

County wind regs may contradict themselves

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Natrona County may have another problem with its commercial wind farm regulations about distances separating towers and houses, according to a homeowner near the proposed wind farm on the former Texaco refinery site northeast of Evansville.

"It would take my whole property," Stan Mundy said Tuesday.

One paragraph in the regulations states wind turbines and their towers must be at least a quarter-mile away from any primary structure such as a residence, while another says they must be a half-mile away if the primary building is in certain zoning districts.

Interim county attorney Heather Duncan-Malone sees the apparent contradiction.

"The language there has been ambiguous," Duncan Malone said. "So we're looking at it to see if it poses a problem."

In September, the county commission approved emergency regulations for "wind energy conversion systems" in anticipation of proposed commercial wind farms such as the 11-turbine project by Chevron Global Power. That project is scheduled for construction this year on the former Texaco refinery site northeast of Evansville.

Those rules included a requirement that the turbines with their 240-foot towers be set back at least a quarter-mile from any primary structure such as residences, Quonset huts, barns, commercial buildings, hospitals and child care facilities.

Mundy, who lives on East Lake Drive, found the quarter-mile radius setback from one proposed tower site would cross his property line -- but not include his house -- and wondered if that would affect his right to build another primary structure on his land.

Not so.

Mundy would not need a permit for a variance to county regulations to build another house within his property overlapped by the setback, county development director Blair Leist said at the Feb. 3 meeting when the commission approved Chevron Global's project. Leist said then he would be open to revising the regulations to require wind farms have the quarter-mile buffer entirely within the property of the company building the project.

But Mundy said he found another problem after obtaining a copy of the regulations.

Under the rules for setbacks, including the quarter-mile radius, the regulations state: "All WECS Project structures shall be set back a distance of one-half mile from any Primary Structure in Ranching, Agricultural and Mining or Urban Agricultural Zoning Districts. If such property is undeveloped, the required setback shall be at the center of the property or more restrictive point as determined by the County."

Mundy's property is zoned urban agricultural, and that half-mile radius setback would include his house, he said.

The half-mile setbacks from other proposed wind turbine tower sites on the Texaco property would include other houses along East Lake Drive, Dennis Road, and East Easy Street, according to Chevron Global's site plan.

Many of those residences are zoned rural residential, but some are not, Mundy said.

The apparent discrepancy in the regulations is not a problem for Chevron Global, because the company followed the rules set by the county, Duncan-Malone said.

Leist referred questions about the regulations to her, and she said Tuesday she would meet with him later this week to try to resolve the issue.

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