

## Chapter 17.61A WIND FARM RESOURCE OVERLAY ZONE

### Sections

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### **17.61A.010 Legislative findings, purpose and intent.**

The purpose and intent of this chapter is to establish a process for recognition and designation of properties located in areas of Kittitas County suitable for the location of wind farms, to protect the health, welfare, safety, and quality of life of the general public, and to ensure compatible land uses in the vicinity of the areas affected by wind farms. (Ord. 2002-19 (part), 2002)

### **17.61A.020 Definitions.**

The following definitions shall be used in conjunction with the administration of this chapter:

1. "Wind farm" means a single wind turbine exceeding 120 feet in height above grade or more than one wind turbine of any size proposed and/or constructed by the same person or group of persons on the same or adjoining parcels.
2. "Wind turbine" means any machine used to produce electricity by converting the kinetic energy of wind to electrical energy. Wind turbines consist of the turbine apparatus and any other buildings, support structures or other related improvements necessary for the generation of electric power. (Ord. 2002-19 (part), 2002)

### **17.61A.030 Development uses, requirements, and restrictions.**

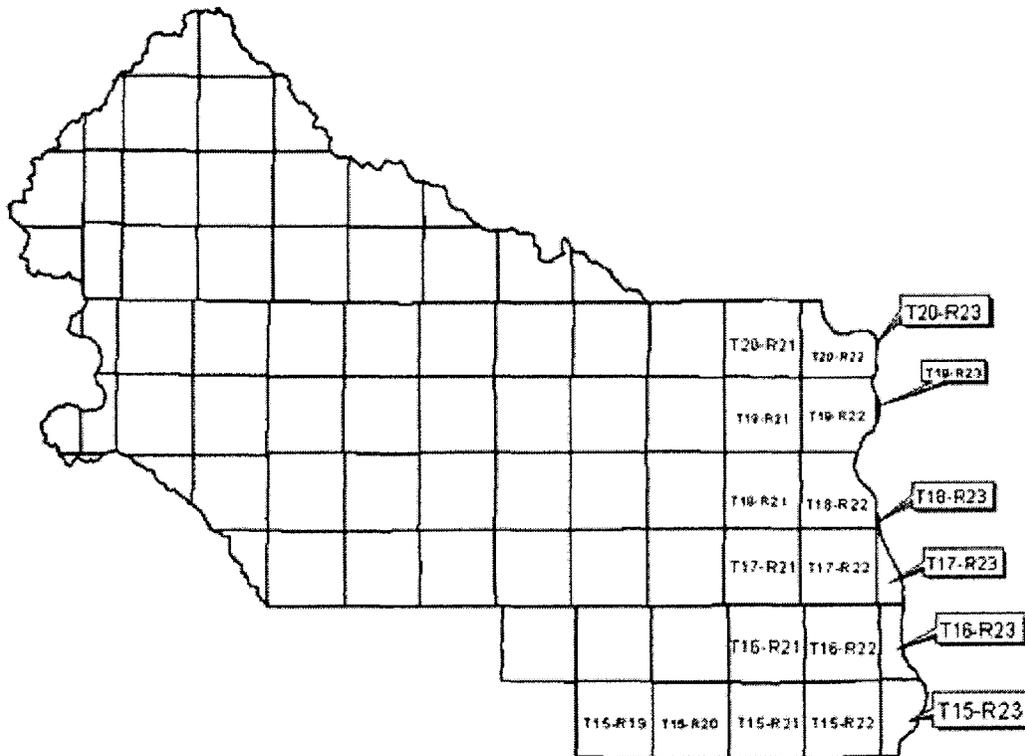
Development uses, requirements, and restrictions. All listed permitted uses in the underlying zoning district of this overlay zone are permitted. All listed conditional uses in the underlying zoning district of this overlay zone are subject to conditional use permit process and review. Wind farms are a permitted use in a wind farm resource overlay zoning district, subject to the additional approval requirements and restrictions set forth in KCC 17.61A.040. (Ord. 2002-19 (part), 2002)

### **17.61A.035 Pre-identified areas for siting.**

For proposed wind farms located in identified areas in Kittitas County meeting specific siting standards as identified in this code, a process separate from the requirement for wind farm resource overlay zone as identified in Kittitas County Code 17.61A.40 can be undertaken.

The purpose of this code is to identify areas where environmental review and public process has already occurred, expediting the siting of proposed wind farm facilities. The intent of this code is to streamline the development process for such applications, separate from the process already allowed in 17.61A.40. It is recognized that lands contained within this area may be under federal, state and local ownership and may be subject to additional requirements per jurisdiction.

A map of the pre-identified areas identifies the following Townships and Ranges open to this process. This includes T.15N., Ranges 19E., 20E., 21E., 22E., 23E., T.16N., Ranges 21E., 22E., 23E., T.17N., Ranges 21E., 22E., 23E., T.18N., Ranges 21E., 22E., 23E., T.19N., Ranges 21E., 22E., 23E., T.20N., Ranges 21E., 22E., 23E. W.M. in Kittitas County.



The following siting standards are established for these areas: a minimum 1/2 mile setback from existing structures at the time of application shall apply. If not attainable, additional analysis shall be included to support the application. Further, analysis shall also include, but is not limited to, the following as part of the application: wildlife impact analysis, noise impact analysis, visual impact analysis, and traffic impact analysis.

A wind farm may be authorized by the county in these pre-identified areas only through approval of a site plan and development agreement by the board of county commissioners. The development agreement shall be consistent as authorized in Kittitas County Code 15A.11, Development Agreements. (Ord. 2007-22, 2007)

**17.61A.040 Approvals required for wind farm resource overlay zone.**

1. Except as noted in 17.61A.035, a wind farm may be authorized by the county only through approval of a wind farm resource development permit in conjunction with approval by the board of county commissioners of a development agreement as authorized by Chapter 15A.11 KCC, Development Agreements, and RCW 36.70B.170 through 36.70B.210. Consistent with KCC 15A.11.020(B) and RCW 36.70B.170, the development agreement approved by the board of county commissioners must set forth the development standards applicable to the development of a specific wind farm, which may include, but are not limited to:
  - a. Densities, number, size, setbacks, and location of turbines;
  - b. Mitigation measures and such other development conditions as deemed appropriate by the board of county commissioners to be necessary including measures to protect the best interests of the surrounding property or neighborhood or the county as a whole; and
  - c. Other development standards including those identified in KCC 15A.11.020(E) and RCW 36.70B.170 (3).
2. Required Applications/Approvals. In addition to approval of a wind farm resource development permit and a development agreement as set forth in subsection A of this section, a wind farm shall require the following approvals from the county:
  - a. A site-specific amendment of the comprehensive plan land use designation map to wind farm resource overlay district (the subarea planning process described in Chapter 1 of the county comprehensive plan and Chapter 15B.03 KCC, Amendments to Comprehensive Plan, may be used if deemed appropriate by the applicant and county);
  - b. A site-specific rezone of the county zoning map to wind farm resource overlay zoning district

*pursuant to Chapter 17.98 KCC, Amendments.*

3. The approvals by the board of county commissioners set forth in subsections A and B of this section shall only be made if it determined that:
  - a. The proposal is essential or desirable to the public convenience;
  - b. The proposal is not detrimental or injurious to the public health, peace, or safety or to the character of the surrounding neighborhood; and
  - c. The proposed use at the proposed location(s) will not be unreasonably detrimental to the economic welfare of the county and it will not create excessive public cost for facilities and service.
4. A comprehensive plan amendment or subarea plan for a wind farm resource overlay district must be processed by the county concurrent with the rezone application, development permit, and development agreement required for approval of a wind farm. (Ord. 2007-22, 2007; Ord. 2002-19 (part), 2002)