

## RESOLUTION 2023-12

### A RESOLUTION PROVIDING FOR A TEMPORARY MORATORIUM ON COMMERCIAL SOLAR ENERGY PROJECT DEVELOPMENT WITHIN THE UNINCORPORATED AREA OF BARTON COUNTY, KANSAS

**WHEREAS**, the current Barton County Zoning Regulations, Version II, would allow an application for a Commercial Renewable Energy Project in the unincorporated areas of Barton 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 Barton County Planning Commission 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 determine, whether, where and how commercial solar energy projects should be allowed in Barton 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 BARTON COUNTY, KANSAS, that:**

1. The Barton County Planning Commission 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 component thereof until this moratorium has been ended.
2. The establishment of any Commercial Solar Energy Project in the unincorporated area of Barton County is hereby suspended and prohibited and the same is hereby declared to be a violation of the public interest of Barton County so long as this Resolution shall remain in effect.

3. The Barton County Planning Commission is directed to review and update the Barton County Zoning Regulations, Version II, to provide additional guidelines and development areas with respect to Commercial Solar Energy Project development in the unincorporated area of Barton County, Kansas as they deem appropriate.
4. 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.
5. This Resolution shall take effect and be in full force and effect from and after its adoption and publication in the official county newspaper until December 31, 2023.

**PASSED AND ADOPTED** by the Commissioners of Barton County, Kansas, this 10th day of May 2023.

**BOARD OF COUNTY COMMISSIONERS  
OF BARTON COUNTY, KANSAS**

  
Shawn Hutchinson, Chairman

  
Barb Esfeld, Commissioner

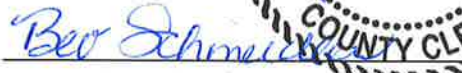
  
Duane A Reif, Commissioner

  
Tricia Schlessiger, Commissioner

  
Donna Zimmerman, Commissioner

ATTEST:



  
Bev Schmeidler, County Clerk

APPROVED AS TO FORM:

  
Patrick Hoffman  
County Counselor