

History

The Energy Overlay Zone EOZ covers 2/3 of the county's land. It supersedes existing zoning ordinances such as Extensive Agriculture and Rural Residential. Projects proposed outside the EOZ can do so by filing a Conditional Use Permit. This decision happened in 2004. Primarily for wind projects however, today they are being used for utility solar projects. The county commissioners state that the Planning Departments are too backed up to revisit it anytime soon. Therefore, any permits that get issued will be grandfathered in existing ordinances. Unless you live in city limits, you are not exempt from these new neighbors of Klickitat County.

IMPORTANT:

Any project linking to the Sub-station off Knight Road will be subjected to the Conditional Use Permit (CUP). This is because the sub-station is outside the EOZ.

Conditional Use Permit Setbacks

C.E.A.S.E reached out to the Planning Director and the Building Director as well as the Board of County Commissioners to retrieve a clear answer to zoning setbacks for utility scale solar projects. According to the Building Director, "When a building permit is issued, the most stringent setbacks apply." A search through the county municipal codes provides no clear answer to what that may mean however, if you don't like it, then you can fight a solar corporation worth \$62 billion in Supreme Court through an appeal process. Cross your fingers you get something you can agree on. This CUP process gives you an opportunity to attend a public hearing *after* the permit has been submitted. Property owners within 300 ft. of the projects will be notified within 14 days by written form. This public hearing is where you as a their new neighbor get to see their terms and then see what happens next.

Now that you have some background on how this happened lets welcome your new neighbors... the utility solar farm!

Note: All of these images were taken from klickitatcounty.org

EOZ Setbacks

One of the biggest concerns among residents is how far from your property will these projects be to your home. To answer this question, we reached out to both the Planning Director and the Building Director through email. The answer was: “When a building permit is issued the most stringent setbacks will be applied. Currently there is not solar projects that were permitted using the CUP process therefore we are unaware what those setbacks will be but we assume that they too will be 500 feet.” Let’s look at the Lund Hill project as an example, because it was approved. The Lund Hill Project is within the EOZ. The closest resident is only “547 ft. from the

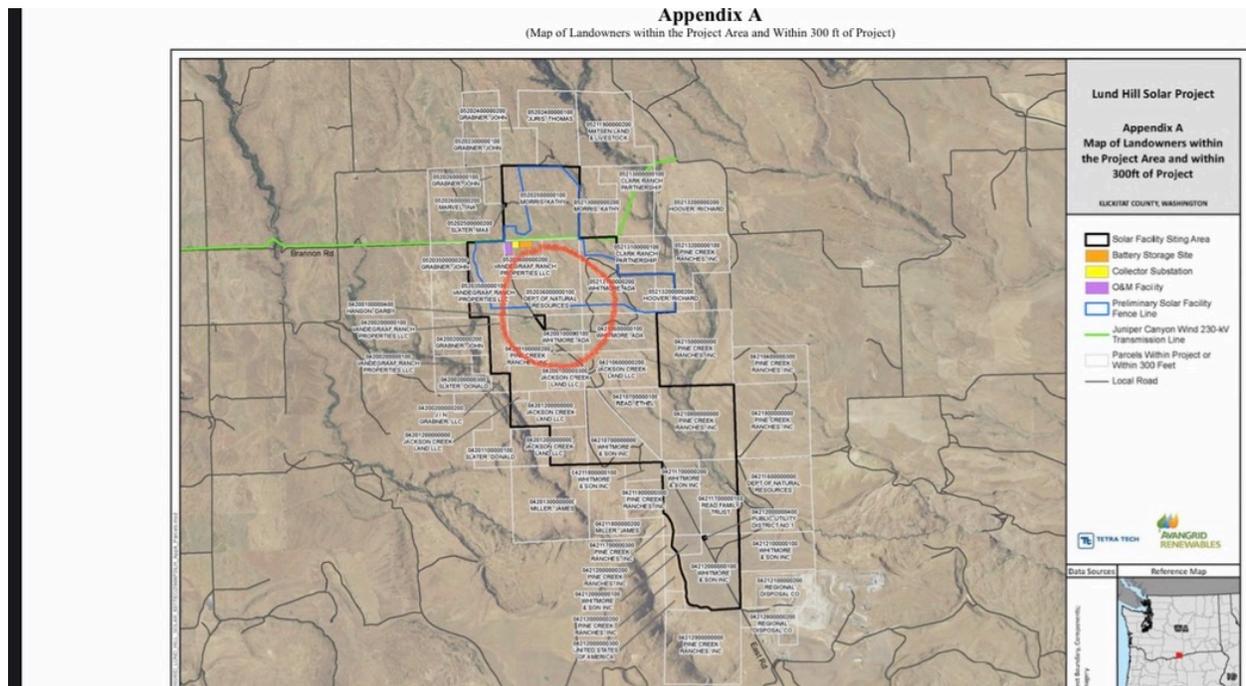


Image 1:
Outline of The Lund Hill Project

proposed solar array.” It should be noted that this remaining resident is now surrounded by the 5,000 acre project. His neighbor’s all signed lease agreements with the solar company, signed a non-disclosure statement (hush clause), and left him to enjoy his new view shed; 500,000 shiny solar panels. This is a common practice. Unfortunately, this could be you. You may not even know it.

Currently, there is no clear setback ordinances for utility scale solar projects (USSP). The EOZ is equally unclear for setbacks. It combines both wind and solar projects and treats them as though they are exactly the same. Below is the section that discusses setbacks. It states that solar projects will be “500-1,500 feet.” In the same paragraph discussing solar farm setbacks, it

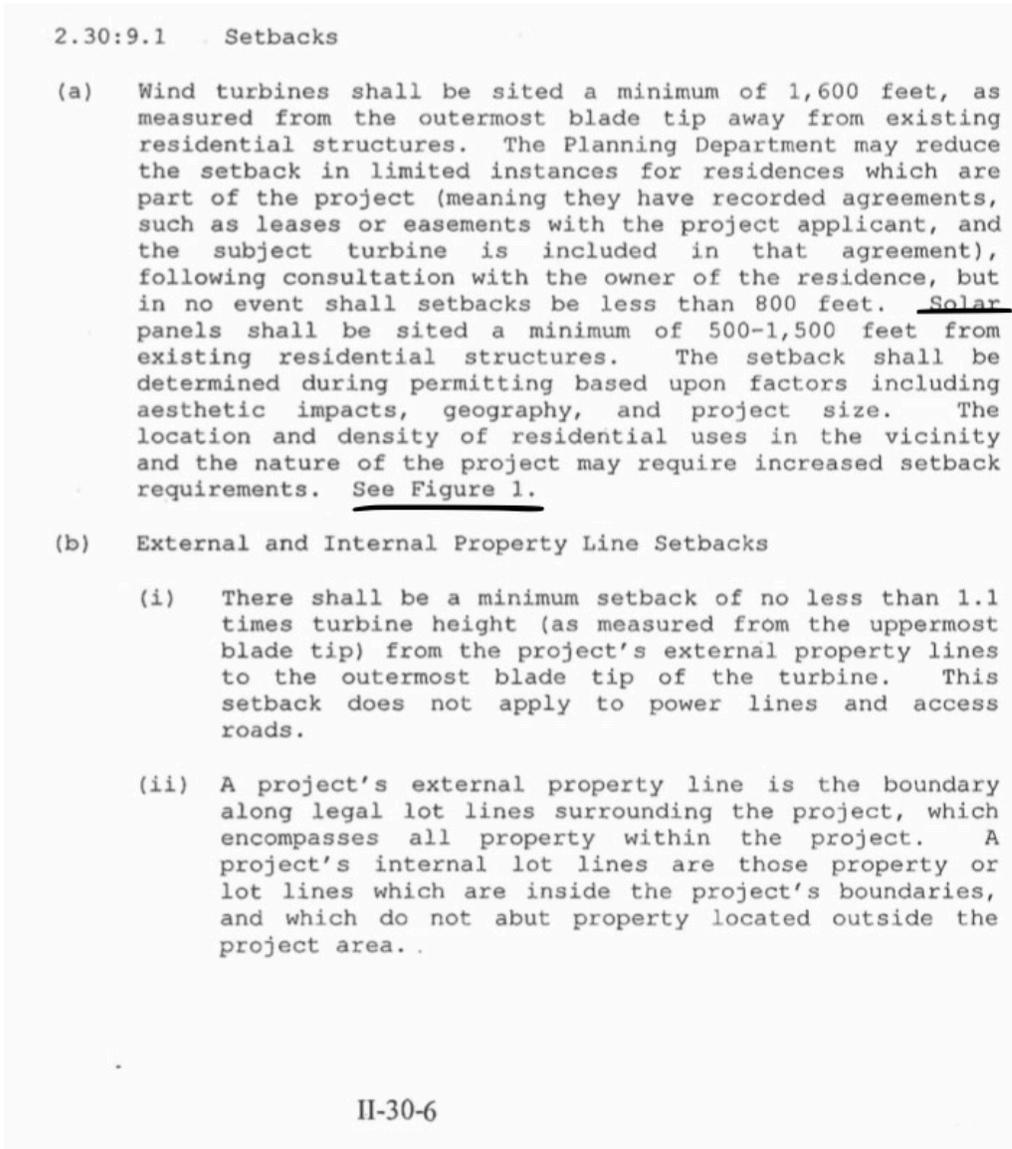
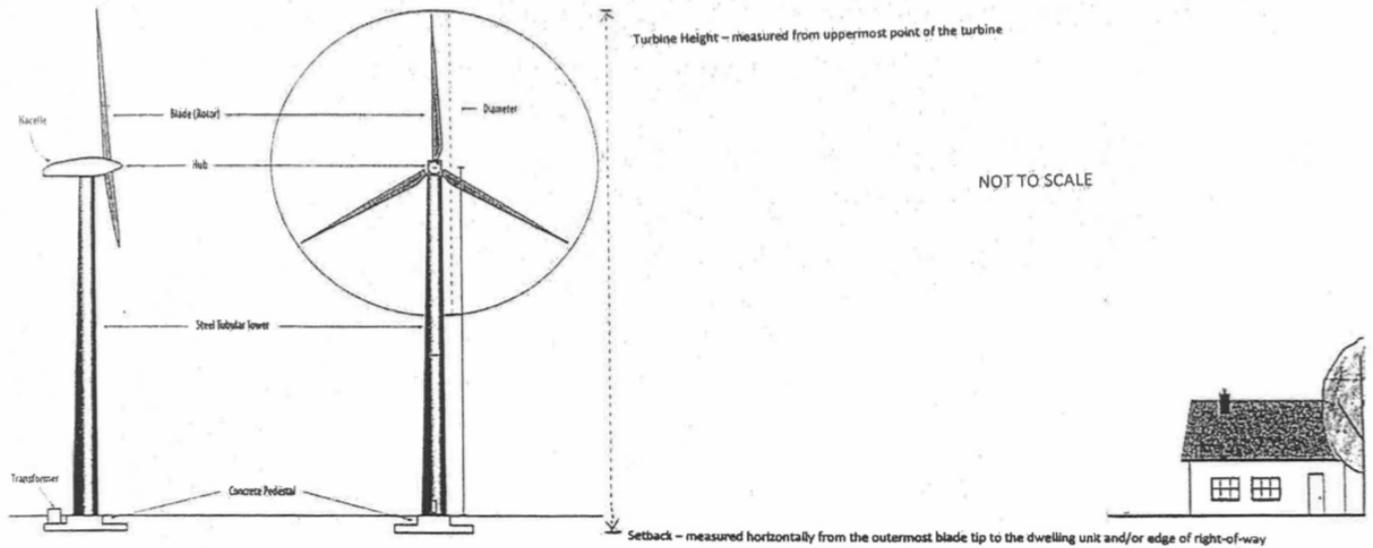


Image 2:

The EOZ groups both solar and wind projects together but most of the emphasis is worded for wind projects.

directs readers to “see Figure 1.” Image 3 below is “Figure 1.” Why is it a wind turbine? Why is



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Image 3:

Figure 1 as referenced in the setback description above

the county grouping this information together? Don't they realize that these projects look much different and carry different environmental impacts? Are property owners to imagine how long an imaginary wind turbine blade will be in calculating how close the nearest solar array will be from their home? Many property owners placed homes away from their neighbor's homes. This is out of respect for a neighbor's privacy. Solar farms are not respectful neighbors. They will use your home as the starting point to measure where they will begin building, not your property line. This is just one reason many residents want these ordinances updated. It is our hope that if the most stringent setbacks are used then they should be minimally 1,500 feet for a Conditional Use Permit. We should also demand that our county also adopt the same setbacks and apply them

within the EOZ. Not every project in the future will be linking to the Knight Road sub-station. We need to consider all residents not just a few. Lastly, they should use property lines as those measuring points not your home or "structure" as the county words it.