

ORDINANCE 2024-25

AN ORDINANCE AMENDING THE TOWN'S COMPREHENSIVE PLAN

October 14, 2024

WHEREAS, the Town Board for the Town of Lincoln adopted a comprehensive plan pursuant to Sec. 62.23(2) and (3) of the Wisconsin Statutes; and

WHEREAS, the Town Board is authorized to make changes to the adopted comprehensive plan upon recommendation of the Plan Commission; and

WHEREAS, the Plan Commission adopted a resolution at their meeting on July 29, 2024 recommending a revision to Chapter 2 (2.3.2) "Energy, Utilities & Community Facilities"- "Policies" #6 and Chapter 5 (5.4.7.1) "Renewable Energy Sources"; and

WHEREAS, the Town Board, at their meeting on September 9, 2024, held a public hearing regarding the proposed amendment in compliance with the requirements of section 66.1001(4)(d) of the Wisconsin Statutes.

WHEREAS, the Town Board, having carefully reviewed the recommendation of the Plan Commission for, having determined that all procedural requirements and notice requirements have been satisfied, having given the matter due consideration, including consideration of the plan components, as may be herein amended, relating to issues and opportunities, housing, transportation, utilities and community facilities, agricultural, natural and cultural resources, economic development, intergovernmental cooperation, land-use, and implementation, as well as the responses received from the public participation plan, has determined that the comprehensive plan, as herein amended, will serve the general purposes of guiding and accomplishing a coordinated, adjusted and harmonious development of the Town of Lincoln which will, in accordance with existing and future needs, best promote public health, safety, morals, order, convenience, prosperity and general welfare, as well as efficiency and economy in the process of development.

NOW, THEREFORE, the Town Board of the Town of Lincoln, Eau Claire County, Wisconsin, do ordain as follows:

SECTION 1. FINDINGS

The Town Board finds that the proposed amendment is consistent with the overall spirit and intent of the Town's comprehensive plan.

SECTION 2. AMENDMENT**2.3 Energy, Utilities & Community Facilities****2.3.2 Goals, Objectives & Policies, Policies #6**

Energy & Gas Facilities – The Town will actively participate in the planning and siting of any major transmission lines, facilities, natural gas lines, or industrial wind facility and industrial solar facilities. The Town finds industrial wind and solar facilities are incompatible with preserving farmland. The use of alternative forms of energy for private use and energy-efficient materials or designs are encouraged.

5.4.7.1 Renewable Energy Sources**Solar/Wind**

While wind/solar energy is a semi-renewable, and under some circumstances they may reduce the use of nonrenewable energy sources, the possible benefits must be balanced against potential negative impacts to local citizens, local economy, and local ecosystems. The siting of industrial wind/solar facilities in rural communities throughout Wisconsin, in many instances, has caused dissension with neighboring non-participating property owners for reasons such as health and safety risks, loss of development rights, loss of rural vistas, loss of wildlife habitat, reduction in property value and utilizing farmland for industrial uses. The majority of the Town of Lincoln is in DATCP's Farmland Preservation district, the Agricultural Preservation district. This district is reserved for agricultural uses, in which DATCP does not consider industrial wind and solar an agricultural use. The Town of Lincoln feels strongly that

preserving farms and farmland for agricultural uses is very important and considers industrial wind and solar incompatible with preserving farmland.

Solar

Industrial solar requires many acres of open, undeveloped land that if not sited thoughtfully could take farmland out of agricultural production, eliminate forest resources of the Town and contribute to fragmentation of productive agricultural or forested land.

Wind

Industrial wind turbine height has increased significantly since the inception of the Public Service Commission 128 regulations in 2009. The PSC's setback regulation of 1,250 feet from the property line has remained unchanged despite concerns that have been identified and reported in the 2024 PSC Wind Siting Council's Minority Report. In 2021 RWE, an industrial wind developer, pursued a wind development in the Town of Lincoln, Town residents strongly opposed the project based on previously noted negative effects.

SECTION 3. DISTRIBUTION

The Town Clerk is directed to send a copy of this ordinance to the following, along with an explanatory cover letter: (All recipient's names and addresses should be listed for the requirements below)

1. Wisconsin Department of Administrative
2. Regional Planning Commission
3. County and adjacent units of government
4. Public Library

SECTION 4. SEVERABILITY

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect.

SECTION 5. EFFECTIVE DATE

This ordinance shall be in full force and effect from and after its passage and posting or publication as provided by law.

Adopted this October 14th day of 2024

BY THE TOWN BOARD OF THE TOWN OF LINCOLN

/s/ Matthew Krenz

Matthew Krenz, Chairman

ATTEST:

/s/ Sherri McCormick

Sherri McCormick, Town Clerk