

BOARD OF COUNTY COMMISSIONERS
DOUGLAS COUNTY, WASHINGTON

Ordinance TLS No. 20-05-45B
Resolution TLS No. 20-45A

Ordinance Relating To:)
)
Moratoria on the Placement and Permitting of) TRANSPORTATION AND
Alternative Energy- Specific to Wind and) LAND SERVICES
Solar Energy Farms)
)

WHEREAS, the Douglas County Zoning Ordinance does not contain specific development and locational standards pertaining specific to wind and solar energy farms; and

WHEREAS, RCW 36.70.795 authorizes counties to establish moratoria; and

WHEREAS, RCW 36.70.795 states the following:

A board that adopts a moratorium, interim zoning map, interim zoning ordinance, or interim official control without holding a public hearing on the proposed moratorium, interim zoning map, interim zoning ordinance, or interim official control, shall hold a public hearing on the adopted moratorium, interim zoning map, interim zoning ordinance, or interim official control within at least sixty days of its adoption, whether or not the board received a recommendation on the matter from the commission or department. If the board does not adopt findings of fact justifying its action before this hearing, then the board shall do so immediately after this public hearing. A moratorium, interim zoning map, interim zoning ordinance, or interim official control adopted under this section may be effective for not longer than six months, but may be effective for up to one year if a work plan is developed for related studies providing for such a longer period. A moratorium, interim zoning map, interim zoning ordinance, or interim official control may be renewed for one or more six-month periods if a subsequent public hearing is held and findings of fact are made prior to each renewal.

WHEREAS, the Douglas County Land Services has received a number of inquiries related to the development of wind and solar energy farms within Douglas County unincorporated areas; and

WHEREAS, the Douglas County Land Service Staff is under development pressure with inquires specific to wind and solar energy farms; and

WHEREAS, the Douglas County Land Services Staff desires expert and/or professional recommendations from local, state and federal agencies, and also wind and solar energy farm businesses, for drafting proposed amendments to Douglas County Zoning Ordinance as it relates specifically to wind and solar energy farms; and

WHEREAS, the Douglas County Board of Commissioners and Staff has reviewed the Douglas County Zoning Ordinance with respect to wind and solar energy farms and has determined that amendments may be necessary to protect the health, safety and general welfare of County citizens; and;

WHEREAS, this Board of County Commissioners has identified the following issues of concern:

1. Wind and solar energy farms create undesired visual impacts within certain areas of Douglas County.
2. No clear regulated placement and development standards specific to wind and solar energy farms are identified within Douglas County Zoning Ordinance.
3. The large amount of consumptive land desired for the development of wind and solar energy farms are of concern.

WHEREAS, the Board of County Commissioners has assigned the Land Services Division the responsibility to prepare draft zoning ordinance amendment(s) specifically pertaining to wind and solar energy farms for consideration by the Board of County Commissioners that would address the above concerns, where possible; and

WHEREAS, the Land Services Staff has reported that additional time will be necessary to prepare the proposal request by the Board of County Commissioners and has recommended this moratoria be adopted by the Board of County Commissioners; and

WHEREAS, the Board of Douglas County Commissioners will conduct a public hearing on Tuesday, October 6, 2020, at 10:30 am, as required by RCW 36.70.795 and RCW 36.70A.390.

NOW, THEREFORE, BE IT RESOLVED as follows by the Board of Douglas County Commissioners:

1. The above recitations are hereby adopted as Findings of Fact on this matter.
2. While the Moratoria is in effect, no application for a land use permit, building permit or other development permit or approval associated with wind and solar energy farms shall be accepted as complete by the Land Services Division, PROVIDED that permits that were authorized before the effective date of this ordinance may be accepted.
3. That the Douglas County Land Services shall schedule and publish a notice of public hearing as necessary for the purpose of implementing this ordinance and drafting proposed amendments to Douglas County Zoning Ordinance relating specifically to wind and solar energy farms.

4. This Moratoria shall continue to be effective from twelve months, unless renewed or otherwise extended as provided in RCW 36.70.795.

5. The following work program is established:

| Task | Schedule |
|---|---------------------------|
| Environmental review and submittal of proposed regulations to state agencies, local agencies, and public notice of availability. County 60 Day Review | December 2020- April 2021 |
| County Planning Commission Workshop. | May-June 2021 |
| County Planning Commission Public Hearing. | July-August 2020 |
| Douglas County Board of Commissioners consideration of Planning Commission recommendation and final action. | September- October 2021 |

ADOPTED in open session this 15th day of September 2020, at East Wenatchee, Washington.

DOUGLAS COUNTY, WASHINGTON
BOARD OF COUNTY COMMISSIONERS



Dan Sutton, Chair



Marc Straub, Vice Chair



Kyle Steinberg, Member



ATTEST:



Tiana Rowland, Clerk of the Board