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Sedgwick County

525 North Main Street, 3rd Floor
Wichita, KS 67203

Agenda Staff Report

File Number: 24-2323

Agenda Date: 3/6/2024

Section: NEW BUSINESS

All Districts

File Type: Resolution

Meeting of: Board of County Commissioners

Agenda Item:

CONSIDERATION OF AN EXTENSION OF THE SOLAR ENERGY CONVERSION SYSTEMS MORATORIUM

Recommended Action: Take action as deemed appropriate by the Board of County Commissioners.

Background: For Sedgwick County, Solar Energy Conversion Systems ("SECS") are subject to Conditional Use review procedures and the regulations and standards established in the Wichita-Sedgwick County Zoning Code ("Zoning Code"). Those portions of the Zoning Code related to SECS resulted from a Sedgwick County moratorium in 2019, which allowed for the review and development of standards and regulations for wind energy and solar energy uses.

On September 13, 2023, the Sedgwick County Board of County Commissioners imposed a moratorium for approximately six months on the receipt, review, or approval of applications for SECS ("Moratorium"). During this period, Metropolitan Area Planning Department ("MAPD") staff were to review and potentially develop additional or alternative standards and regulations for SECS, which could then be considered by the Metropolitan Area Planning Commission ("MAPC"), any sub-committee(s) of the MAPC, and, ultimately, the Board of County Commissioners.

During the Moratorium, the MAPD has reviewed local and national best practices, held a town hall to solicit community feedback, presented the issue at several Advance Plans meetings to analyze potential changes to the Unified Zoning Code, presented the issue at numerous advisory councils and a Board of County Commissioners Staff Meeting, presented the topic and received a recommendation from the MAPC, and is scheduled to present potential language to the Board of County Commissioners for consideration on March 6, 2024.

The Moratorium is scheduled to end on March 20, 2024. This leaves little remaining time to finalize any potential amendments to commercial solar regulations.

Depending on any actions taken on March 6, 2024 concerning recommended changes to the Unified Zoning Code, an extension of the Moratorium might be advantageous to

give staff and County officials additional time to effectively and adequately fulfill the purpose of the Moratorium.

Were the Board of County Commissioners interested, an extension of the Moratorium could be accomplished by a simple majority vote. A sample resolution extending the Moratorium to June 21, 2024 (slightly more than three months) has been included with this Agenda Item. The Board of County Commissioners could take no action on this Item, adopt the attached resolution, or approve an extension of moratorium with modifications, such as the length of time of extension.

Financial Considerations: N/A

Legal Considerations: This legislative action is permissible pursuant to K.S.A. 12-741, et seq., K.S.A. 19-101, et seq, and the County's police powers. Approval is by a simple majority vote.

Policy Considerations: N/A

Outside Attendees: N/A

Multimedia Presentation: N/A