

RESOLUTION NO. 24- 03

A RESOLUTION ESTABLISHING A MORATORIUM ON COMMERCIAL RENEWABLE ENERGY PROJECT DEVELOPMENT WITHIN THE UNINCORPORATED AREA OF WOODSON COUNTY, KANSAS; DIRECTING CERTAIN REVISIONS AND AMENDMENTS TO THE WOODSON COUNTY ZONING REGULATIONS;

WHEREAS, the current Woodson County Zoning Regulations could allow a property owner to apply for a Commercial Renewable Energy Project in the Unincorporated Areas of Woodson County; and

WHEREAS, due to the number of impacts that a Commercial Renewable Energy Project might have on that property for both current and future property owners, the Board of County Commissioners recognize that a need exists to review, consider potential changes, and potentially adopt land development regulations and/or standards that may pertain to such property uses; and

WHEREAS, the Board of County Commissioners for Woodson County, is concerned that the Woodson County Zoning regulations are inadequate to protect and preserve the interest of Woodson County and its citizens and to protect and promote their health, safety and welfare and also to provide clear guidance to potential developers of wind or solar energy projects concerning the conditions under which such projects might be determined to be appropriate in Woodson County and the obligations and limitations that might be imposed.

WHEREAS, the Board of County Commissioners desires to provide adequate time to properly evaluate and implement the aforementioned actions by providing for the suspension of applications for Conditional Use Permits for Commercial Renewable Energy Projects and for the suspension of construction and erection of Commercial Renewable Energy Projects in the interim; and

WHEREAS, the Board of County Commissioners desires to provide adequate time to consider and potentially hold public hearings on whether renewable energy projects should be allowed in Woodson County; and

WHEREAS, in accordance with K.S.A. 12-741 et seq. and K.S.A. 19-101 et seq., the County has police power and statutory authority to regulate the conduct of rural development through Zoning Regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF WOODSON COUNTY, KANSAS, that:

1. The Woodson County Zoning Board is hereby directed to suspend acting upon any application received for the issuance of a Conditional Use Permit or for permits for the erection and construction of any Commercial Renewable Energy Project or any component thereof.

2. No application for a Conditional Use permit for a renewable energy project shall be set for public hearing by the Woodson County Zoning Board prior to 12 months from the adoption of this Resolution.
3. The establishment of any Commercial Renewable Energy Project in the unincorporated area of Woodson County is hereby suspended and prohibited and the same is hereby declared to be a violation of the public interest of Woodson County so long as this Resolution shall remain in effect.
4. The Woodson County Zoning Board, with the assistance of any consultant retained for that purpose, is directed to review and update the Woodson County Zoning Regulations to provide additional guidelines with respect to Commercial Renewable Energy Project development in the unincorporated area of Woodson County, Kansas; to draft and consider text amendments to the Woodson County Zoning Regulations.
5. The Moratorium imposed by this Resolution may be extended, terminated earlier than its expiration date or otherwise amended by subsequent resolution of this Board of County Commissioners.
6. This Resolution shall take effect and be in full force and effect from and after its adoption and publication in the official county newspaper and shall remain in effect until the end of February 2025.

PASSED AND ADOPTED by the Commissioners of Woodson County, Kansas, this ____ day of February 2024.

**BOARD OF COUNTY COMMISSIONERS
WOODSON COUNTY, KANSAS**

ATTEST:

Tesla Bayles, County Clerk

Justin Clark, Chairman

Kevin Stuber, Vice Chairman

Gerald Sedlacek, Member