# BEFORE THE BOARD OF COMMISSIONERS FOR MORROW COUNTY, OREGON

AN ORDINANCE AMENDING THE MORROW	)	Ordinance Number
COUNTY COMPREHENSIVE PLAN SPECIFICALLY	)	ORD-2018-1
TAKING AN EXCEPTION TO GOAL 3 TO ALLOW	)	
DEVELOPMENT OF A SOLAR PHOTOVOLTAIC ENERGY	)	
GENERATION FACILITY AND ASSOCIATED	)	
EQUIPMENT ON LAND ZONED EXCLUSIVE FARM USE	)	

WHEREAS, ORS 203.035 authorizes Morrow County to exercise authority within the county over matters of County concern; and

WHEREAS, Morrow County adopted a Comprehensive Land Use Plan which was first acknowledged by the Land Conservation and Development Commission on January 15, 1986, with the Economic Element update acknowledged in May 2016; and

WHEREAS, the Morrow County Planning Department received applications for a Conditional Use Permit and Goal 3 Exception to allow development of up to a 99 acre solar photovoltaic energy generation facility on land zoned Exclusive Farm Use (EFU) (referred hereafter as the "Harp Solar Project"); and

WHEREAS, the Morrow County Planning Commission held a public hearing on Tuesday, April 24, 2018, at the Bartholomew Building in Heppner, Oregon, to considered both the Conditional Use Permit and the Goal 3 Exception applications for the Harp Solar Project; and

WHEREAS, the Morrow County Planning Commission received testimony in favor of the applications, and after discussion, approved the Conditional Use Permit and recommended approval of the Goal 3 Exception to the Morrow County Board of Commissioners. In doing so, the Morrow County Planning Commission adopted the Harp Solar Project Final Findings of Fact approving the Conditional Use Permit and the Final Findings of Fact recommending approval of the Goal 3 exception; and

WHEREAS, the Morrow County Board of Commissioners held a hearing to consider the Goal 3 Exception recommendation from the Morrow County Planning Commission on May 30, 2018, at the Bartholomew Building in Heppner, Oregon; and

WHEREAS, the Morrow County Board of Commissioners received testimony in favor of the Goal 3 Exception and no opposition testimony; and

WHEREAS, the Morrow County Board of Commissioners accepted the Planning Commission recommendation to approve the Goal 3 Exception and approved the Goal 3 Exception in a 3-0 vote.

NOW THEREFORE BE IT ORDAINED THAT THE MORROW COUNTY BOARD OF COMMISSIONERS AMENDS THE MORROW COUNTY COMPREHENSIVE PLAN AGRICULTURAL LANDS ELEMENT AND CREATES THE EXCEPTIONS ELEMENT TO REFLECT APPROVAL OF A GOAL 3 EXCEPTION FOR UP TO A 99 ACRE SOLAR PHOTOVOLTAIC ENERGY GENERATION FACILITY AND ASSOCIATED EQUIPMENT ON LAND ZONED EXCLUSIVE FARM USE.

#### Section 1 Title of Ordinance:

This Ordinance shall be known, and may be cited, as the "2018 HARP Solar Farm Goal 3 Exception."

Section 2 Affected and Attached Documents:

The Morrow County Comprehensive Plan Agricultural Lands Element is amended to include information about the HARP Solar Farm Goal 3 Exception.

The Morrow County Comprehensive Plan Exceptions Element is established with the adoption of this Ordinance to include the necessary information to support approval of the Harp Goal 3 Exception and other exceptions to the Morrow County Comprehensive Plan in the future.

Section 3 Emergency Clause and Effective Date:

The Morrow County Board of Commissioners does declare an emergency as the Harp Solar Project has time-sensitive deadlines and completion of the land use component is necessary to allow other project approvals to be reviewed and approved.

This ordinance shall be effective immediately upon its reading.

Date of First Reading:

June 13, 2018

Date of Second Reading:

June 13, 2018

**ADOPTED** BY THE MORROW COUNTY BOARD OF COMMISSIONERS THIS 13<sup>TH</sup> DAY OF JUNE 2018.

Ordinance Number ORD-2018-1

**BOARD OF COMMISSIONERS OF** MORROW COUNTY, OREGON

Don Rusself.

Jim Doherty, Commission

Melissa Lindsay, Compassioner

Approve as to Form:

Morrow County Counsel

MORROW COUNTY, OREGON CJ2018-0089 Commissioners' Journal

06/14/2018 11:55:48 AM





## **AGENDA ITEM COVER SHEET**

Morrow County Board of Commissioners (Page 1 of 2)

;	(For BOC Use)
	Item #
	$\pi$
	_ (
	Tob
	<b>(1)</b>
L	

Please complete for each agenda item submitted for consideration by the Board of Commissioners (See notations at bottom of form)

Staff Contact: Carla McLane Department: Planning Short Title of Agenda Item: HARP SolarPr Adoption of Of	Requested Age	r (Ext): 541-922-4624 or 5505 enda Date: 06132018 oal 3 Exception				
This Item Involve  Order or Resolution  Ordinance/Public Hearing:  1st Reading  2nd Readin  Public Comment Anticipated: Estimated Time:  Document Recording Require  Contract/Agreement	g Consent Ag Discussion Estimated	ents Project/Committee genda Eligible				
Contractor/Entity: Contractor/Entity Address: Effective Dates – From: Total Contract Amount:	Authorizations, Contracts & Agreements  Through: Budget Line:  Yes No					
Reviewed By:						
Carla McLane 06312018  DATE	Department Head	Required for all BOC meetings				
DATE	///dmin. Officer/BOC Office	Required for all BOC meetings				
Rich Tovey (via email)	_County Counsel	*Required for all legal documents				
DATE	_Finance Office	*Required for all contracts; other items as appropriate.				
	Human Resources	*If appropriate				

Note: All other entities must sign contracts/agreements before they are presented to the Board of Commissioners (originals preferred). Agendas are published each Friday afternoon, so requests must be received in the BOC Office by 1:00 p.m. on the Friday prior to the Board's Wednesday meeting. Once this form is completed, including County Counsel, Finance and HR review/sign-off (if appropriate), then submit it to the Board of Commissioners Office.

\*Allow I week for review (submit to all simultaneously). When each office has notified the submitting

department of approval, then submit the request to the BOC for placement on the agenda.

DATE

#### AGENDA ITEM COVER SHEET

Morrow County Board of Commissioners (Page 2 of 2)

### 1. ISSUES, BACKGROUND, DISCUSSION AND OPTIONS (IF ANY):

This is the next step following the Public Hearing to consider the Goal 3 exception just two weeks ago. Attached is Ordinance ORD-2018-1, Rich Tovey's 'approve as to form' for the Ordinance, the Agricultural Lands Element as amended for replacement in the Comprehensive Plan, followed by the documents that will comprise the first entry into the Exceptions Element. For this action it will include the Planning Commission Findings of Fact and portions of the application (applicant's narrative and attachments).

#### 2. FISCAL IMPACT:

There is no direct fiscal impact based on this action.

#### 3. SUGGESTED ACTION(S)/MOTION(S):

I move to approve Ordinance ORD-2018-1 thereby taking an exception to Goal 3 Agricultural Lands to allow development of a solar photovoltaic energy generation facility and associated equipment on lands zoned Exclusive Farm Use. This motion includes declaration of an emergency as the HARP Solar Project has time-sensitive deadlines and completion of the land use component is necessary to allow other project approved to be reviewed and approved timely.

Attach additional background documentation as needed.