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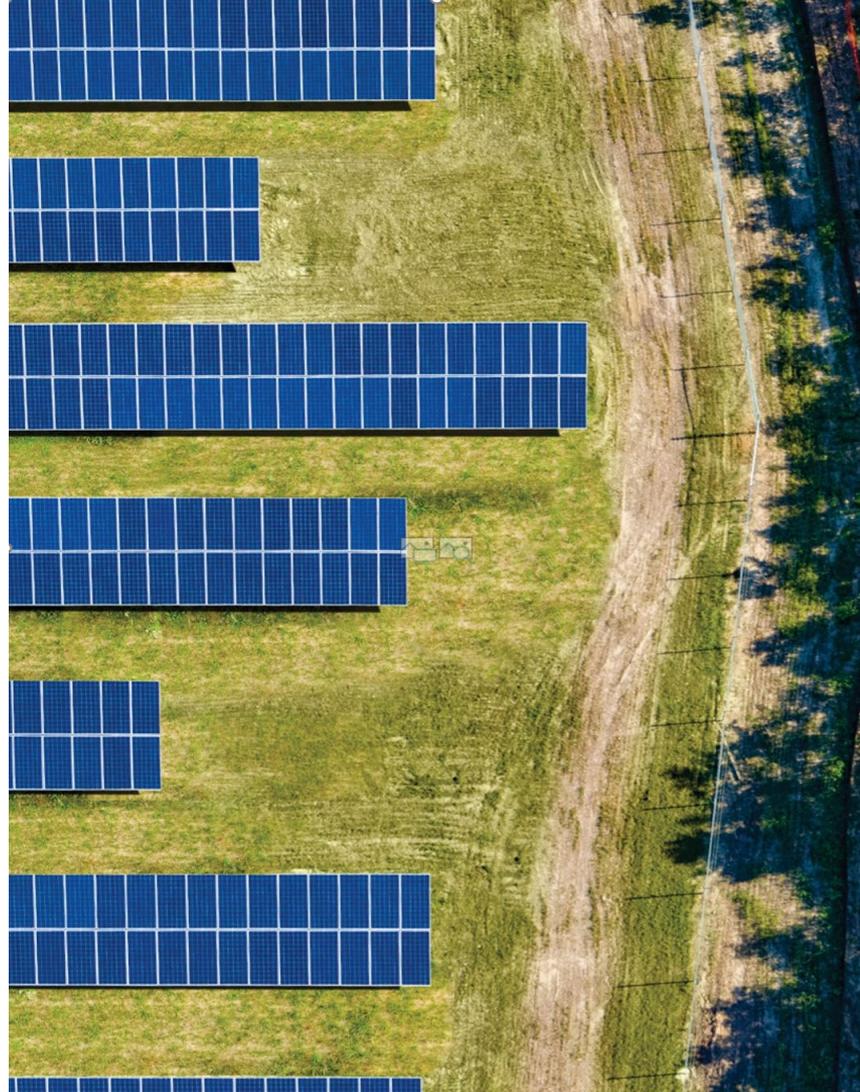
**Land Use  
Consistency**

# Ostrea Solar LLC and High Top Solar LLC

June 1, 2022

# Agenda

1. Context
2. Yakima County Land Use Code and Comprehensive Plan  
Support the Project
3. Yakima County Criteria
4. Consistency Highlights



## Context

### Land Use Consistency

- High Top
- Ostrea

The Council has determined that under RCW 80.50.010, it must ensure certified projects are aligned with “the objectives of reducing dependence on fossil fuels and transitioning to a clean energy economy, with these goals balanced against the need to maintain the availability of energy at competitive prices for consumers and businesses.”

*-In the Matter of Vancouver Energy Terminal, EFSEC Report to Governor (2017), p. 93.*

In addition to the state’s carbon-neutral by 2030 and carbon-free by 2045 energy goals (RCW 19.405.010), ESSHB 1812, amending RCW 80.50.110, supports EFSEC’s interpretation of its enabling legislation:

“The legislature finds that the in-state manufacture of industrial products that enable a clean energy economy is critical to advancing the state’s objectives in providing affordable electricity, promoting renewable energy, strengthening the state’s economy, and reducing greenhouse gas emissions.”



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## Yakima County Land Use Code and Comprehensive Plan Support the Project

- The County Code authorizes the Project as a “power generating facility,” an allowed Type 3 (conditional) use within the Agriculture Zoning District.
- The Land Use Consistency Review, ASC, Attachment A, details Project consistency with YCC 19.30.080(7)(a-i).
- Yakima County Planning Department documented its land use review concurrence (ASC, Attachment A).



# Land Use Consistency

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## Yakima County Criteria

- a. The present and future needs of the community will be adequately served by the proposed development and that the community as a whole will be benefited rather than injured.
- b. The proposed use is compatible with neighborhood land uses, the goals, objectives and policies of the Comprehensive Plan, and the legislative intent of the zoning district;
- c. The site of the proposed use is adequate in size and shape to accommodate the proposed use;
- d. All setbacks, spaces, walls and fences, parking, loading, sitiescreening, landscaping, and other features required by this Title;
- e. The proposed use complies with other development and performance standards of the zoning district and this Title;
- f. The site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use;
- g. The proposed use will have no substantial adverse effect on abutting property or the permitted use thereof;
- h. In the case of residential uses, the housing density of the development is consistent with the existing zoning densities, or the Comprehensive Plan, and that all other aspects of the development are consistent with the public health, safety, and general welfare for the development and for adjacent properties; and
- i. The development complies with all criteria in Chapter [19.18](#) applicable to the proposed use, unless otherwise administratively adjusted.

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## ASC Details Consistency Highlights

### Community Need (7a)

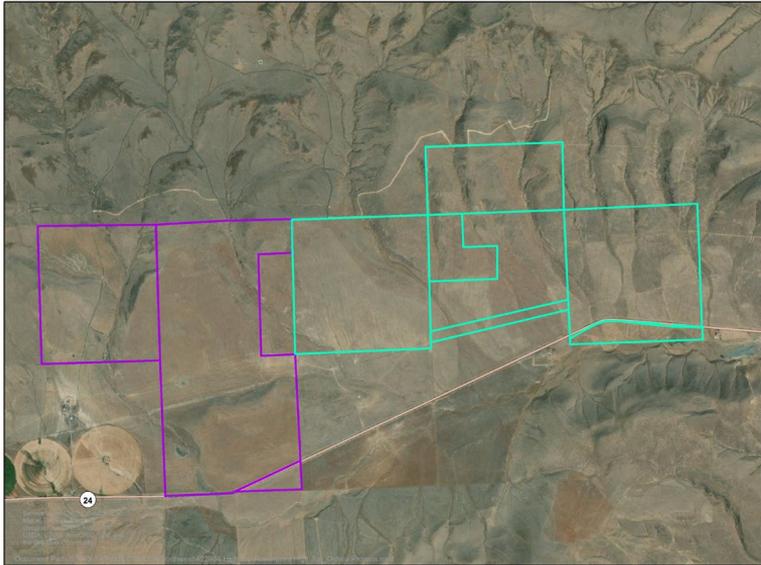
- The Project is on vacant, non-irrigated land and will not adversely impact public infrastructure or environmental resources.
- Supports the rural economy through tax revenue and lease payments.
- Overall benefit to the community.

### Comprehensive Plan Consistency (7b)

- Implements Environment Visioning Goal 5.F, which directs the County to “[c]onsider energy supply alternatives and energy conservation opportunities” and County goals to diversify the regional agricultural economy.
- Rural and agricultural goals are met. Provides economic support to minimize conversion risks. On the site, crop production non-existent for over 25 years. The weedy species dominant in previously plowed areas are not well suited for year-round livestock grazing. After its commercial life, Project would be decommissioned and removed.

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### Compatible with Neighboring Land Uses (7b, 7g)

- North of SR-24, south of Yakima Training Center, and 20-22 miles east of Moxee.
- Preliminary site plans - solar panels and access roads to not be within 300 feet of the Yakima Training Center.
- Agricultural and grazing to the west, with the nearest structure 2.5-3.6 miles away.
- Grazing to the east, with the nearest structure 850 feet east from Ostrea's boundary, and three miles from High Top's boundary.

**Transportation Addressed (7f).** The SR-24 approach onto the private access road will be improved for safety and access. County and WSDOT requirements will be met.

**Property Size and Regulatory Compliance (7c, 7d, 7e 7i).** All code requirements met or exceeded. Building Codes, Fire Codes, and other County requirements met. Property sized and located to minimize impacts and readily meet code.

**Conditions (YCC 19.30.100).** The ASC specifically addresses development standards and mitigates material impacts, environmental or otherwise.



# Questions and Discussion

Thank you.

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