

**BEFORE THE BOARD OF COMMISSIONERS
FOR MORROW COUNTY, OREGON**

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| 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 consider 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 13TH DAY OF JUNE 2018.

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



Don Russell, Chair




Jim Doherty, Commissioner



Melissa Lindsay, Commissioner

Approve as to Form:



Morrow County Counsel

MORROW COUNTY, OREGON **CJ2018-0089**
Commissioners' Journal **06/14/2018 11:55:48 AM**



I, Bobbi Childers, County Clerk for Morrow County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

Bobbi Childers - County Clerk



AGENDA ITEM COVER SHEET

Morrow County Board of Commissioners

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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.