

Solar Collection System Variance Information & Submittal Requirements



Planning Department
231 NE Fifth Street • McMinnville, OR 97128
(503) 434-7311 Office • (503) 474-4955 Fax
www.mcminnvilleoregon.gov

Overview

While solar collection systems are designed as an alternative means to provide energy, sometimes, the size and design of such systems may not allow them to fit within the setback requirements established by the Zoning Ordinance. A setback variance may be requested when a solar energy collection system, either active or passive (which is attached to an existing structure) does not meet the minimum setback requirements for the zone of that particular property. A request for a solar collection system variance is subject to review by the Planning Commission at a public hearing.

For more information about a solar collection system variance request, refer to Section 17.74.120 (Variance for Solar Collection Systems) of the Zoning Ordinance.

Application Submittal

The following materials must be provided at the time of submittal, or the application will not be accepted for processing.

- A completed Solar Collection System Variance application form. Please provide as thorough an explanation as possible keeping in mind the review criteria indicated below for granting a variance. If additional explanation or material would assist or support the request, attach these and include them with the application form.
- A site plan (drawn to scale, with a north arrow, legible, and of a reproducible size), clearly showing existing and proposed buildings, dimensions, and adjacent street(s), distances from property lines, location of the solar collection device, and access.
- Payment of the applicable review fee.

Review Process

An application for a solar variance is subject to a public hearing before the McMinnville Planning Commission. In advance of such hearing, public notice is provided to neighboring property owners advising them of the proposed request and inviting their participation in the upcoming hearing. The procedure for providing notification of the request and the public hearing process is outlined in Section 17.72.120 (Applications – Public Hearings) through 17.72.130 (Public Hearing Process) of the Zoning Ordinance.

A request for a solar collection system variance is subject to compliance with the following criteria and conditions:

- A. Granting of the variance will in no way hinder access to public utilities or fire access;

- B. Granting of the variance will not unduly restrict solar access to surrounding properties;
- C. Granting of the variance will not unreasonably invade the privacy of adjoining properties;
- D. The variance requested is the minimum variance which would allow the construction of the system;
- E. The system must meet the minimum standards for tax credit certification from the Oregon Department of Energy; and
- F. The system must be designed to provide no less than 10 percent of the total energy requirements for the principal use.

In granting a solar variance, the Planning Commission may attach conditions which it finds necessary to protect the best interests of surrounding properties or neighborhood and otherwise achieve the purposes of the zoning ordinance.

The decision made by the Planning Commission may be appealed to the City Council as outlined in Section 17.72.180 (Appeal from Ruling of Planning Commission) of the Zoning Ordinance.



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Office Use Only:

File No. _____
Date Received _____
Fee _____
Receipt No. _____
Received by _____

Solar Collection System Variance Application

Applicant Information

Applicant is: Property Owner Contract Buyer Option Holder Agent Other _____

Applicant Name _____ Phone _____

Contact Name _____ Phone _____
(If different than above)

Address _____

City, State, Zip _____

Contact Email _____

Property Owner Information

Property Owner Name _____ Phone _____
(If different than above)

Contact Name _____ Phone _____

Address _____

City, State, Zip _____

Contact Email _____

Site Location and Description

(If metes and bounds description, indicate on separate sheet)

Property Address _____

Assessor Map No. R4 - - Total Site Area _____

Subdivision _____ Block _____ Lot _____

Comprehensive Plan Designation _____ Zoning Designation _____

1. Setback Variance

Front: Requirement _____ Reduction to _____
Rear: Requirement _____ Reduction to _____
Side: Requirement _____ Reduction to _____

2. Explain why the solar collection system cannot be constructed on the lot without violating setback requirements. _____

3. Explain why the variance, if granted, will not unduly restrict solar access to surrounding properties and unreasonably invade the privacy of adjoining properties. _____

4. What percentage of the total energy requirements of the principal structure on the lot will be provided by the solar collection system if the variance is approved? _____%
(Attach documentation)

5. Does the system meet the minimum standards for tax credit certification for the Oregon Department of Energy? Yes _____ No _____ **(Attach documentation)**

In addition to this completed application, the applicant must provide the following:

- A site plan (drawn to scale, with a north arrow, legible, and of a reproducible size), clearly showing existing and proposed buildings, dimensions, and adjacent street(s), distances from property lines, location of the solar collection device, and access.*
- Other data or information which would help substantiate or clarify your request.*
- Payment of the applicable review fee, which can be found on the Planning Department web page.*

I certify the statements contained herein, along with the evidence submitted, are in all respects true and are correct to the best of my knowledge and belief.

Applicant's Signature

Date

Property Owner's Signature

Date