

11. Towers.

- a. Color and Finish. The finish of the exterior surface shall be non-reflective and non-glass.
- b. All towers shall be tubular design.

12. Noise.

- a. Noise level generated by wind energy system shall not exceed 50 dBA, average A-weighted Sound pressure level effects at the property line of existing non participating residences, businesses, and buildings owned and/or maintained by a governmental entity.
- b. Noise level measurements shall be made with a sound level meter using the A-weighting scale, in accordance with standards promulgated by the American National Standards Institute. An L90 measurement shall be used and have a measurement period no less than ten minutes unless otherwise specified by the Board of Adjustment.

13. Flicker Analysis. A Flicker Analysis shall include the duration and location of flicker potential for all schools, churches, businesses and occupied dwellings within a one (1) mile radius of each turbine within a project. The applicant shall provide a site map identifying the locations of shadow flicker that may be caused by the project and the expected durations of the flicker at these locations from sun-rise to sun-set over the course of a year. The analysis shall account for topography but not for obstacles such as accessory structures and trees. Flicker at any receptor shall not exceed thirty (30) hours per year within the analysis area.

- a. Exception: The Board of Adjustment may allow for a greater amount of flicker than identified above if the participating or non-participating landowners agree to said amount of flicker. If approved, such agreement is to be recorded and filed with the Codington County Zoning Officer. Said agreement shall be binding upon the heirs, successors, and assigns of the title holder and shall pass with the land.

14. Permit Expiration. The permit shall become void if either no construction as described in the application has commenced within three (3) years of issuance; or if a State Permit from the South Dakota Public Utility Commission has not been issued within two (2) years of issuance.

15. Information Required to Obtain a Permit.

- a. Boundaries of the site proposed for WES and associated facilities on United States Geological Survey Map or other map as appropriate.
- b. Map of easements for WES; and affidavit attesting that necessary easement agreements with landowners have been obtained.
- c. Map including any occupied residential structures, businesses, churches, and buildings owned and/or maintained by a governmental entity within one (1) mile of the project area.
- d. Preliminary map of sites for WES, access roads and collector and feeder lines. Final map of sites for WES, access roads and utility lines is required prior to issuance of any building permits associated with the conditional use permit.
- e. Location of other WES in general area.