE OF ZONING HEARING

The Billings County Planning & Zoning Commission will hold a public hearing on Thursday, September 22, 2016 at 1:00 PM in the meeting room of the Billings County Rural Fire District's Fire Hall in S. Fairfield (12823 20<sup>th</sup> St SW) to consider recommending to the Board of County Commissioners the approval or denial of the following items:

Charlie Creek Wind Farm, LLC; c/o Orion Renewable Energy Group, LLC: Conditional Use Permit and Wind Energy Facility Siting Permit for a 383 megawatt (MW) total rated nameplate capacity Wind Energy Facility consisting of up to 114 wind turbines. The project is located in the northeast portion of Billings County near Highway 85 in townships 143-98, 143-99, 144-98, and 144-99, beginning approximately three miles north of S. Fairfield and extending to the county line one mile south of Highway 200.

The proposed Charlie Creek Wind Farm will span across 28,667 acres more or less and 92 parcels are included in the project pending easements and agreements. All parcels are zoned Agriculture. The individual parcels are described in the table published in this issue of the Billings County Pioneer.

Associated structures and improvements include a 230 kilovolt (kV) above ground transmission line, underground electrical collection system, underground communication cables, access roads, project substation, up to 3 meteorological data towers, and an operations and maintenance building. Temporary uses and structures include laydown and storage areas, turn out areas off of public roads, a concrete batch plant, crane paths, and temporary meteorological data towers.

Five Variances have been requested by Charlie Creek Wind Farm, LLC:

Application for a Variance of section 6.11.5(b)(1) of the Billings County Zoning Ordinance to construct and operate a wind energy facility within the 2640' (one-half mile) setback requirement from an occupied commercial building. One proposed wind turbine is sited in the NW1/4 of section 15-144-98 approximately 2000' from 813 123<sup>rd</sup> Ave SW.

Application for a Variance of section 6.11.5(b)(1) of the Billings County Zoning Ordinance to construct and operate a wind energy facility within the 2640' (one-half mile) setback requirement from an occupied dwelling. One proposed wind turbine is sited in the NW1/4NW1/4 of section 26-143-99 approximately 2340' from 1608 128<sup>th</sup> Ave SW.

Application for a Variance of section 7.3.6 of the Billings County Zoning Ordinance to increase the length of time allowed for a conditional use permit application from 1 year to a maximum of 2 ½ years.

Application for a Variance of section 5.6 of the Billings County Zoning Ordinance Hillside and Ridgeline Overlay District requirements for all project components except for the operations and maintenance building.

Application for a Variance of section 6.11.6 of the Billings County Zoning Ordinance to reduce the minimum ground clearance requirement for the lowest point of a wind turbine blade from 75' to 72'.

Other Business:

The board will also address potential & pending zoning violations and recommend any action needed by the Zoning Director, State's Attorney, or Board of County Commissioners.

Applications are available for review during regular office hours at the Billings County Courthouse. If special accommodations are needed, please notify the auditor so that appropriate aids can be made available.

Dated at Medora this 2<sup>nd</sup> day September, 2016.

Stacey Swanson  
Zoning Director

(September 8 & 15)