

AGENDA REQUEST FORM

**Return completed form and complete agenda item to the Clerk of the Board
Yakima County Commissioners' Office, Room 232**

Prepared by:
Tommy Carroll

Department: Public Services

Requested Agenda Date: 07/26/2022

Presenting: Lisa Freund

Document Title:

Board of County Commissioners Record Assigned

200 - 2022

APPROVED FOR AGENDA:

Consent Regular

Board of County Commissioners Determined

IN THE MATTER OF DECLARING A ZONING MORATORIUM ON MODERATE TO LARGE-SCALE SOLAR FACILITIES WITHIN THE UNINCORPORATED AREAS OF YAKIMA COUNTY

Action Requested: *Check Applicable Box*

PASS RESOLUTION EXECUTE or AMEND **AGREEMENT** CONTRACT or GRANT
 ISSUE PROCLAMATION PASS ORDINANCE OTHER _____

Describe Fiscal Impact:

N/A

Background Information:

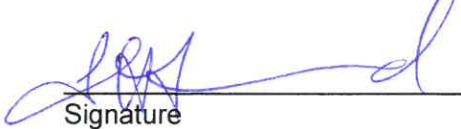
Yakima County lacks specific development regulations to adequately evaluate applications for moderate to large-scale solar facilities within the unincorporated areas of Yakima County, therefore, as authorized under RCW 36.70.795 and 36.70.A.390 the Board of Yakima County Commissioners wish to establish a moratorium prohibiting the filing of applications for permits for the establishment of moderate to large-scale solar facilities for a 6 month period as authorized under said statutes.

Summary & Recommendation:

The approval of the resolution effectively declares a land use moratorium on moderate to large-scale solar facilities and outlines the necessary steps for Yakima County to follow to meet the requirements of RCWs 36.70.795 and 36.70A.390.


Motion:

Department Head/ Elected Official



Signature

AGREEMENT Attached Is Approved as to Form
Corporate Counsel Initial

_____ 

Late Agenda Requests Require BOCC Chairman Signature:

**BOARD OF YAKIMA COUNTY COMMISSIONERS
RESOLUTION**

**IN THE MATTER OF DECLARING A
ZONING MORATORIUM ON MODERATE TO
LARGE-SCALE SOLAR FACILITIES WITHIN
THE UNINCORPORATED AREAS OF
YAKIMA COUNTY**

200 - 2022

WHEREAS, 36.70.795 and 36.70A.390 Revised Code of Washington (RCW) provide that the Board of Yakima County Commissioners (Board) may establish a moratorium, interim zoning map, interim zoning ordinance or interim official controls without holding a public hearing provided a public hearing on said moratorium, interim zoning map, interim zoning ordinance or interim official controls is held within sixty days of adoption; **and**,

WHEREAS, Yakima County presently lacks specific development standards regulating the establishment and operation of moderate to large-scale solar facilities; **and**,

WHEREAS, moderate to large-scale solar facilities as described in this resolution are commercial solar facilities commonly referred to as solar farms that typically include ground-mounted solar energy arrays, which are the principal use on the property, that provide energy to off-site users or export to the wholesale energy market; **and**,

WHEREAS, it is anticipated that the establishment of new moderate to large-scale solar facilities without the appropriate development standards increases the risk to health and safety, negatively impacts the County's designated agricultural lands and affect the use and enjoyment of surrounding properties; **and**,

WHEREAS, unless Yakima County acts immediately to address the establishment and operation of moderate to large-scale solar facilities, such uses may be able to locate in the County without proper regulation and thereby have adverse impacts on the County and its citizens; **and**,

WHEREAS, the Board has determined that it is in the public interest, health welfare, safety and morals to enact interim amendments to Yakima County Code (YCC) Title 19 – Unified Land Development Code prohibiting the filing with the County, any applications for licenses, permits or other approvals for establishment of moderate to large-scale solar facilities within the unincorporated areas of Yakima County subject to its land use jurisdiction for a period of six months from the date of adoption of this resolution, as provided by 36.70.795 RCW and 36.70A.390 in order to allow time to develop, review and adopt an ordinance with the necessary development standards regulating the establishment and operation of moderate to large-scale solar facilities; **now, therefore**,

BE IT HEREBY RESOLVED by the Board of Yakima County Commissioners as follows:

1. Moratorium Established. That a six-month moratorium is imposed from the date of adoption of this resolution, on filing with the County, any applications for licenses, permits or

other approvals for moderate to large-scale solar facilities that may qualify as an “Energy Generating Facility,” listed on the land use table of YCC Title 19 – Unified Land Development Code;

2. Term of Moratorium. The moratorium imposed by this Resolution shall become effective on the date hereof, and shall continue in effect for an initial period of six (6) months, unless repealed, extended, or modified by the Board after a public hearing and the entry of appropriate Findings of Fact as required by RCW 36.70A.390, provided, however, that the moratorium shall automatically expire upon the effective date of zoning regulations adopted by the Board to address the establishment and operation of moderate to large-scale solar facilities within the unincorporated areas of Yakima County.

3. Develop New Development Regulations. The Planning Division of the Public Services Department and Corporate Counsel are directed to prepare amendments to YCC Title 19 – Unified Land Development Code that will implement the Board’s directive to establish appropriate zoning and official controls with safeguards, criteria, and conditions necessary to protect the public health, safety, welfare and morals of its citizens from the improper establishment of moderate to large-scale solar facilities found to be incompatible with certain uses, activities acceptable and customary to certain zones.

4. Public Hearing. The Board will hold a public hearing with respect to the enactment of this resolution within sixty days of the date of this resolution as provided by 36.70.795 and 36.70A.390 Revised Code of Washington (RCW).

5. Preliminary Findings. Following the public hearing, the Board shall adopt Findings of Fact justifying its actions and determine whether a work plan is necessary to address the issues involving the establishment and operation of moderate to large-scale solar facilities and if appropriate, extending the moratorium to complete the work plan and implementation of appropriate regulations.

5. Effective Date. This Resolution shall be in full force and effect upon its passage and signature below.

DONE JUL 26 2022

Attest:

Julie Lawrence, Clerk of the Board *or*
Erin Franklin, Deputy Clerk of the Board

Amanda McKinney, Chair

LaDon Linde, Commissioner

Ron Anderson, Commissioner
*Constituting the Board of County Commissioners
for Yakima County, Washington*