

LAND CONSERVATION AND DEVELOPMENT DEPARTMENT
OREGON ADMINISTRATIVE RULES
CHAPTER 660, DIVISION 033, RULE 120, TABLE 1

HV Farm	All Other	Uses
		Utility/Solid Waste Disposal Facilities
R5, 17	R5, 22	Commercial utility facilities for the purpose of generating power for public use by sale, not including wind power generation projects.
R5, 37	R5, 37	Wind power generation projects as commercial utility facilities for the purpose of generating power for public use by sale.

660-033-0130

Minimum Standards Applicable to the Schedule of Permitted and Conditional Uses
(current)

- (5) Approval requires review by the governing body or its designate under ORS 215.296. Uses may be approved only where such uses:
 - (a) Will not force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use; and
 - (b) Will not significantly increase the cost of accepted farm or forest practices on lands devoted to farm or forest use.
- (37) For purposes of this rule a wind power generation facility includes, but is not limited to, the following system components: all wind turbine towers and concrete pads, permanent meteorological towers and wind measurement devices, electrical cable collection systems connecting wind turbine towers with the relevant power substation including any easements containing said collection system new or expanded roads (whether temporary or permanent) constructed to serve the wind power generation facility, office and maintenance buildings, and all other necessary appurtenances. A proposal for a wind power generation facility shall be subject to the following provisions:**
 - (a) Neither a wind power generation facility nor any components of a wind power generation facility described in the above paragraph may be sited on high-value

1 farmland soils described at ORS 195.300(10) unless an exception for the entire
2 project is taken pursuant to OAR Chapter 660, Division 004.
3

4 (b) For arable lands, meaning lands that are cultivated or suitable for cultivation but
5 not including high-value farmland soils described at ORS 195.300(10), the
6 governing body or its designate must find that:
7

8 (A) The proposed wind power facility will not unnecessarily create negative impacts on
9 existing agricultural operations conducted on the subject property, now or in the
10 future. Negative impacts could include, but are not limited to, the unnecessary
11 construction of roads, dividing a field or multiple fields in such a way that creates
12 small or isolated pieces of property that are more difficult to farm, and placing
13 wind farm components, such as, meteorological towers on lands in a manner that
14 could disrupt common and accepted farming practices; and
15

16 (B) The presence of a proposed wind power facility will not result in unnecessary soil
17 erosion or loss that could limit agricultural productivity on the subject property or
18 increase costs for farm or ranch operators. This provision may be satisfied by the
19 submittal and county approval of a soil and erosion control plan prepared by a
20 certified soil scientist, showing how unnecessary soil erosion will be avoided or
21 remedied and how topsoil will be stripped, stockpiled and clearly marked. The
22 approved plan shall be attached to the decision as a condition of approval; and
23

24 (C) Construction or maintenance activities will not result in unnecessary soil
25 compaction that reduces, temporarily or permanently, the productivity of soil for
26 crop production. This provision may be satisfied by the submittal and county
27 approval of a plan prepared by a certified soil scientist, showing how unnecessary
28 soil compaction will be avoided or remedied in a timely manner through deep soil
29 decompaction. The approved plan shall be attached to the decision as a condition
30 of approval; and
31

32 (D) Construction or maintenance activities will not result in the unabated introduction
33 or spread of noxious weeds and other undesirable weeds species. This provision
34 may be satisfied by the submittal and county approval of a weed control plan
35 prepared by an adequately credentialed individual that includes a long-term
36 maintenance agreement. The approved plan shall be attached to the decision as a
37 condition of approval.
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39 (c) For nonarable lands, meaning lands that are not suitable for cultivation, the
40 governing body or its designate must find that the requirements of OAR 660-033-
41 0130(37)(b)(D) are satisfied.
42

43 (d) In the event that a wind power generation facility is proposed on a combination of
44 arable and nonarable lands as described in OAR 660-033-0130(37)(b) & (c) the
45 approval criteria of OAR 660-033-0130(37)(b) shall apply to the entire project.
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