

**AMENDED INTERIM ORDINANCE NO.: 21-1**

**RESOLUTION ADOPTING AN EMERGENCY INTERIM ZONING ORDINANCE  
INSTITUTION AN EMERGENCY MORATORIUM ON SOLAR ENERGY FARMS.**

Whereas, the Wright County Zoning Ordinance contains standards for the issuance of a conditional use permit for Solar Energy Farms; and

Whereas, the Office of Planning and Zoning has been accepting a number of applications related to the creation of Solar Energy Farms and this has resulted in a number of comments being made by townships, cities, and members of the general public; and

Whereas, the Office of Planning and Zoning and the Wright County Planning Commission are under great development pressure with applications related to Solar Energy Farms; and

Whereas, the Wright County Board of Commissioners has been reviewing the Wright County Zoning Ordinance with respect to Solar Energy Farms and changes may be necessary to protect public health, safety, and general welfare; and

Whereas, pursuant to Minnesota Statute § 394.34, the Wright County Board of Commissioners deems it necessary to adopt an Interim Ordinance placing a moratorium on the location, establishment, and finalization of developer agreements for new Solar Energy Farms for a period of one year from the effective date of this Interim Ordinance to permit the planning process to take place and to allow County staff, the Planning Commission and the County Board sufficient time to proceed in an orderly fashion to make any necessary changes, modifications and updates to the County's Official Controls.

Whereas, an emergency situation exists and a temporary emergency moratorium is necessary to protect public health, safety, and general welfare until public hearings can be conducted on a longer term ordinance; and

Whereas, the Wright County Board of Commissioners finds:

1. A temporary emergency zoning ordinance instituting a moratorium prohibiting further Solar Energy Farms is necessary in order to hold discussions and hearings to determine whether a longer-term zoning ordinance shall be adopted and implemented, to protect the public health, safety, and general welfare of the residents of Wright County.
2. An emergency exists because based on the recent development pressure as well the comments received from the community, the townships, and the cities, the Wright County Zoning Ordinance does not afford the protection needed to ensure that the residents of Wright County are not adversely affected.

3. It is in the interests of public health, safety, and the general welfare to impose a temporary moratorium until a public hearing can be noticed and a permanent ordinance can be published pursuant to Minn. Stat. § 375.51.

NOW, THEREFORE, the Wright County Board of Commissioners Hereby Ordains:

Section 1. Temporary Restrictions on Solar Energy Farm Zoning and Permitting. For a period of one year from the effective date of this Interim Ordinance, or until such earlier time as the Wright County Board of Commissioners determines by resolution that the reasons for the interim ordinance no longer exist, no new ~~or pending~~ applications for zoning, rezoning or land use permit (including, without limitation, conditional use permits) for a Solar Energy Farm shall be accepted, processed or approved by the County.

~~Section 2. Temporary Restrictions on Solar Energy Farm Developer Agreements. For a period of one year from the effective date of this Interim Ordinance, or until such earlier time as the Wright County Board of Commissioners determines by resolution that the reasons for the interim ordinance no longer exist, staff shall not engage in any negotiations for the construction, expansion or establishment of any Solar Energy Farm and no Solar Energy Farm Developer Agreements shall be accepted, processed or approved by the County.~~

Section ~~2~~3. Definitions and Application. The term “solar energy farm” shall have the meaning given to it in Wright County Ordinance § 155.003 of the Wright County Code of Ordinances. The temporary restrictions set forth in sections 1 and 2 apply to any pending or future zoning applications and all negotiations concerning the review, approval and acceptance of developer agreements on Solar Energy Farms.

Section ~~3~~4. Enforcement. Wright County may enforce any provision of this Ordinance by any and all means authorized by Wright County Ordinances and State Statutes.

Section ~~4~~5. Effective Date. This Ordinance shall take effect on the date of its passage and shall be in effect for a period of one year from the date hereof, unless earlier terminated by the Wright County Board of Commissioners.

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Section 56. Severability. Every section, provision, or part of this Interim Ordinance is declared severable from every other section, provision, or part thereof to the extent that if any section, provision, or part of this ordinance shall be held invalid by a court of competent jurisdiction, it shall not invalidate any other section, provision, or part thereof.

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Mark Daleiden  
Chair, Wright County Board of Commissioners

ATTEST:

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Lee Kelly  
Wright County Administrator