

A Resolution to Approve Establishing a Public Hearing to Consider the Designation of Restricted Areas Which Prohibit the Construction of Large Solar Facilities in Fairfield County, Ohio

WHEREAS, Substitute Senate Bill Number 52 (hereinafter "SB 52") as enacted by the 134th Ohio General Assembly amended 4906.01, 4906.02, and 4906.10 and enacted sections 303.57, 303.58, 303.59, 303.60, 303.61, 303.62, 4906.021, 4906.022, 4906.023, 4906.024, 4906.025, 4906.101, 4906.102, 4906.103, 4906.21, 4906.211, 4906.212, 4906.22, 4906.221, 4906.222, 4906.30, and 4906.31 of the Revised Code to permit a board of county commissioners to prevent power siting board certification of certain wind and solar facilities, to provide for ad hoc members of the power siting board, and to establish decommissioning requirements for certain wind and solar facilities; and

WHEREAS, the Board of County Commissioners may adopt a resolution designating all or part of the unincorporated area of the Fairfield County as a restricted area, prohibiting the construction of large solar facilities and/or wind farms pursuant to R.C. 303.58(A) (hereinafter "the Exclusion Zone"); and

WHEREAS, R.C. 4906.01 (G) defines a large solar facility; and

WHEREAS, R.C. 4906.01 (H) defines a large wind farm and R.C. 4906.13 defines an economically significant wind farm; and

WHEREAS, R.C. 303.57 defines wind and solar generation restriction definitions; and

WHEREAS, the following townships have passed resolutions requesting that the Board of County Commissioners adopt a resolution creating "Exclusion Zones" in the unincorporated areas of their respective townships:

- a) Walnut Township via Walnut Township Resolution 33-2023;
- b) Greenfield Township via Greenfield Township Resolution 2023.11.29.03;
- c) Richland Township via Richland Township Resolution 2023-12;
- d) Amanda Township via Amanda Township Resolution 2024-02;
- e) Pleasant Township via Pleasant Township Resolution 24-020; and

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WHEREAS, pursuant to Section 4 of SB 52, certain large solar facilities that are considered “partially grandfathered” or “grandfathered” such that any resolution adopted by the Board of County Commissioners pursuant to R.C. 303.57, et seq. shall not apply to any application for a certificate, or material amendment to an existing certificate, from the power siting board for a large solar facility that is in the PJM interconnection and regional transmission organization, L.L.C., new services queue at the time the application is found to be in compliance with division (A) of section 4906.06 of the Revised Code by the chairperson of the power siting board or the chairperson's designee and is accepted by the board if, as of the effective date of this section:

- (1) The applicant has received a completed system impact study from PJM for the large solar facility; and
- (2) The applicant has paid the fee for the facilities study to PJM; and

WHEREAS, the Board of County Commissioners is aware of only one large solar facility in Fairfield County that would fall under Section 4 of SB 52, and that is the Eastern Cottontail Solar Project located in Walnut Township; and

WHEREAS, in order for the Board of County Commissioners to consider passing a resolution under R.C. 303.58, the Board is required to hold a public meeting and to provide notice of that meeting prior to passing a resolution to designate such a restricted area.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, COUNTY OF FAIRFIELD, STATE OF OHIO:

Section 1. That the Board of County Commissioners hereby schedule a special meeting for **May 21, 2024, at 10:30 am at The Liberty Center, 951 Liberty Drive, Lancaster, Ohio**, to consider whether to approve a resolution that would designate restricted areas in Fairfield County, thus prohibiting the construction of large solar facilities, not otherwise exempt under Section 4 under SB 52.

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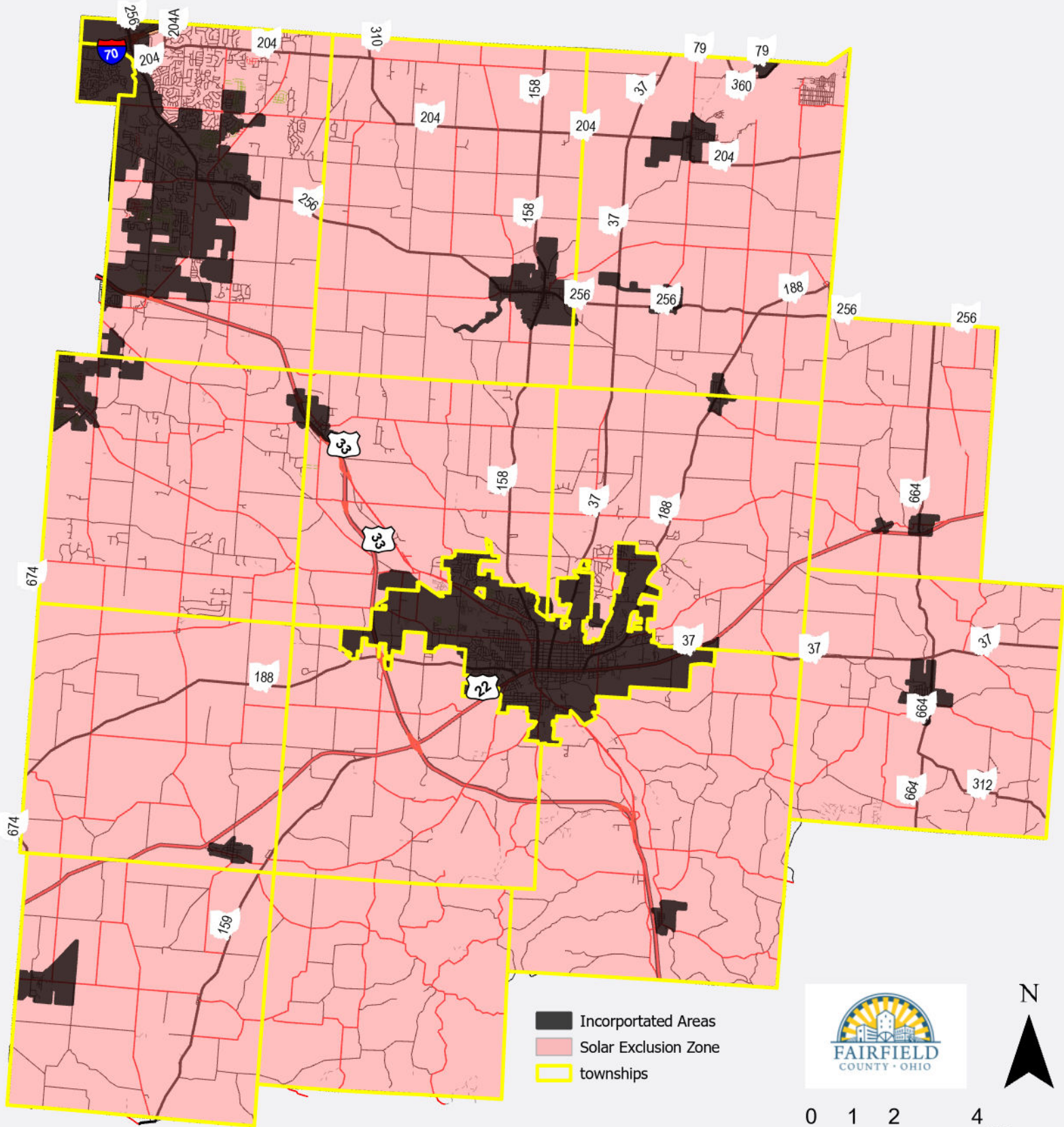
Section 2. That the Clerk of this Board is hereby directed to provide notice of such special meetings in the manner that this Board typically provides such notices, and as required by R.C. 303.58 (C) do the following at least 30 days prior to that meeting:

- Provide public notice of the date and time of the meeting by one publication in a newspaper of general circulation within the county;
- Publicly post a map showing the boundaries of the proposed restricted area at all public libraries within the county (said map is attached as part of this resolution);
- Provide written notice of the meeting, by first class mail, to all school districts, municipal corporations, and board of township trustees located in whole, or in part, within the boundaries of the restricted area.

Prepared by: Rochelle Menningen

Fairfield County, Ohio

Solar Exclusion Zone



Prosecutor's Approval Page

Resolution No.

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(Fairfield County Commissioners)

Approved as to form on 4/15/2024 3:47:46 PM by Steven Darnell,

Signature Page

Resolution No. 2024-04.16.a

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(Fairfield County Commissioners)

Upon the motion of Commissioner Jeffrey M. Fix, seconded by Commissioner Steven A. Davis, this resolution has been Adopted:

Voting:

David L. Levacy, President	Aye
Jeffrey M. Fix, Vice President	Aye
Steven A. Davis	Abstain

Board of County Commissioners
Fairfield County, Ohio

CERTIFICATE OF CLERK

It is hereby certified that the foregoing is a true and correct transcript of a resolution acted upon by the Board of County Commissioners, Fairfield County, Ohio on the date noted above.



Rochelle Menningen
Board of County Commissioners
Fairfield County, Ohio