

RECEIVED

JUN 28 2011 THE BOARD OF COMMISSIONERS OF UMATILLA COUNTY

UMATILLA COUNTY RECORDS

STATE OF OREGON

In the Matter of Amending)
 Development Code for Wind) ORDINANCE NO. 2011-06
 Power Generation Facility)
 Conditional Use Permits -)
 Rural Residence Setbacks)

WHEREAS on May 20, 2003, the Board of Commissioners adopted Ordinance No. 2002-02, establishing requirements for the siting of wind power generation facilities, codified at Section 152.616 (HHH) of the Umatilla County Code of Ordinances;

WHEREAS the Planning Commission and Planning Department staff have drafted updates to the siting standards for wind power generation facilities;

WHEREAS the Umatilla County Planning Commission held work sessions and discussions on the matter a number of times, including December 17, 2009, and January 13, 2011, and held a public hearing regarding the proposed amendments on November 18, 2010 and February 24, 2011, and forwarded the proposed amendment to the Board of Commissioners with a recommendation for adoption;

WHEREAS the Board of Commissions held a public hearing on March 17, 2011, continued to May 12, 2011, June 14, 2011 and June 28, 2011, to consider the proposed amendments, and voted 2 in favor and 1 against to approve the amendments to the Land Development Ordinance as set out in this ordinance.

NOW, THEREFORE the Board of Commissioners of Umatilla County ordains the adoption of the following amendment to the County Land Development Ordinance, codified in Chapter 152 of the Umatilla County Code of Ordinances, to amend as follows (Strikethrough text is deleted; Underlined/Italicized text is added):

§152.616 STANDARDS FOR REVIEW OF
 CONDITIONAL USES AND LAND USE
 DECISIONS.

(HHH) Commercial Wind Power Generation Facility.

(6) Standards/Criteria of Approval The following requirements and restrictions apply to the siting

of a Wind Power Generation Facility:

(A) Setbacks. The minimum setback shall be a distance of not less than the following:

The Wind Power Generation Facility shall be on property zoned EFU/GF or NR, and no portion of the facility shall be within 3,520 feet of properties zoned residential use or designated on

~~the Comprehensive Plan as residential. (For clarification purposes of this section, EFU/GF/NR zones are not considered zoned for residential use.)~~

purposes of this section, a "rural residence" is defined as a legal, conforming dwelling existing on the parcel at the time an application is deemed complete. The measurement of the setback is from the centerline of the turbine tower to the centerpoint of the residence.

(3) From a turbine tower to a rural residence shall be 2 miles, unless the landowner of the rural residence authorizes by written waiver of a lesser setback and the waiver is recorded with the county deed records. For

FIRST READING: June 14, 2011

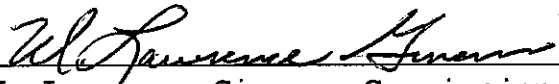
SECOND READING: June 28, 2011

DATED this 28th day of June, 2011.

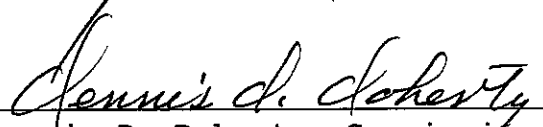
UMATILLA COUNTY BOARD OF COMMISSIONERS

IN OPPOSITION

William S. Hansell, Chair



W. Lawrence Givens, Commissioner



Dennis D. Doherty, Commissioner

ATTEST:
OFFICE OF COUNTY RECORDS



Records Officer

