

**PRE-APPLICATION MEETING NOTES**

**Project Number:** PA 16-17  
**Project Name:** PGE Canemah  
**Meeting Date:** April 20, 2016

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**Proposed Project:**

Portland General Electric Company (“PGE”) has proposed the addition of two wood-guyed, single monopoles to support a 57kV transmission line from the Canemah Substation to the existing Canemah-Sullivan 57kV River Crossing Tower. The new poles will be similar in style and height to the utility poles currently installed on the property.

The poles will be installed with minimal disturbance to the surrounding area by auguring a 3’ wide hole and direct-placing the poles. The hole is filled with 1’ gravel base and will be 11’ deep for the 80’ pole and 8’ deep for the 60’ pole. No trees or large vegetation will be removed during this process.

**General Information:**

- Location: 152 S McLoughlin Blvd, Oregon City, OR 97045, Tax Lots 2 2E 31CC 2790 and 2770
- Zoning: R-6 Single Family Residential District
- Previous applications/approvals: N/A (None found)
- Applicable Overlay Districts:
  - NROD (site is outside / also utility poles are exempt per [17.49.\[0\]80 - Uses allowed outright \(exempted\).](#))
  - Geologic Hazard (site is outside overlay)
  - Willamette River Greenway (Staff will make findings for compatibility – no separate permit required)

**Applications Anticipated:****1. Conditional Use**[Chapter 17.56 - CONDITIONAL USES](#)

- [17.56.010 - Permit—Authorization—Standards—Conditions.](#)
- [17.56.020 - Permit—Application.](#)
- [17.56.025 - Minor modifications to legal conditional uses.](#)
- [17.56.040 - Criteria and standards for conditional uses.](#)
- [17.56.060 - Revocation of conditional use permits.](#)
- [17.56.070 - Periodic review of conditional use permits.](#)

Explanation: a conditional use permit is required for a substation within the R-6 Single Family Residential District, and there is no prior record of an approved Conditional Use permit.

See [Chapter 17.12 - R-6 SINGLE-FAMILY DWELLING DISTRICT](#)  
[17.12.030 - Conditional uses.](#)

[17.56.010 - Permit—Authorization—Standards—Conditions.](#) *D. In the case of a use existing prior to the effective date of the ordinance codified in this title and classified in this title as a conditional use, any change of use expansion of lot area or expansion of structure shall conform with the requirements for conditional use.*

## **2. Minor Site Plan and Design Review – applicable standards**

[17.62.030 - When required.](#)

[17.62.035 - Minor site plan and design review.](#)

[17.62.040 - Plans required.](#)

[17.62.050 - Standards.](#)

[17.62.065 - Outdoor lighting.](#)

Minor Site Plan and Design Review is reserved for smaller projects which add less than 1000 square feet to an existing use. The Minor Site Plan review process is also used for minor modifications to legal conditional uses.

## **3. Variance**

[17.60.010 - Authority.](#)

[17.60.020 - Variances—Procedures.](#)

[17.60.030 - Variance—Grounds.](#)

Applicant will need to apply for a variance from OCMC 17.56.040(C) with respect to the height requirements for utility substations and for the setback distant which does not comply with OCMC 17.56.040.C. Staff will provide you with a template to prepare code responses to the “grounds” criteria:

*A variance may be granted only in the event that all of the following conditions exist:*

- A. That the variance from the requirements is not likely to cause substantial damage to adjacent properties by reducing light, air, safe access or other desirable or necessary qualities otherwise protected by this title;*
- B. That the request is the minimum variance that would alleviate the hardship;*
- C. Granting the variance will equal or exceed the purpose of the regulation to be modified.*
- D. Any impacts resulting from the adjustment are mitigated;*
- E. No practical alternatives have been identified which would accomplish the same purpose and not require a variance; and*
- F. The variance conforms to the comprehensive plan and the intent of the ordinance being varied.*

*C. Public Utility or Communication Facility. Such facilities as a utility substation, water storage tank, radio or television transmitter, tower, tank, power transformer, pumping station and similar structures shall be located, designed and installed with suitable regard for aesthetic values. **The base of these facilities***

*shall not be located closer to the property line than a distance equal to the height of the structure.  
Hydroelectric generation facilities shall not exceed ninety megawatts of generation capacity.*



## Applicant Questions:

1. Is this Conditional Use Permit and Variance specific to this construction or the entire subject property?
  - Answer: The applicant may wish to apply for a conditional use permit for the entire site, in which case further details of the larger site will be needed. Alternatively the applicant may wish to move ahead with the current project and defer the issue of the main site to a future application. It may be beneficial for the purpose of future site modifications to prepare a Conditional Use application for the entire site.
2. Will the company be required to obtain additional permits for future construction within the substation or pole placement on the property?
  - Answer: It is very likely. See below.
3. What is the construction threshold to trigger additional permitting requirements?
  - Answer: The definition of development in the OCMC is "17.04.300 - Development. "Development" means a building or grading operation, making a material change in the use or appearance of a structure or land, dividing land into two or more parcels, partitioning or subdividing of land as provided in ORS 92.010 to 92.285 or the creation or termination of an access right. Per [17.56.010 - Permit—Authorization—Standards—Conditions](#). (E) *The planning commission may specifically permit, upon approval of a conditional use, further expansion to a*

*specified maximum designated by the planning commission without the need to return for additional review.*

4. Once the conditional use permit and variance are approved, is there a date by which project construction must be completed?
  - Answer: Site Plans are good for two years, but Conditional Uses may cover a longer time frame, and/or provide for periodic review. This depends on what the applicant requests. See Per [17.56.010 - Permit—Authorization—Standards—Conditions](#). (B). *Permits for conditional uses shall stipulate restrictions or conditions which may include, but are not limited to, a **definite time limit** to meet such conditions, provisions for a front, side or rear yard greater than the minimum dimensional standards of the zoning ordinance, suitable landscaping, off-street parking, and any other reasonable restriction, condition or safeguard that would uphold the spirit and intent of the zoning ordinance, and mitigate adverse effect upon the neighborhood properties by reason of the use, extension, construction or alteration allowed as set forth in the findings of the planning commission.*

**Required Application Materials:** See checklists

#### **Planning Division**

John Stutesman, Planner with the Oregon City Planning Division reviewed your pre-application. You may contact John Stutesman at 503.496.1527 or [Iterway@orcify.org](mailto:Iterway@orcify.org).

#### **Development Services Division**

Matthew Palmer, Development Engineering Associate with the Oregon City Development Services Division reviewed your pre-application and provided notes. You may contact Matthew Palmer at 503.974.5518 or [mpalmer@orcify.org](mailto:mpalmer@orcify.org).

#### **Building Division:**

Your application was transmitted to our Building Official. You may contact Mike Roberts, Building Official, at 503.496.1517 or [mroberts@orcify.org](mailto:mroberts@orcify.org) if you have any building related questions.

#### **Clackamas County Fire:**

Your application was transmitted to Mike Boumann, Lieutenant Deputy Fire Marshal of Clackamas County Fire District #1. You may contact Mr. Boumann at 503.742.2660 or at [michaelbou@ccfd1.com](mailto:michaelbou@ccfd1.com).

#### **Transportation Review:**

Your application was reviewed by John Replinger of Replinger and Associates, a city consultant for transportation engineering whom determined no traffic study or analysis is required.

#### **Neighborhood Association**

A neighborhood meeting is required with the [Canemah Neighborhood Association](#). The next meeting will be held April 21<sup>st</sup>, 2016.

Chair: Rob Lorey, [rloreyesq@gmail.com](mailto:rloreyesq@gmail.com)

Vice Chair: Jessica Smith, [jesssmith\\_smith@hotmail.com](mailto:jesssmith_smith@hotmail.com)



Secretary: Ken Baysinger, k.baysinger@comcast.net

Treasurer: Karen Blaha, blahak@comcast.net

Meeting Information: February 18, 2016, April 21, 2016, June 16, 2016, September 15, 2016 and November 22, 2016

We recommend meeting with the adjacent McLoughlin and Rivercrest Neighborhood Associates.

### **Tribal / SHPO Notification**

The planning department provides notice of your proposed development to the State Historic Preservation Office (SHPO) and all affected tribes per OCMC chapter 17.62.040.H. This notice requirement applies to any project that involves ground disturbance involving movement of native soils. Proof of correspondence is required for a complete application.

### **Planning Review and Application Fees:**

The 2016 Planning applications and fees include-

- Conditional Use: \$3,746.00
- Variance: \$2,467.00
- Minor Site Plan and Design Review - \$817
- Mailing Labels: \$15 – Optional

### **Comprehensive Plan Goals and Policies**

The applicant will need to cite, and respond to the following goals and policies as part of the Conditional Use and Variance criteria.

#### ***Section 11: Public Facilities***

*“Oregon City is committed to providing its residents with safe and accessible public facilities and services that are developed in a timely, orderly and efficient fashion and that contribute to their welfare and quality of life. Oregon City also has an interest in its citizens having access to utilities provided by other agencies and the private sector, such as electricity, gas, telecommunications, health care, and education.”*

Page 82 of Comp. Plan. “Currently, there is sufficient electricity capacity in the Oregon City area to support industrial, commercial, and residential expansion.”

#### ***Goal 11.7 Private Utility Operations***

*Coordinate with utilities that provide electric, gas, telephone and television cable systems, and high-speed internet connection to Oregon City residents to ensure adequate service levels.*

#### ***Section 15: Willamette River Greenway***

##### ***Goal 15.1 Protect the Willamette River Greenway***

*Ensure the environmental and economic health of the Willamette River by adopting goals, policies and procedures that meet LCDC Statewide Planning Goal 15, Willamette River Greenway.*

##### ***Policy 15.1.4***



*Restrict new substations and power line towers in the WRG and river view corridor.*

**Section 5: Open Spaces, Scenic and Historic Areas, and Natural Resources****Goal 5.2 Scenic Views and Scenic Sites**

*Protect the scenic qualities of Oregon City and scenic views of the surrounding landscape.*

**Policy 5.2.2**

*Maximize the visual compatibility and minimize the visual distraction of new structures or development within important viewsheds by establishing standards for landscaping, placement, height, mass, color, and window reflectivity.*

**Pre-application conferences are required by Section 17.50.050 of the City Code, as follows:**

*A. Preapplication Conference. Prior to submitting an application for any form of permit, the applicant shall schedule and attend a preapplication conference with City staff to discuss the proposal. To schedule a preapplication conference, the applicant shall contact the Planning Division, submit the required materials, and pay the appropriate conference fee. At a minimum, an applicant should submit a short narrative describing the proposal and a proposed site plan, drawn to a scale acceptable to the City, which identifies the proposed land uses, traffic circulation, and public rights-of-way and all other required plans. The purpose of the preapplication conference is to provide an opportunity for staff to provide the applicant with information on the likely impacts, limitations, requirements, approval standards, fees and other information that may affect the proposal. The Planning Division shall provide the applicant(s) with the identity and contact persons for all affected neighborhood associations as well as a written summary of the preapplication conference. Notwithstanding any representations by City staff at a preapplication conference, staff is not authorized to waive any requirements of this code, and any omission or failure by staff to recite to an applicant all relevant applicable land use requirements shall not constitute a waiver by the City of any standard or requirement.*

*B. A preapplication conference shall be valid for a period of six months from the date it is held. If no application is filed within six months of the conference or meeting, the applicant must schedule and attend another conference before the City will accept a permit application. The community development director may waive the preapplication requirement if, in the Director's opinion, the development does not warrant this step. In no case shall a preapplication conference be valid for more than one year.*

**NOTICE TO APPLICANT:** *A property owner may apply for any permit they wish for their property. HOWEVER, THERE ARE NO GUARANTEES THAT ANY APPLICATION WILL BE APPROVED. No decisions are made until all reports and testimony have been submitted. This form will be kept by the Community Development Department. A copy will be given to the applicant. IF the applicant does not submit an application within six (6) months from the Pre-application Conference meeting date, a NEW Pre-Application Conference will be required.*

## PGE Canemah Transmission Poles (PA-16-17)

No frontage  
improvements  
from DS

→ Frontage on McLoughlin Blvd. (ODOT jurisdiction)

- w/in Willamette Greenway
- TSP shared use path. ("S36")
- Little to no new/replaced impervious, likely  
stm stds do not apply.
- No impact on sewer/water systems,

DO NOT ATTEND — SEND NOTES TO JOHN STUTESMAN