

# PROPOSED AMENDMENTS

## 2/15/18

~~DELETIONS IN STRIKEOUT~~  
**ADDITIONS IN BOLD AND UNDERLINED**

Amending Chapter 17.120 of the Marion County Code (Rural Zone Code)

### Chapter 17.120 SPECIFIC CONDITIONAL USES

#### 17.120.110 Photovoltaic solar power generating facilities.

Photovoltaic solar power generating facilities shall be subject to the following criteria and definitions:

B. For high-value farmland soils described at ORS 195.300(10), the following must be satisfied:

6. The project is not located on high-value farmland soil unless it can be demonstrated that:

a. Non-high-value farmland soils are not available on the subject tract; or

b. Siting the project on non-high-value farmland soils present on the subject tract would significantly reduce the project's ability to operate successfully; or

c. The proposed site is better suited to allow continuation of an existing commercial farm or ranching operation on the subject tract than other possible sites also located on the subject tract, including those comprised on non-high-value farmland soils; **and,**

**d. In addition to (a), (b), or (c) of this subsection, the applicant shall demonstrate that it is neither profitable nor economically feasible to farm the proposed site of the location of the facility. Evidence shall include consideration of the following factors:**

**i. Soil conditions, such as the presence of rocks or wet soils.**

**ii. Steep slopes.**

**iii. Lack of water rights precludes irrigation.**

**iii. Isolation from other lands being farmed.**

**iv. Other factors.**

C. For arable lands the following must be satisfied:

6. The project is not located on high-value farmland or arable soils unless it can be demonstrated that:

a. Nonarable soils are not available on the subject tract; or

b. Siting the project on nonarable soils present on the subject tract would significantly reduce the project's ability to operate successfully; or

c. The proposed site is better suited to allow continuation of an existing commercial farm or ranching operation on the subject tract than other possible sites also located on the subject tract, including those comprised of nonarable soils; **and,**

**d. In addition to (a), (b), or (c) of this subsection, the applicant shall demonstrate that it is neither profitable nor economically feasible to farm the proposed site of the location of the facility. Evidence shall include consideration of the following factors:**

**i. Soil conditions, such as the presence of rocks or wet soils.**

**ii. Steep slopes.**

**iii. Lack of water rights precludes irrigation.**

**iii. Isolation from other lands being farmed.**

**iv. Other factors.**