



PLANNING COMMISSION MEETING

January 8, 2020

Crook County Planning Commission Chairperson Michael Warren II called the meeting to order at 6:00 p.m. Commissioners present in addition to Warren were George Ponte, Bob Lundquist, and Commissioner Pro Tem Lawrence Weberg. Commissioner Linda Manning participated by telephone. Commissioners Gary Bedortha, Laquita Stec, and Susan Hermreck were not present and did not participate.

Crook County Planning staff present were Planning Director Ann Beier, Planner Katie McDonald, and Technician Hannah Elliott. Crook County Fire Marshal Russ DeBoodt was also present.

Warren led all persons present in saying the Pledge of Allegiance.

WORK SESSION

Remington Ranch - Beier stated that the public hearing on the proposed Remington Ranch modification would be held at the end of the month. She said that a site visit had been conducted earlier on January 8, 2020. She said that the applicant's representatives were present to provide additional information.

Elaine said that Remington Ranch is now proposed to be a health and wellness resort, with 400 units at the rear of the property. She said that a lodge, and conference and recreation facility is to be constructed first. She provided information on the background of the present developer of the property.

Lundquist asked if the entrance to the resort is to be paved.

Elaine said that all roads within the resort are to be paved. She said that paving outside the entrance is still under discussion.

Beier commented that part of the access to the resort is on BLM land.

Lundquist questioned the reduction in the number of residential units from the original proposal.

Ponte asked what water source would be used.

Lynn Bruno a representative of the applicant said that groundwater rights are to be used for irrigation and domestic water. He said that the primary well on the property has been pump tested.

Warren asked about the locations of the wells to be used.

The applicant's representative described the well locations.

Lundquist said that area residents had brought up the issue of lighting. He said that shielded lighting should be a construction criterion.

Elaine said that the type of lighting had not yet been decided.

Beier said that guidelines for lighting are provided on an attachment to the staff report. She said that lighting will be addressed by the Design Review Committee, and that all lighting is required to be downward-directed.

Lundquist said that dark night skies are a concern. He said that this should be a condition of approval.

Tia Lewis, the applicant's attorney, said that the applicant is presently seeking conceptual approval. She said that CPRs will be recorded when plans are submitted. She said that dark night skies are important to the applicant.

Lundquist said that the area needs to be preserved.

Beier said that the issues will be considered at the public hearing.

Warren asked if there are any issues with the BLM.

Elaine said there are not.

Ponte asked about overnight lodging units.

Elaine said that the issues of ownership of lots and permanent residents will be addressed. She said that the applicant is not looking to sell homesites.

Ponte commented that the transportation situation is different from what it was in 2006.

Beier said that traffic is summarized in the first four pages of the staff report.

Manning said that she had a question about roads, and wells.

A representative of the applicant said that all internal roads are to be paved, but paving of external roads is uncertain. He said that there are five wells on the property.

Warren asked if all of the wells are to be used.

The applicant's representative said that is presently uncertain.

Weberg said that domestic water is to be provided by the largest well, with a storage system.

Beier said that the public hearing will be held at the end of January.

Warren closed the work session.

REVIEW OF MINUTES

The Commissioners reviewed the minutes for the meeting of December 11, 2019.

Lundquist described modifications which needed to be made to the minutes, and/or the relevant staff report.

The Commissioners and staff discussed the matter.

Beier said that she would seek clarification of the issue. She suggested that the Commission should hold off on modifying the minutes or the staff report.

Ponte said that approval of the minutes for December 11, 2019 should be postponed.

The Commissioners participating concurred.

PUBLIC HEARING

Warren opened the public hearing at 7:35 p.m., and presented the opening statements.

He asked whether there were any conflicts of interest, ex-parte contacts, or challenges.

Conflicts – None.

Ex-Parte Contacts – None, except for site visit at Remington Ranch.

Challenges – None.

Conditional Use Modification – Exception – Millican Solar – Ulupalakua Ranch Inc. (owner) and Millican Solar Energy, LLC (applicant) – Record Number 217-19-001228-PLNG are requesting a modification to Conditional Use Permit 217-19-000267-PLNG to expand the approved Millican Solar Energy Farm LLC, a photovoltaic (PV) solar power generation facility, from 320 to 400 acres. Commercial energy facilities are permitted as conditional uses under Crook County Code 18.16.020 and Oregon Revised Statutes (ORS 215.283) and are subject to review under Oregon Administrative Rule (OAR 660-033-130(38), Crook County Code 18.160 (Conditional Uses) and 18.161 (Commercial Power Generating Facilities). The proposed modification will also require an exception to Statewide Planning Goal 3 (Agricultural Lands) as required by OAR 660-04. The property is identified as T 15 S R 15 EWM TL 2100.

Beier said that the proposal would increase the size of the facility from 320 acres to 400 acres. She said that state approval is no longer needed, but that notice is required to the state Department of Historic Preservation, the Oregon Military Department, the Oregon Department of Fish and Wildlife (ODFW), and relevant tribal governments. She said that the Oregon Department of Land Conservation and Development (DLCD) had not changed their rules, which would require an exception to Statewide Planning Goal 3 (Agricultural Lands) as required by OAR 660-04. She said that a determination is required that there are no alternative sites for the facility.

Beier described the surrounding properties. She said that the area of the proposed expansion is connected to the area for which the facility has already been approved.

Warren asked if there were any nearby residences.

Beier said there were none within 1000 feet.

Lori Murphy, the applicant's attorney, and Laura Miner, the applicant's representative, testified in support of the proposal.

Murphy said that the state legislature had updated the statutes relating to solar power generation facilities. She said that the applicant wants to install the same number of solar panels over a larger area. She said that no additional infrastructure is being proposed. She said that they are now required to comply with the agricultural exception process, due to the increased acreage.

She said that other possible sites for the facility do not meet the applicant's needs. She said that no additional property owners are included within the notification area for the addition, but additional state agencies must be notified. She said that there will be no additional impacts.

Miner said that the purpose of the increased area is to avoid shading of some solar panels by others.

Warren asked why the change is being made.

Miner said it will result in greater efficiency.

Weberg said that he wished to protest the required contribution to ODFW.

Beier said that proposed Condition 6 requires consultation with ODFW. She said that the County can participate in the consultation.

Murphy waived holding the record open for seven days.

Warren closed the public hearing.

Ponte moved for approval,

Lundquist seconded.

The Commissioners participating approved the motion by a vote of 5-0.

Conditional Use Modification – Millican Solar – Ulupalakua Ranch Inc. and Crook County (owners) and Prineville Solar Energy, LLC (applicant) – Record Number 217-19-001229-PLNG are requesting a modification to Record Number 217-15-000266-PLNG approving a 320 acre photovoltaic (PV) solar power generation facility. The project was modified in June 2019 to reduce the size of the site to approximately 244 acres (property owned by Crook County) and to add an operations and maintenance building. The applicant is now requesting to modify the conditional use permit to reflect the original approval of 320 acres, with the operations and maintenance building. The property is identified as T 15 S R 15 EWM TL 314 (approximately 244 acres) and the northern portion of T 15 S R15 EWM TL 2100.

Warren asked if there were any conflicts, ex-parte contacts, or challenges.

Conflicts – None.

Ex-Parte Contacts – None.

Challenges – None.

Beier said the facility is being brought back to the original size of 320, and an operations and maintenance building is being added. She said that no additional conditions are being added.

Lori Murphy and Laura Miner testified in support of the proposal.

Murphy said there are no new restrictions on distances between solar power facilities owned by the same entity.

Miner said that the facility is under construction. She said that trees have been removed and foundations laid.

Beier said that a juniper removal plan is needed. She said that the applicant must talk to the state Department of Environmental Quality (DEQ).

Lundquist moved for approval.

Ponte seconded.

The Commissioners participating approved the motion by a vote of 5-0.

Murphy waived holding the record open for seven days.

OTHER BUSINESS

McDonald said that the yearly housekeeping session is being postponed to February 12.

DeBoodt addressed the tree burning project, and proposed putting it on the agenda for February 12. He said that approval is required because it is within three miles of the city.

Warren closed the meeting at 7:35 p.m.

