

EFSEC Land Use Hearing  
Whistling Ridge Wind Project  
May 7, 2009

- 1 Compatibility
  - a. All land uses adjacent and near the project are Forest and Agriculture. Wind generators are compatible with both these uses. There has been much said about the residence's near the wind mill but those residences are only allowed in the national scenic area because they are necessary for the agriculture use. The farming activities that must be done to accomplish the agriculture operation are far more intrusive and closer to the residences than the wind mills.
  - b. As stated in the application and explained by Mr. Spadaro commercial forest products will continue to be grown and harvested on the lands near the wind mills.
  
- 2 Columbia River Gorge National Scenic Area.
  - a. It has never ceased to amaze me of perceptions of what boundaries of places like CRGNSA or Wilderness Areas mean. To many of us they mean inside these areas activities will be limited, i.e. Clear-cuts will not be allowed in Wilderness's and wind mill will not be allowed in the NSA and we would not think to ask they be allowed. To others though it means regulate activities inside the area to the maximum possible and through the loop as far outside the boundary as possible. From some places inside the NSA visually impacts will occur but those impacts will not be caused by an activity in the NSA. SDS like many other landowners lost untold value on their properties inside the NSA. In all fairness to cause them to lose even more value outside the NSA as a result of being next to it is going beyond the pale.

Frank Backus  
551 HWY 141  
White Salmon, Wa. 98672

Sally A. Newell

142 Dona Rd.

P.O.Box 186

Underwood, WA 98651

Thank you for the opportunity to comment on the land use consistency of the proposed Whistling Ridge Energy Project.

If this project was consistent with the underlying county zoning, why would Skamania County have bothered to try to change the zoning to allow it?

I have attached pertinent pages from the county zoning code, obtained by me at the planning office from county planning staff on Monday of this week. I was assured that these pages address the zoning now in place at the location of the proposal.

As a former gorge commissioner, I have more than a nodding acquaintance with planning and zoning. As I read the allowed uses, administrative uses and conditional uses, I see nothing that allows an industrial wind farm at the location proposed.

That is all I have to say at this time, but I wish to be included as a party of record in this matter.

Last adopted 3/27/07

**CHAPTER 21.56 - RESOURCE PRODUCTION ZONE CLASSIFICATION (FOR/AG 10 & 20)**

Sections:

- 21.56.010 Purpose - Intent.
- 21.56.020 Allowable uses.
- 21.56.025 Administrative Review uses
- 21.56.030 Conditional uses.
- 21.56.040 Temporary uses permitted.
- 21.56.050 Minimum development standards.

21.56.010 **PURPOSE - INTENT**

- A. The purposes of this zone classification are:
  - 1. To provide land for present and future commercial farm and forest operations in areas that have been and are currently suitable for such operations.
  - 2. To prevent conflicts between forestry and farm practices, and non-resource production uses by not allowing inappropriate development of land within this zone classification.
- B. It is intended that the Resource Production zone classification be permitted only within areas designated Rural II and Conservancy Land Use Areas on the County Comprehensive Plan A Map. (Ord. 1985-05 §6.8.10).

21.56.020 **ALLOWABLE USES**

- A. Forestry practices and associated management activities of any forest crop in accordance with Washington Forest Practices Act of 1974 including timber, Christmas trees, nursery stock, and surface mining.
- B. Commercial and domestic agriculture
- C. Orchards and vineyards
- D. Horticulture
- E. Cottage Occupation (In accordance with Chapter 21.70)
- F. Light home industry (In accordance with Chapter 21.70)
- G. Management of unique biological areas
- H. Management and propagation of fish and wildlife
- I. Water resources management facilities
- J. Storage of explosives, fuels, and chemicals
- K. Accessory uses normally associated with an allowable use
- L. Public and private conservation areas or structures for retention of water, soil, open space, forest, or wildlife resources.
- M. Log sorting and storage areas, scaling stations, temporary crew quarters, forest industry storage and maintenance facilities.
  - 1. The intent of the processing is initial reduction in bulk and/or to facilitate transport to secondary processing centers. Such uses shall not include the manufacture of finished wood products such as furniture, lumber, or plywood nor the retail sales of products from the site.
- N. Individual single family dwelling units used as the principal residence for the farm or forestry operator. One single-family dwelling may be permitted on lots created prior to the date of adoption of the zone classification.
- O. Family day care home (In accordance with Chapter 21.86.020).

- P. Residential care facilities (In accordance with Chapter 21.85).
- Q. Farm labor housing.
- R. Accessory equipment structures
- S. Attached communication facilities located on BPA towers (in accordance with Section 21.70.160) (Ord. 1992-06 (part): Ord. 1991-06 (part): Ord. 1985-05 §6.8.20).

21.56.025 **ADMINISTRATIVE REVIEW USES**

- A. Attached communication facilities not located on BPA towers. (In accordance with Section 21.70.160)
- B. Communication towers. (In accordance with Section 21.70.160)
- C. Co-location of communication towers (in accordance with Section 21.70.160)

21.56.030 **CONDITIONAL USES**

- A. Individual single family residences not provided in conjunction with forest or farm management, including residential and resource related development may be permitted conditionally, provided they meet the following:
  1. The subdivision or short subdivision of land or the filing of a binding site plan affecting such land shall have a notation placed on the face of the plat, subdivision covenants, documents of conveyance, and building permits indicating that said parcels are situated in a Resource Production zone classification. Such parcels are therefore subject to noise, dust, smoke, and odors resulting from harvesting, planting, fertilization, and pest control associated with usual and normal resource management practices, and as such these normal forestry and farm practices when performed in accordance with state and federal law, shall not be subject to legal action as public nuisances.
  2. All residential and recreational development within the Resource Production zone classification shall maintain approved fire trails or other effective fire line buffers on their perimeters with commercial resource land as established by the local fire district. Such development shall also provide adequate fire suppression as approved by the local fire district and Department Of Natural Resources.
  3. The creation of any residential or recreational parcel in the Resource Production zone classification shall be accompanied by a filed and recorded restrictive covenant requiring spark arresters on all chimneys.
  4. New residential or recreational domestic water supplies shall be certified by the Southwest Washington Health District and shall not be located on or within 100 feet of adjacent property without a recorded easement from the adjacent property owner.
  5. Residential and recreational developments and individual lot owners outside of an established solid waste service area shall be responsible for providing adequate solid waste disposal service.
- B. Recreational facilities
- C. Semi-public facilities and utilities
- D. Sawmills, shake and shingle mills, chippers, pole and log yards
- E. Geothermal energy facilities
- F. Aircraft landing fields
- G. Cluster developments
- H. Child mini day care center (In accordance with Section 21.86.030)
- I. Child day care center (In accordance with Section 21.86.040)

21.56.040 **TEMPORARY USES PERMITTED**

Temporary uses shall be permitted in accordance with the requirements of Section 21.70.120. (Ord. 1985-05 §6.8.40).

21.56.050 **MINIMUM DEVELOPMENT STANDARDS**

A. **LOT SIZE**

Minimum lot sizes, dimensions, and proportions shall be either 10 acres in the FORAG 10 zone classification or 20 acres in the FORAG 20 zone classification. The lot depth should not exceed the width by more than a ratio of four to one (four being the depth). Access panhandles shall not be taken into account as part of the area calculation.

B. **DENSITY REQUIREMENTS**

Single-family: Each single-family housing unit including mobile homes shall require the minimum lot area listed in subsection A of this section.

C. **SETBACKS**

1. Front yard: No building or accessory building shall be constructed closer than 50 feet from the centerline of the public road right-of-way or 35 feet from the centerline of a private road (not including private driveways), or 20 feet from the property line whichever is greater.
2. Side yard: On each side of the building or accessory building the side yard shall be not less than 25 feet.
3. Rear yard: A rear yard shall be not less than 25 feet.
4. Non-conforming lots: Lots of less than 2 acres in size shall conform to at least standard Building Code setback requirements for unzoned lots.
5. A Yard That Fronts On More Than One Road: A setback requirement for the front yard of a lot that fronts on more than one road shall be the required setback for the zone classification. All other frontages shall have a setback of 15 feet from the property line, or the edge of the public road right-of-way or private road easement, whichever is greater if the parcel is less than 2 acres. If the parcel is greater than two (2) acres, the setback shall be 20 feet from the property line, or the edge of the public road right-of-way or private road easement, whichever is greater.
6. Setbacks from cul-de-sacs and hammerhead turn arounds shall be 20 feet from the property line, or the edge of the public road right-of-way or private road easement, whichever is greater.

D. **OTHER STANDARDS**

1. Building height limit for permitted uses shall not exceed 35 feet above average site grade, with the exception of Section. 21.70.050
2. Standards for off-street parking shall comply with Section. 21.70.070 (Ord. 1992-06 (part): 1985-05 §6.8.50 - §6.8.54).
3. No building or structure may be located within any easement.