

**BOARD OF COUNTY COMMISSIONERS
COUNTY OF KITTITAS
STATE OF WASHINGTON**

Ordinance No. 2018-013

An Ordinance Extending a Moratorium on Accepting Applications for Solar Projects That Qualify As Major Alternative Energy Facilities within Kittitas County

- WHEREAS,** Strong interest has developed in the creation of solar projects within Kittitas County and its agricultural areas; and
- WHEREAS,** Agricultural industry provides a large portion of the economic base within Kittitas County; and
- WHEREAS,** Major alternative energy facilities include hydroelectric plant, solar farm, or wind farm as indicated within KCC 17.61.010(9); and
- WHEREAS,** Concern has been expressed in public hearings and public comments that solar projects that qualify as major alternative energy facilities are planned for lands used for agriculture; and
- WHEREAS,** RCW 36.70A.390 allows adoption of a moratorium on land use activities for sixty (60) days without holding a public hearing; and
- WHEREAS,** On January 10, 2017, the Board of County Commissioners unanimously called for an immediate moratorium on all applications for solar projects that qualify as major alternative energy facilities; and
- WHEREAS,** A public hearing must be held within sixty (60) days of the moratorium's enactment and findings of fact must be made to support the action; and
- WHEREAS,** After due notice the Board of Commissioners held a public hearing on March 9, 2017 at 6 p.m. where public testimony was received in regards to the moratorium; and
- WHEREAS,** After consideration of the staff report, public comment, and evidence submitted, the Board ordered that all applications for solar projects that qualify as major alternative energy facilities not be accepted for (6) months from January 10, 2017; and

Ordinance 2018- 013
July 3, 2018

- WHEREAS,** According to RCW 36.70A.390, a moratorium may be effective for up to one (1) year when a work plan is developed for related studies; and
- WHEREAS,** A work plan was developed and adopted with Ordinance No. 2017-004; and
- WHEREAS,** After due notice the Board of Commissioners held a public hearing on July 10, 2017 at 6 p.m. where public testimony was received regarding the moratorium and proposed work plan; and
- WHEREAS,** After consideration of the staff report and work plan, public comment, and evidence submitted, the Board decided that the moratorium for solar projects that qualify as major alternative energy facilities shall be extended for an additional six months.
- WHEREAS,** A Solar Facilities Citizen Advisory Committee was formed at Resolution No. 2017-133 in accordance with the adopted work plan; and
- WHEREAS,** The Solar Facilities Citizen Advisory Committee met several times and conducted one community open house in order to draft standards and criteria for siting of solar facilities, but the standards were not ready for hearing or adoption when the moratorium was set to expire on January 10, 2018; and
- WHEREAS,** After due notice the Board of Commissioners held a public hearing on January 3, 2018 at 6 p.m. where public testimony was received regarding the moratorium; and
- WHEREAS,** After consideration of the staff report, public comment, and evidence submitted, the Board decided that the moratorium for solar projects that qualify as major alternative energy facilities shall be extended until July 10, 2018; and
- WHEREAS,** The Solar Facilities Citizen Advisory Committee finished its work and recommended draft standards and criteria for siting of solar facilities on March 1, 2018; and
- WHEREAS,** The Board of County Commissioners conducted a work session with the Solar Facilities Citizen Advisory Committee on March 30, 2018 and directed staff to make certain revisions to the proposed standards and criteria; and
- WHEREAS,** Staff made the revisions and scheduled the proposed standards and criteria for a public hearing before the Kittitas County Planning Commission on May 22, 2018; and
- WHEREAS,** After due notice the Planning Commission held a public hearing on May 22, 2018 at 6:30 p.m. where public testimony was received; and

Ordinance 2018- 013
July 3, 2018

WHEREAS, After consideration of the staff report, public comment, and evidence submitted, the Planning Commission unanimously recommended approval of the proposed standards and criteria with amendments; and

WHEREAS, A public hearing was scheduled before the Board of County Commissioners to consider the recommendation from the Planning Commission and to consider whether or not to extend the moratorium, and

WHEREAS, After due notice the Board of County Commissioners held a public hearing on June 25, 2018 at 6:00 p.m. where public testimony was received; and

WHEREAS, After consideration of the staff report, public comment, and evidence submitted, the Board of Commissioners determined that further revisions to the proposed standards and criteria are required, and decided that the moratorium for solar projects that qualify as major alternative energy facilities shall be extended until January 10, 2019, or until standards and criteria are adopted, whichever occurs first.

NOW THE BOARD FINDS:

1. A potentially high number of proponents for solar farms have shown interest in the development of solar energy facilities within the Kittitas County valley.
2. Large numbers of large solar energy facilities may have an impact upon the agricultural activity within the valley, which is a prime industry within the County.
3. The Board desires standards and/or criteria for the placement of such facilities.
4. Further revisions to proposed standards and criteria are necessary.


NOW, THEREFORE, BE IT HEREBY ORDERED, that the moratorium on applications for solar projects that qualify as major alternative energy facilities shall be extended until January 10, 2019, or until standards and criteria are adopted, whichever occurs first.

ADOPTED this 3rd day of July, 2018.

**BOARD OF COUNTY COMMISSIONERS
KITITAS COUNTY, WASHINGTON**



Laura Osiedacz, Chairman



Obie O'Brien, Vice-Chairman



Vacant
Commissioner

Ordinance 2018- 013
July 3, 2018

ATTEST
CLERK OF THE BOARD



APPROVED AS TO FORM:

Neil Caulkins,
Deputy Prosecuting Attorney