

ORDINANCE NO. 0033021

**ADOPTING A MORATORIUM ON COMMERCIAL/INDUSTRIAL SOLAR PROJECTS SUBJECT TO A CONDITIONAL USE PERMIT PROCESS, PROVIDING FOR A PUBLIC HEARING, AND PROVIDING THAT THE MORATORIUM, UNLESS EXTENDED, SHALL SUNSET WITHIN SIX MONTHS OF THE EFFECTIVE DATE OF ADOPTION.**

**Section 1. Findings.**

Klickitat County finds as follows:

- 1.1 Klickitat County has received a number of inquiries and citizen comments related to the development of commercial/industrial solar projects in the general vicinity near the City of Goldendale.
- 1.2 While solar power is recognized as a form of clean energy, these solar projects have raised concerns on aesthetics, impact on property values, and the usual issues common to commercial/industrial scale projects such as setbacks, site maintenance and decommissioning at the end of the project's useful life.
- 1.3 While the County adopted Resolution 01121, clarifying that solar energy development in areas outside of the energy overlay zone should be processed through a conditional use permit, there is no written directive in the zoning code addressing the submittal requirements and performance standards of commercial/industrial solar projects that are subject to the conditional use process.
- 1.4 There is concern that unless the County acts immediately to review its land use controls for solar development sited outside of the energy overlay zone, solar facilities may be able to locate in the County without adequate mitigation and thereby have substantial impacts on the County and its citizen.
- 1.5 The County finds that an emergency exists within the County, and that imposing a moratorium barring the acceptance of conditional use applications for commercial/industrial solar projects outside the energy overlay zone is necessary for the immediate preservation of the public peace, health, safety and welfare and for the support of County government.
- 1.6 RCW 36.70.795 allows the County to adopt a moratorium effective for six months subject to a public hearing within sixty days.
- 1.7 The moratorium may be extended or interim controls adopted at the end of the six months.
- 1.8 Klickitat County deems it is in the interest of protection of public safety and health, and in the interest of providing time to evaluate the best alternatives for the community.

NOW, THEREFORE, KLICKITAT COUNTY DOES ORDAIN AS FOLLOWS:

**Section 2. Moratorium**

2.1 Pursuant to the provisions of RCW 36.70.795, a moratorium is hereby enacted in Klickitat County.

2.2 In accordance with the provisions of RCW 36.70.795, no conditional use permit application shall be accepted by the Planning Department for commercial/industrial solar projects.

2.3 Pursuant to the provisions of RCW 36.70.795, a duly advertised public hearing shall be conducted within sixty days of the adoption of this ordinance.

2.4 Should any portion hereof be found unlawful, unconstitutional or in any way nullified or overturned, the remainder hereof shall remain in full force and effect.

2.5 Klickitat County hereby finds that this ordinance is necessary and proper to protect the public health and public safety, and that an emergency therefore exists. This ordinance, pursuant to RCW 36.70.795, shall be effective immediately. The moratorium established hereby shall terminate six (6) months from the date of enactment unless duly extended.

ADOPTED this 30<sup>th</sup> day of March, 2021.



ATTEST:  
Clerk of the Board

[Signature]  
in and for the County of Klickitat,  
State of Washington

APPROVED AS TO FORM:

[Signature]  
David R. Quesnel  
Klickitat County Prosecuting Attorney

BOARD OF COMMISSIONERS  
Klickitat County, Washington

[Signature]  
David M. Sauter, Chairman

NO  
Jacob Anderson, Commissioner

[Signature]  
Dan Christopher, Commissioner