

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF DICKINSON COUNTY, KANSAS**

RESOLUTION # 060624

A resolution providing for a temporary moratorium on commercial solar, and other large-scale renewable energy technology development, with the exception of those currently defined and enabled in Article 21 of the zoning regulations, within the unincorporated area of Dickinson County, Kansas.

WHEREAS, the current Dickinson County Comprehensive Plan would generally allow incorporating provisions for solar and other alternative energy technology within the zoning regulations in the unincorporated areas of Dickinson 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 desires to provide adequate time for the Dickinson County Planning and Zoning Board 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, except those currently defined and addressed in Article 21; and

WHEREAS, the Board of County Commissioners desires to provide adequate time to determine, whether, where and how commercial solar energy and other renewable energy technology projects, except those defined and addressed in Article 21 of the zoning regulations, should be allowed in Dickinson 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 DICKINSON COUNTY, KANSAS, that

1. The Dickinson County Planning and 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 Solar Energy Project, or any renewable energy project or component thereof, except those as currently defined and addressed in Article 21, until this moratorium has concluded.
2. The establishment of any Commercial Solar Energy Project, or other renewable energy technology except those defined under Article 21 of the zoning regulations in the unincorporated area of Dickinson County is hereby suspended and prohibited and the same is hereby declared to be a violation of the public interest of Dickinson County so long as this Resolution shall remain in effect.

3. The Dickinson County Planning and Zoning Board is directed to review and update the Dickinson County Zoning Regulations to provide additional guidelines and development areas with respect to Commercial Solar Energy Project development, and other renewable energy technology, except those as currently defined and addressed in Article 21, in the unincorporated area of Dickinson County, Kansas as they deem appropriate.
4. The moratorium imposed by this Resolution shall not apply to off-grid, on-site renewable energy installations on owner-occupied residential and commercial sites.
5. The Moratorium imposed by this Resolution shall not apply to renewable energy projects currently in use and previously approved under the provisions of Article 21.
6. The Moratorium imposed by this Resolution may be extended, terminated earlier than its expiration date or otherwise amended by subsequent resolution of the Board of County Commissioners.

This resolution shall take effect and be in full force and effect from and after its by the Board of County Commissioners of Dickinson County, Kansas and publication in the official county newspaper until July 1, 2026

Passed this 6th day of June, 2024.

DICKINSON COUNTY COMMISSIONERS:

SIGNED: _____
Craig Chamberlin

Lynn Peterson

Ron Roller

ATTEST: _____
Jeanne Livingston, County Clerk