

**WASCO COUNTY  
COMMERCIAL ENERGY ORDINANCE ADVISORY GROUP  
EXISTING RULES AND REGULATIONS**

**A. Oregon Revised Statutes**

<http://landru.leg.state.or.us/ors/>

1. Oregon Department of Energy  
469 – Energy; Conservation Programs; Energy Facilities  
  
469.300 – Thresholds for County and Energy Facility Siting Council jurisdiction
2. Oregon Water Resources Department  
543 – Hydroelectric Projects
3. Exclusive Farm Use Zoning Allowable Uses  
215.275 Utility facilities necessary for public service; criteria; rules; mitigating impact of facility. Criteria necessary to justify locating of transmission lines in Exclusive Farm Use zone  
  
215.276 Required consultation for transmission lines to be located on high-value farmland.  
  
215.283(2)(g) - Commercial utility facilities for the purpose of generating power for public use by sale. This requires Conditional Use Review in the Exclusive Farm Use zone.
4. All Zones  
215.438 Transmission towers; location; conditions. The governing body of a county or its designate may allow a transmission tower over 200 feet in height to be established in any zone subject to reasonable conditions imposed by the governing body or its designate.

**B. Oregon Administrative Rules**

[http://arcweb.sos.state.or.us/rules/number\\_index.html](http://arcweb.sos.state.or.us/rules/number_index.html)

1. Oregon Department of Energy/Energy Facility Siting Council  
Division 22 – General Standards for Siting Facilities  
345-022-0000 General Standard of Review  
345-022-0010 Organizational Expertise  
345-022-0020 Structural Standard  
345-022-0022 Soil Protection  
345-022-0030 Land Use  
345-022-0040 Protected Areas

345-022-0050 Retirement and Financial Assurance  
345-022-0060 Fish and Wildlife Habitat  
345-022-0070 Threatened and Endangered Species  
345-022-0080 Scenic Resources  
345-022-0090 Historic, Cultural and Archaeological Resources  
345-022-0100 Recreation  
345-022-0110 Public Services  
345-022-0120 Waste Minimization

Division 24 – Specific Standards for Siting Facilities  
Specific Standards for Wind Facilities  
345-024-0010 Public Health and Safety Standards for Wind Energy Facilities  
345-024-0015 Siting Standards for Wind Energy Facilities

Specific Standards for Transmission Lines  
345-024-0090 Siting Standards for Transmission Lines

2. Oregon Water Resources Department

690-051 – Appropriation And Use Of Water For Hydroelectric Power And Standards For Hydroelectric Applications  
690-051-0030 – Areas Restricted from developing Hydroelectric Projects  
690-051-0060 – Consultation with Other Agencies

3. Forest Zone Allowable Uses

660-06-0025(J)(j) – Utility facilities for the purpose of generating power. A power generation facility shall not preclude more than ten acres from use as a commercial forest operation unless an exception is taken pursuant to OAR chapter 660, division 004. This requires Conditional Use Review in the Forest Zone.

C. Wasco County Comprehensive Plan

<http://co.wasco.or.us/planning/wcCompPlan.html>

1. Chapter 2 – Physical Characteristics

Section J – Natural Areas  
Section O – Energy  
Section M – Fish & Wildlife Resources  
    Subsection 5 – Land Use Conflicts & Resolutions

2. Chapter 5 – Community Facilities and Services

Section J – Parks and Recreation and Scenic Areas  
    Subsection 3 – Outstanding Scenic & Recreational Areas  
Section M – Utilities

3. Chapter 8 – Economics

4. Chapter 10 – Summary & Analysis  
Section B – Physical Characteristics  
Subsection 15 - Energy
5. Chapter 14 – Findings & Recommendations  
Section B - Goal 5 Issues
6. Chapter 15 – Goals & Policies  
Goal 6 – Air Water and Land Resources  
Goal 13 – Energy Conservation.

D. Wasco County Land Use and Development Ordinances  
<http://co.wasco.or.us/planning/wcordinance.html>

1. Chapter 2 – Development Approval Procedures
2. Chapter 3 – Basic Provisions  
Individual Zones – We will need to evaluate which type of commercial energy and transmission projects should be allowed in each zone and should there be any specific standards.

Forest Zone - 3.110(D)(10) (Consistent with OAR 660-06-0025(J)(j)) Utility facilities for the purpose of generating power. A power generation facility shall not preclude more than ten acres from use as a commercial forest operation unless an exception is taken pursuant to OAR chapter 660, division 004. This requires Conditional Use Review.

Exclusive Farm Use Zone –

3.210(E)(8) (Consistent with ORS 215.283(2)(g) Commercial utility facilities for the purpose of generating power for public use by sale.

3.210(J)(17) Wind Energy Siting Standards in EFU (This is consistent with a recent Change to OAR 660-0004 that is not yet updated on the OAR Website)

3. Chapter 5 – Conditional Use Review
4. Chapter 19 – Energy Development Review