



# City of Oregon City

625 Center Street  
Oregon City, OR 97045  
503-657-0891

## Meeting Agenda - Final Planning Commission

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Monday, September 26, 2016

7:00 PM

Commission Chambers

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1. **Call to Order**

2. **Public Comments**

3. **Public Hearing**

- 3a. CU-16-0001, SP-16-0008, and VR-16-0002: Addition of Two Wooden Utility Poles to the PGE Canemah Substation located at 152 S McLoughlin Boulevard

**Staff:** Pete Walter

**Attachments:** [Staff Report](#)

[Recommended Findings](#)

[Project Narrative](#)

[Code Criteria Responses](#)

[Site Plan Drawings](#)

[PGE Canemah - Pre-Application](#)

[Neighborhood Meeting Documents](#)

[Title Report and Plat](#)

[Receipt](#)

[PA 16-17 Planning Conference Summary](#)

[PA 16-17 Development Service Pre-App Conference Summary](#)

4. **General Business**

- 4a. Concept Plan Overview: Park Place, Beavercreek and South End

**Staff:** Community Development Director Laura Terway

**Attachments:** [Concept Plan Map](#)

[Park Place Concept Plan](#)

[South End Concept Plan](#)

[Beavercreek Road Concept Plan](#)

5. **Communications**

6. **Adjournment**

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*Public Comments: The following guidelines are given for citizens presenting information or raising issues relevant to the City but not listed on the agenda.*

- *Complete a Comment Card prior to the meeting and submit it to the staff member.*
- *When the Chair calls your name, proceed to the speaker table and state your name and city of residence into the microphone.*
- *Each speaker is given 3 minutes to speak. To assist in tracking your speaking time, refer to the timer at the dais.*
- *As a general practice, Oregon City Officers do not engage in discussion with those making comments.*

*Agenda Posted at City Hall, Pioneer Community Center, Library, and City Web site([oregon-city.legistar.com](http://oregon-city.legistar.com)).*

*Video Streaming & Broadcasts: The meeting is streamed live on Oregon City's Web site at [www.orcity.org](http://www.orcity.org) and is available on demand following the meeting.*

*ADA: City Hall is wheelchair accessible with entry ramps and handicapped parking located on the east side of the building. Hearing devices may be requested from the City staff member prior to the meeting. Disabled individuals requiring other assistance must make their request known 48 hours preceding the meeting by contacting the City Recorder's Office at 503-657-0891.*





# City of Oregon City

625 Center Street  
Oregon City, OR 97045  
503-657-0891

## Staff Report

File Number: PC 16-093

**Agenda Date:**

**Status:** Agenda Ready

**To:** Planning Commission

**Agenda #:** 3a.

**From:** Pete Walter

**File Type:** Land Use

### **SUBJECT:**

CU-16-0001, SP-16-0008, and VR-16-0002: Addition of Two Wooden Utility Poles to the PGE Canemah Substation located at 152 S McLoughlin Boulevard

### **RECOMMENDED ACTION (Motion):**

Approval.

### **BACKGROUND:**

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 (Douglas Fir wooden utility poles). The poles will be installed with minimal disturbance to the surrounding area by auguring a 3' wide hole and directly 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.

Portland General Electric Company ("PGE") constructed the Canemah Substation and related transmission structures nearly 50 years ago. The population and employment base in Oregon City has grown significantly in the years since the substation was built. Replacing existing breakers and adding an additional transmission line from the substation is necessary in order to add capability into the power and delivery system, increase system reliability, meet the demands of growth and continue to provide reliable and safe power to serve Oregon City and surrounding areas now and into the future.

The PGE substation is located at 152 S. McLoughlin Blvd (OR 99E) with frontage on 99E. The property backs up to South End Road as well, but this portion of the property is wooded and steep. One can see the powerlines from the substation crossing South End Road above the site.

Since the Site is zoned "R-6" Single Family Residential and no evidence of a prior Conditional Use approval was identified, PGE is applying for three concurrent land use approvals; Conditional Use, Site Plan and Design Review (Minor) and a Variance from the 35' of height limit of the R-6 zone and setback requirements for a Public Utility structure, in order to be permitted to place the utility poles on the site.





### TYPE III – PLANNING COMMISSION PUBLIC HEARING STAFF REPORT

#### Recommended Findings

*Date of Staff Report Issuance: September 19, 2016*

**FILE NO.s:** CU-16-0001: Conditional Use  
SP-16-0008: Site Plan and Design Review  
VR-16-0002: Variance

**HEARING DATE / LOCATION:** September 26, 2016  
Oregon City City Hall – Commission Chambers  
625 Center Street, Oregon City, Oregon 97045

**OWNER/APPLICANT:** Portland General Electric  
121 SW Salmon St, Portland, OR 97204

**REPRESENTATIVES:** Jennifer Santhouse, PGE Property Services

**REQUEST:** Minor Site Plan and Design Review, Conditional Use and Variance application to replace one transmission pole and add one transmission pole at existing PGE substation.

**LOCATION:** 152 S McLoughlin Blvd & No Situs Address, Oregon City, OR 97045  
Clackamas County Map 2-2E-31CC-02790 and 2-2E-31CC-02770

**NEIGHBORHOOD ASSOCIATION:** Canemah Neighborhood Association

**REVIEWER:** Pete Walter, AICP, Planner  
Wendy Marshall, PE, Development Services

**PROCESS:** Type III decisions involve the greatest amount of discretion and evaluation of subjective approval standards, yet are not required to be heard by the city commission, except upon appeal. Applications evaluated through this process include conditional use permits. The process for these land use decisions is controlled by ORS 197.763. Notice of the application and the planning commission hearing is published and mailed to the applicant, recognized neighborhood association and property owners within three hundred feet of the subject property. Notice must be issued at least twenty days pre-hearing, and the staff report must be available at least seven days pre-hearing. At the evidentiary hearing held before the planning commission, all issues are addressed. The decision of the planning commission is appealable to the city commission within fourteen days of the issuance of the final decision. The city commission hearing on appeal is on the record and no new evidence shall be allowed. Only those persons or a city-recognized neighborhood association who have participated either orally or in writing have



## Community Development – Planning

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standing to appeal the decision of the planning commission. Grounds for appeal are limited to those issues raised either orally or in writing before the close of the public record. A city-recognized neighborhood association requesting an appeal fee waiver pursuant to OCMC 17.50.290.C must officially approve the request through a vote of its general membership or board at a duly announced meeting prior to the filing of an appeal. The city commission decision on appeal from the planning commission is the city's final decision and is appealable to the Land Use Board of Appeals (LUBA) within twenty-one days of when it becomes final.

**I. BACKGROUND:**

**1. Existing Conditions**

Portland General Electric Company ("PGE") constructed the Canemah Substation and related transmission structures nearly 50 years ago. The population and employment base in Oregon City has grown significantly in the years since the substation was built. Replacing existing breakers and adding an additional transmission line from the substation is necessary in order to add capability into the power and delivery system, increase system reliability, meet the demands of growth and continue to provide reliable and safe power to serve Oregon City and surrounding areas now and into the future.

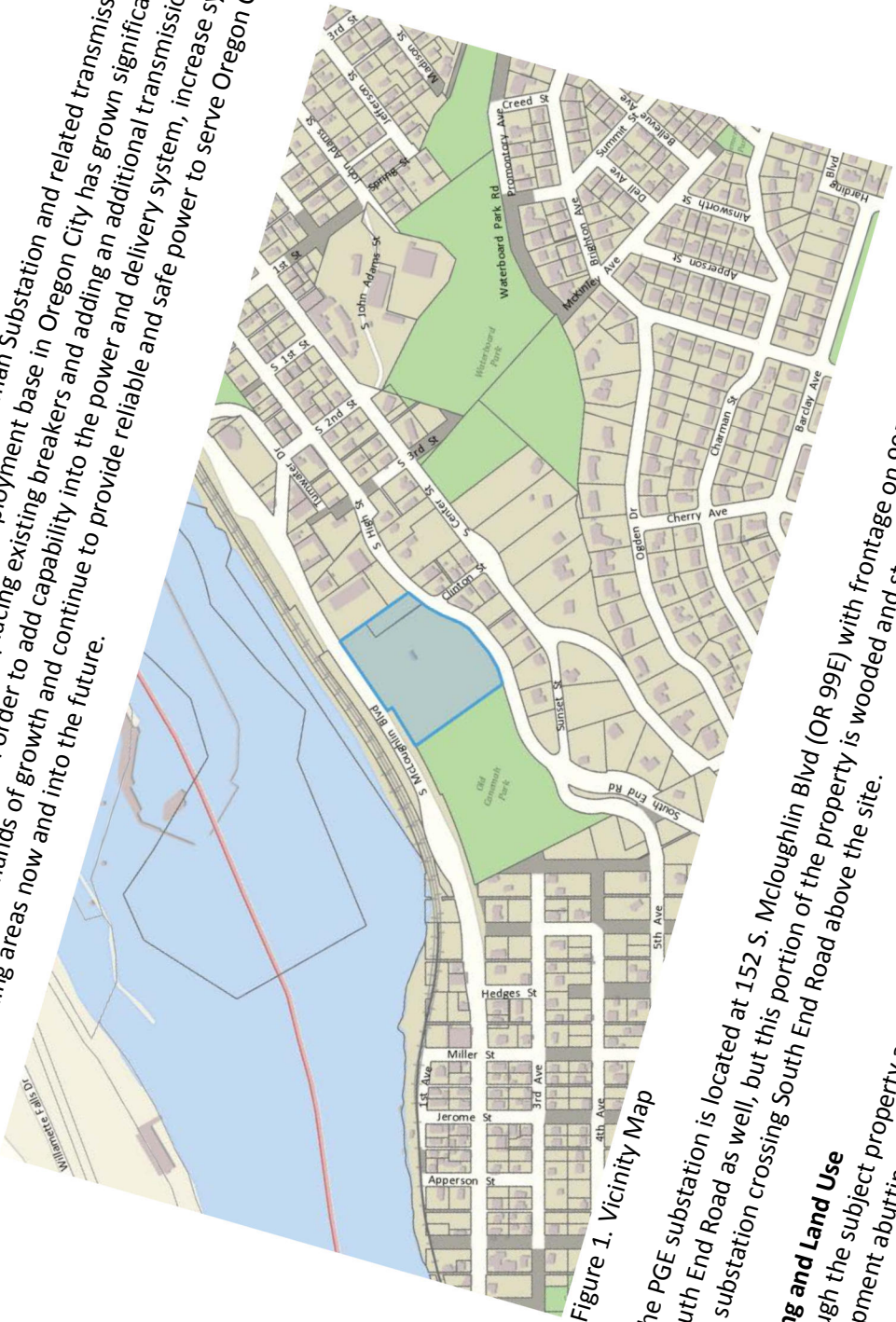


Figure 1. Vicinity Map

**Community Map**

The PGE substation is located at 152 S. McLoughlin Blvd (OR 99E) with frontage on South End Road as well, but this portion of the property is wooded and is not the substation crossing South End Road above the site.

**Zoning and Land Use**

Although the subject property is zoned for residential development, the subject property is wooded and is not the substation crossing South End Road above the site.

## 2. Zoning and Land Use

**Planning and Land Use**  
Although the sub-

<u>Direction</u>	<u>Zoning</u>	<u>Current Land Uses</u>
North	R-6	Highway 99E, UP Railroad
Northeast	MUC-1	Auto Body Repair
East	R-6	Forested / S. South End Rd
Southeast	R-6	Forested / S. South End Rd
South	R-6	Old Canemah Park
Southwest	I	Highway 99E
West	R-6	
Northwest	R-6	

CU-16-0001 / SP-16-0008 / VR-16-0002



View from South End Rd headed South



View from 99E headed North



**CU-16-0001 / SP-16-0008 / VR-16-0002**



The City of Oregon City makes no representations, express or implied, as to the accuracy, completeness and timeliness of the information displayed. This map is not suitable for legal, engineering, surveying or navigation purposes. Notification of any errors is appreciated.

Map created 8/29/2016



0 200 400 Feet

1: 2,400

Figure 2: Existing Conditions – Aerial Image





Figure 3: Project Area – Aerial View from the east towards Hwy 99E



Figure 4: Project Area – Aerial View

## Project Description

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 (Douglas Fir wooden utility poles).

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.

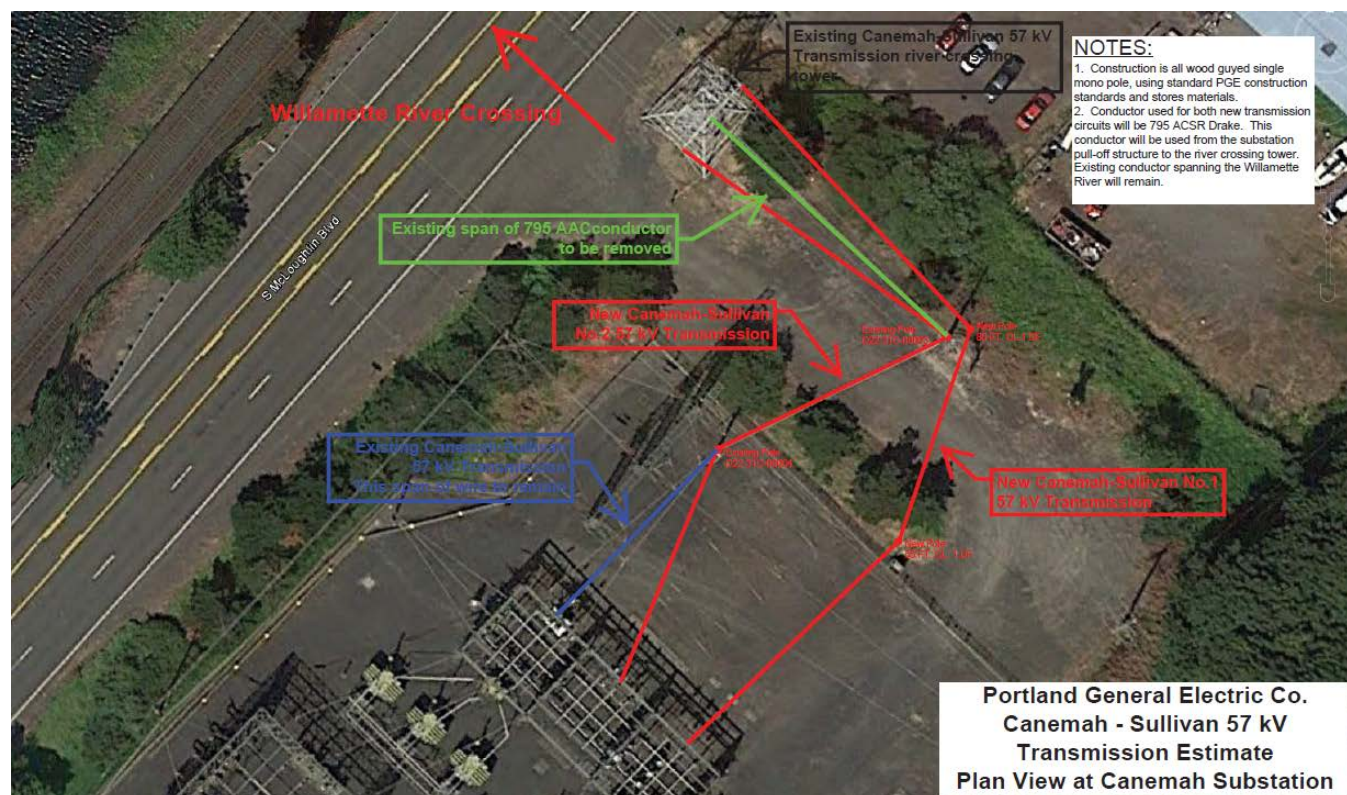


Figure 5: Proposed Site Plan w/ Aerial





## Current Street View



## Street View with New Transmission Poles



Figure 7: Photo Simulation before and after from 99E

3. **Municipal Code Standards and Requirements:** Staff has provided recommended findings for compliance, where applicable, with the following sections of the Oregon City Municipal Code for the proposed land use:

[17.12 - R-6 Single-Family Dwelling District](#)

[17.48 - Willamette River Greenway Overlay District](#)

17.62 - Site Plan and Design Review  
12.08 - Public and Street Trees  
13.12 - Stormwater Management  
17.50 - Administration and Procedures  
17.52 - Off Street Parking and Loading  
17.54.100 – Fences  
17.56 - Conditional Uses  
17.60 - Variances  
12.04 - Streets, Sidewalks and Public Places

The City Code Book is available on-line at [www.oregoncity.org](http://www.oregoncity.org).

4. **Permits and Approvals:** The applicant is responsible for obtaining approval and permits from each applicable governmental agency and department at Oregon City including but not limited to the Engineering and Building Divisions.

Relevant code sections triggering the Type III review:

The following code sections triggered the need for a Variance and Conditional Use for this application:

Pursuant to the Conditional Use standard in [OCMC 17.56.010.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.*

No prior conditional use permit was found for the substation. Since the underlying use, a Public Utility, is listed as a Conditional Use in the R-6 Single-Family Residential zone, the expansion of the substation, however small, requires a Conditional Use process.

Pursuant to the Conditional Use standard in [OCMC 17.56.040.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.*

The applicant seeks to locate the new pole closer to the property line than permitted under the code, therefore the applicant has applied for a variance to the setback.

Additionally, pursuant to the underlying R-6 dimensional standards in [OCMC 17.12.040.D](#), the maximum building height is 35 feet. The proposed pole heights necessary for the project exceed the height limit of 35' of the underlying R-6 zone district (60' and 80', respectively), therefore, the applicant has applied for a variance to the height limit.

#### **Scope of Conditional Use**

Staff notes that the applicant has only applied for a minor site plan, conditional use and variance for the addition of the two poles to the existing established site, and that there are few if any land use impacts associated with these improvements. **Approval of this application does not vest any future expansions of the site.** Future expansions on the site shall be reviewed through a similar process and may trigger proportional improvements and upgrades to and abutting the site, including but not limited to additional right-of-way dedications, street pavement, bike lanes, sidewalks, curbs etc, and landscaping and screening improvements. Such improvements

will require approval by Oregon Department of Transportation who has jurisdiction over 99-E, but which did not comment on this application.

5. **Notice and Public Comment:** Notice of the proposal was sent to various City departments, affected agencies, property owners within 300 feet, and the Neighborhood Association. Additionally, the subject property was posted with signs identifying that a land use action was occurring on the property. Staff received no public comments prior to the issuance of the staff report.

Notice of the application was provided to the Oregon Department of Transportation which has jurisdiction over 99-E. ODOT did not comment on this application.

Comments of the Public Works Department and Development Services Division are incorporated into this report.

## II. ANALYSIS AND FINDINGS:

### CHAPTER 17.12 - "R-6" SINGLE-FAMILY DWELLING DISTRICT

#### 17.12.20 - *Permitted uses.*

*Permitted uses in the R-6 district are:*

- A. Single-family detached residential units;*
- B. Parks, playgrounds, playfields and community or neighborhood centers;*
- C. Home occupations;*
- D. Farms, commercial or truck gardening and horticultural nurseries on a lot not less than twenty thousand square feet in area (retail sales of materials grown on-site is permitted);*
- E. Temporary real estate offices in model homes located on and limited to sales of real estate on a single piece of platted property upon which new residential buildings are being constructed;*
- F. Accessory uses, buildings and dwellings;*
- G. Family day care provider, subject to the provisions of Section 17.54.050;*
- H. Residential home per ORS 443.400;*
- I. Cottage housing;*
- J. Transportation facilities.*

**Finding:** The current use does not fall into Permitted Use category.

#### 17.12.30 - *Conditional uses.*

*The following conditional uses are permitted in this district when authorized by and in accordance with the standards contained in [Chapter 17.56](#):*

- A. Golf courses, except miniature golf courses, driving ranges or similar commercial enterprises;*
- B. Bed and breakfast inns/boarding houses;*
- C. Cemeteries, crematories, mausoleums and columbariums;*
- D. Child care centers and nursery schools;*
- E. Emergency service facilities (police and fire), excluding correctional facilities;*
- F. Residential care facility;*
- G. Private and/or public educational or training facilities;*
- H. Public utilities, including sub-stations (such as buildings, plants and other structures);*
- I. Religious institutions.*
- J. Assisted living facilities; nursing homes and group homes for over fifteen patients.*

**Finding: See Conditional Use findings.** A substation is identified as a use that may be permitted in the R-6 District when a conditional use permit is approved. When the substation was built in the 1960s, the City did not have the current zoning code in place. The proposed addition of two utility poles has triggered a review of the current zoning status and compliance with the requirement for a conditional use permit, site plan review and variance.

17.12.040.A. Minimum lot area, six thousand square feet; 17.12.040.B. Minimum lot width, fifty feet; 17.12.040.C. Minimum lot depth, seventy feet;

**Finding: Complies.** The property is composed of two tax parcels of approximately 5.85 acres (254,826 sq ft). The combined parcels create a lot that is over 560' wide and over 365' deep.

17.12.40.D. Maximum building height: two and one-half stories, not to exceed thirty-five feet.

**Finding: See Variance Findings in section 17.60.** PGE proposes to install two new transmission poles on the substation property. The poles proposed heights are 80' and 60' as shown in the site plan on Page 7. The current zoning of R-6 limits building and utility pole height to 35'. PGE is requesting a variance to accommodate a new transmission line from an updated circuit within the substation to the existing Willamette River transmission crossing.

17.12.40.E. Minimum Setbacks

1. Front yard: ten feet minimum depth.
2. Front porch, five feet minimum setback,
3. Attached and detached garage, twenty feet minimum setback from the public right-of-way where access is taken, except for alleys. Detached garages on an alley shall be setback a minimum of five feet in residential areas.
4. Interior side yard, nine feet minimum setback for at least one side yard; five feet minimum setback for the other side yard,
5. Corner side yard, fifteen feet minimum setback,
6. Rear yard, twenty-foot minimum setback
7. Rear porch, fifteen-foot minimum setback.

**Finding: See Variance Findings in section 17.60.** There are no existing buildings on the property. One new utility pole will be installed approximately 10' from the northern property boundary. The conditional use criterion in OCMC 17.56.040(C) requires that:

*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.*

Per this section, utility poles must be located a distance equivalent to height from the property line. PGE is requesting a variance to allow for the pole to be placed parallel to the existing lattice tower and near an existing 75' utility pole to meet electrical safety clearance height and angle requirements.

17.12.040.G. Maximum lot coverage: The footprint of all structures two hundred square feet or greater shall cover a maximum of forty percent of the lot area. If an existing structure is being retained.

**Finding: Complies.** "Buildings" on the site cover 0.02 acres of a total lot area of 5.85 acres (0.003%).

## **CHAPTER 17.48 - WRG WILLAMETTE RIVER GREENWAY OVERLAY DISTRICT**

17.48.010 - Designated.

*This chapter shall apply to all development, changes of use or intensification of use in that area designated WRG Willamette River Greenway on a special city zoning map.*

17.48.020 - Purpose.

*The purpose of this chapter is to:*

- A. Protect, conserve, enhance and maintain the natural scenic, historical, agricultural, economic and recreational qualities of land along the Willamette River;
- B. Maintain the integrity of the Willamette River by minimizing erosion, promoting bank stability and maintaining and enhancing water quality and fish and wildlife habitats;
- C. Implement the Willamette River Greenway goal and the Willamette River Greenway portions of the city comprehensive plan.

17.48.040 - Uses allowed.

*All uses permitted pursuant to the provisions of the underlying zoning district are permitted on lands designated WRG; provided,*

however, that any development, change of use or intensification of use shall be subject, in addition to the provisions of the underlying district, to the provisions of this chapter.

**Finding: Complies.** Staff finds that the scale of the addition of the two poles does not intensify the existing use of the site.

*17.48.050 - Permit required—Exceptions.*

*A Willamette River Greenway permit shall be required for all developments and changes or intensification of uses, except the following:*

- A. The propagation of timber or the cutting of timber for public safety or personal use, except the cutting of timber along the natural vegetative fringe along the river;*
- B. Gravel removal from the bed of the Willamette River when conducted under a permit from the state;*
- C. Customary dredging and channel maintenance;*
- D. Placing by a public agency of signs, markers, aids and similar structures to serve the public;*
- E. Activities to protect, conserve, enhance and maintain public recreation, scenic, historical and natural uses on public lands;*
- F. Acquisition and maintenance of scenic easements by the Oregon Department of Transportation;*
- G. Partial harvesting of timber shall be permitted beyond the natural vegetative fringe and those areas not covered by a scenic easement and when the harvest is consistent with an approved plan under the Oregon Forest Practices Act. Commercial forest activities and harvesting practices providing for vegetative buffers, shading, soil stabilization, and water filtering effects required under the Oregon Forest Practices Act;*
- H. The use of a small cluster of logs for erosion control;*
- I. The expansion of capacity or the replacement of existing communication or energy distribution and transmission systems, except utility sub-stations;*
- J. The maintenance and repair of existing flood control facilities;*
- K. Uses lawfully existing on the effective date of the provisions codified in this chapter; provided, however, that any change or intensification of use or new development shall require a Willamette River Greenway permit.*

**Finding:** Staff finds that the proposed use is an expansion of capacity of the existing utility sub-station, and is therefore not excepted.

*17.48.060 - Administrative procedure.*

*Except as specifically provided for in Section 17.48.090, the procedure for action on a Willamette River Greenway permit shall be as provided for under the administrative action provisions in Chapter 17.50. In addition to those provisions, however, notice of a pending Willamette River Greenway permit under Sections 17.48.070 through 17.48.090 or of a compatibility review hearing under Section 17.48.100, shall be given to all persons requesting the same and paying a reasonable fee therefore, as determined by the community development director.*

**Finding:** This is a concurrent review with Site Plan and Design Review, a Variance and a Conditional Use application.

*17.48.070 - Development standards—Specific use.*

*In approving any development or change or intensification of use, the approving officer or body shall apply the following standards: Considerations for Specific Uses.*

- A. With respect to recreational uses only: the considerations set forth in section C.3.b of Goal 15.*
- B. With respect to those fish and wildlife habitats identified in the city comprehensive plan only: the considerations set forth in section C.3.d. of Goal 15.*
- C. With respect to those scenic qualities and views identified in the city comprehensive plan only: the considerations set forth in section C.3.e. of Goal 15.*
- D. With respect to timber resources only: the considerations set forth in section C.3.h. of Goal 15.*
- E. With respect to aggregate extraction only: the considerations set forth in section C.3.i. of Goal 15.*

**Finding: Not applicable.** Staff finds that the scale of the addition of the two poles does not intensify the existing use of the site, nor are any of the uses listed above affected.

*17.48.080 - Development standards—General considerations.*

*The following considerations shall be applicable to all Willamette River Greenway permits.*

- A. Access. Adequate public access to the Willamette River shall be considered and provided for.*
- B. Protection and Safety. Maintenance of public safety and protection of public and private property, especially from vandalism and trespass, shall be provided for to the maximum extent practicable.*
- C. Vegetative Fringe. The natural vegetative fringe along the Willamette River shall be protected and enhanced to the maximum extent practicable.*



*D. Directing Development Away from the River. Development shall be directed away from the Willamette River to the greatest possible degree, provided that lands committed to urban uses within the Greenway may continue as urban uses, subject to the nonconforming use provisions of Chapter 17.58 of this title.*

*E. A Greenway Setback. In each application, the approving officer or body shall establish a setback to keep structures separated from the Willamette River in order to protect, maintain, preserve and enhance the natural scenic, historic and recreational qualities of the Willamette River Greenway, as set forth in the city comprehensive plan; provided, however, that the requirement to establish such setbacks shall not apply to water-related or water-dependent uses.*

*F. Other Applicable Standards. The Oregon Department of Transportation Greenway Plan, the Greenway portions of the city comprehensive plan, the Willamette River Greenway statutes and the provisions of Statewide Planning Goal 15, shall also be considered in actions involving Willamette River Greenway permits.*

**Finding: Not applicable.** Staff finds that the scale of the addition of the two poles to the existing site does not have any impact on the considerations listed in this section.

#### *17.48.090 - Procedure.*

*The planning director shall make findings, and may impose reasonable conditions to carry out this chapter, regarding all general, and any applicable specific, considerations of this section. The community development director shall then give notice of a pending Willamette River Greenway permit application, and proposed action thereon, in the manner provided for, and to those persons for whom notice shall be given, under Chapter 17.50 of this Code, and to all other interested persons who wish to be notified and who pay a reasonable fee for such notification. If no interested person requests a hearing on such permit application within ten days of giving notice, the application shall be approved, either with or without conditions, or denied, as proposed by the community development director and in accordance with the findings required by this subsection. If there be objection, the matter shall be heard by the planning commission as an administrative action.*

**Finding: Not applicable.** Staff finds that the scale of the addition of the two poles to the existing site does not have any impact on the considerations listed in this section.

#### *17.48.100 - Compatibility review.*

*A. In all areas within one hundred fifty feet of the ordinary low-water line of the Willamette River, hereinafter referred to as the "compatibility boundary," the provisions of this subsection shall be applicable to all developments and changes or intensification of uses, so as to ensure their compatibility with Oregon's Greenway statutes, and to assure that the best possible appearance, landscaping and public access be provided.*

**Finding: Complies.** Staff finds that the scale of the addition of the two poles does not intensify the existing use of the site.

*B. All development or changes or intensifications of uses in the compatibility area shall be approved only if the following findings be made by the planning commission.*

*1. That to the greatest extent possible, the development or change or intensification of use provides for the maximum possible landscaped area, open space or vegetation between the activity and the river.*

**Finding: Complies.** Staff finds that the scale of the addition of the two poles has no impact on landscaping, open spaces or vegetation between the activity and the river.

*2. That to the greatest degree possible, necessary public access is provided to and along the Willamette River by appropriate legal means.*

**Finding: Complies.** Staff finds that the addition of the two poles has no impact access to the river.

#### *17.48.110 - Prohibited activities.*

*The following are prohibited within the Willamette River Greenway:*

*A. Any main or accessory residential structure exceeding a height of thirty-five feet, except for areas located within the Willamette Falls Downtown District;*

*B. Structural bank protection, except rip rap or a channelization used as an emergency measure only to protect existing structures. Any such rip rap or channelization to stabilize undeveloped sites shall be prohibited as well;*

*C. Subsurface sewage disposal drainfields within one hundred feet of the ordinary mean low-water line of the Willamette River.*

**Finding: Not applicable.** Applicant has not proposed a prohibited activity.

## **CHAPTER 17.62 SITE PLAN AND DESIGN REVIEW**

*17.62.015 - Modifications that will better meet design review requirements.*

*The review body may consider modification of site-related development standards. These modifications are done as part of design review and are not required to go through the Variance process pursuant to [section 17.60.020](#).*

*Adjustments to use-related development standards (such as floor area ratios, intensity of use, size of the use, number of units, or concentration of uses) are required to go through the Variance process pursuant to [section](#)*

*[17.60.020](#). Modifications that are denied through design review may be requested as Variance through the Variance process pursuant to [section 17.60.020](#). The review body may approve requested modifications if it finds that the applicant has shown that the following approval criteria are met:*

*A. The modification will result in a development that better meets design guidelines; and*

*Finding: See Variance Section.*

*B. The modification meets the intent of the standard. On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.*

*Finding: See Variance Section.*

*17.62.020 - Preapplication conference.*

*Prior to filing for site plan and design review approval, the applicant shall confer with the community development director pursuant to [Section 17.50.030](#). The community development director shall identify and explain the relevant review procedures and standards.*

**Finding: Complies.** Jason Chu and Jennifer Santhouse of PGE attended a pre-application conference with John Stutesman and Peter Walter on April 20, 2016 to discuss the proposed project. The Pre-App file number is PA-16-0017, and pre-application and summary was included with the formal land use application.

*17.62.030 - When required.*

*Site plan and design review shall be required for all development of real property in all zones except the R-10, R-8, R-6, R-5 and R-3.5 zoning districts, unless otherwise provided for by this title or as a condition of approval of a permit. Site plan and design review shall also apply to all conditional uses, cottage housing development, multi-family and non-residential uses in all zones. No building permit or other permit authorization for development shall be issued prior to site plan and design review approval.*

*Parking lots and parking areas accessory to uses regulated by this chapter also shall require site plan and design review approval.*

*Site plan and design review shall not alter the type and category of uses permitted in zoning districts.*

**Finding: Applicable.** Due to the small footprint of the proposed utility poles, PGE is submitting its application for a Minor Site Plan review concurrently with this project and the property's use as a substation, which qualifies as a conditional use in the R-6 zoning district.

**17.62.035 - Minor site plan and design review.**

*This section provides for a minor site plan and design review process. Minor Site Plan Review is a Type II decision subject to administrative proceedings described in OCMC [17.50](#) section and may be utilized as the appropriate review process only when authorized by the community development director. The purpose of this type of review is to expedite design review standards for uses and activities that require only a minimal amount of review, typical of minor modifications and/or changes to existing uses or buildings.*

*A. Generally. Minor site plan and design review applies to the following uses and activities:*

- 1. Modification of an office, commercial, industrial, institutional, public or multi-family structure for the purpose of enhancing the aesthetics of the building and not increasing the interior usable space (for example covered walkways or entryways, addition of unoccupied features such as clock tower, etc.).*
- 2. Modification to parking lot layout and landscaping or the addition of up to 5 parking spaces.*
- 3. A maximum addition of up to one thousand square feet to a commercial, office, institutional, public, multi-family, or industrial building provided that the addition is not more than thirty-five percent of the original building square footage.*
- 4. Other land uses and activities may be added if the community development director makes written findings that the activity/use will not increase off-site impacts and is consistent with the type and/or scale of activities/uses listed above.*

**Finding: Complies.** PGE proposes to add two utility poles to an existing substation site. This project does not add buildings and/or interior usable space or modify a parking lot layout. This project will not increase off-site impacts and is consistent with



the current type and scale of activity on the property.

*B. Application. The application for the minor site plan and design review shall contain the following elements:*

- 1. The submittal requirements of Chapter 17.50.*
- 2. A narrative explaining all aspects of the proposal in detail and addressing each of the criteria listed in Section 17.62.035C. below.*
- 3. Site plan drawings showing existing conditions/uses and proposed conditions/uses.*
- 4. Architectural drawings, including building elevations and envelopes, if architectural work is proposed.*
- 5. Additional submittal material may be required by the community development director on a case-by-case basis.*

**Finding: Complies.** The application was deemed complete on August 11, pursuant to the requirements for a Minor Site Plan. See the project Site Plans attached as an Exhibit.

*17.62.050 - Standards.*

*A. All development shall comply with the following standards:*

- 1. Landscaping, A minimum of fifteen percent of the lot shall be landscaped. Existing native vegetation shall be retained to the maximum extent practicable. All plants listed on the Oregon City Nuisance Plant List shall be removed from the site prior to issuance of a final occupancy permit for the building.*
  - a. Except as allowed elsewhere in the zoning and land division chapters of this Code, all areas to be credited towards landscaping must be installed with growing plant materials. A reduction of up to twenty-five percent of the overall required landscaping may be approved by the community development director if the same or greater amount of pervious material is incorporated in the non-parking lot portion of the site plan (pervious material within parking lots are regulated in OCMC 17.52.070).*
  - b. Pursuant to Chapter 17.49, landscaping requirements within the Natural Resource Overlay District, other than landscaping required for parking lots, may be met by preserving, restoring and permanently protecting native vegetation and habitat on development sites.*
  - c. The landscaping plan shall be prepared by a registered landscape architect and include a mix of vertical (trees and shrubs) and horizontal elements (grass, groundcover, etc.) that within three years will cover one hundred percent of the Landscape area. No mulch, bark chips, or similar materials shall be allowed at the time of landscape installation except under the canopy of shrubs and within two feet of the base of trees. The community development department shall maintain a list of trees, shrubs and vegetation acceptable for landscaping.*
  - d. For properties within the Downtown Design District, or for major remodeling in all zones subject to this chapter, landscaping shall be required to the extent practicable up to the ten percent requirement.*
  - e. Landscaping shall be visible from public thoroughfares to the extent practicable.*
  - f. Interior parking lot landscaping shall not be counted toward the fifteen percent minimum, unless otherwise permitted by the dimensional standards of the underlying zone district.*

**Finding: Not applicable.** The project does not contemplate the construction of buildings, the expansion of impervious surface or the removal of trees. The project will not affect any existing landscaping. Existing screening vegetation is established at the perimeter of the site on 99E. Over 50% of the property is covered with existing vegetation.

*2. Vehicular Access and Connectivity.*

- a. Parking areas shall be located behind buildings, below buildings, or on one or both sides of buildings.*

**Finding: Not applicable.** The existing substation does not include typical buildings and no typical buildings or parking areas are associated with the proposed addition to two utility poles. There is adequate area located outside the substation fence to accommodate PGE vehicles that visit the site on an intermittent basis for inspection purposes. Therefore, this standard is not applicable to the proposed project.

- b. Ingress and egress locations on thoroughfares shall be located in the interest of public safety. Access for emergency services (fire and police) shall be provided.*

**Finding: Not applicable.** As shown on the Site Plan (see Appendix A-1) there is one existing driveway that provides access into the substation from S. McLoughlin Blvd. No changes to the existing access are proposed. PGE has established protocols with emergency services (fire and police) regarding substation access and protection in the interest of public safety. Therefore, this standard is met.

- c. Alleys or vehicular access easements shall be provided in the following Districts: R-2, MUC-1, MUC-2, MUD and NC zones unless other permanent provisions for access to off-street parking and loading facilities are approved by the decision-maker. The corners of alley intersections shall have a radius of not less than ten feet.*

**Finding: Not applicable.** The property is currently zoned R-6, therefore this standard is not applicable.

*d. Sites abutting an alley shall be required to gain vehicular access from the alley unless deemed impracticable by the community development director.*

**Finding: Not applicable.** The property is currently zoned R-6, therefore this standard is not applicable.

*e. Where no alley access is available, the development shall be configured to allow only one driveway per frontage. On corner lots, the driveway(s) shall be located off of the side street (unless the side street is an arterial) and away from the street intersection. Shared driveways shall be required as needed to accomplish the requirements of this section. The location and design of pedestrian access from the sidewalk shall be emphasized so as to be clearly visible and distinguishable from the vehicular access to the site. Special landscaping, paving, lighting, and architectural treatments may be required to accomplish this requirement.*

**Finding: Not applicable.** The substation has frontage and an existing driveway off S. McLoughlin Blvd. No changes to the existing driveway are proposed. There is currently no sidewalk along the S. McLoughlin Blvd. frontage on PGE's property or neighboring properties.

*f. Driveways that are at least twenty-four feet wide shall align with existing or planned streets on adjacent sites.*

**Finding: Not applicable.** There will be no changes to the location or width of the existing driveway. Therefore, this standard is not applicable.

*g. Development shall be required to provide existing or future connections to adjacent sites through the use of vehicular and pedestrian access easements where applicable. Such easements shall be required in addition to applicable street dedications as required in [Chapter 12.04](#).*

**Finding: Not applicable.** This standard is not applicable to the proposed project since it is an established site and the scale of the improvements does not trigger compliance. The subject property has frontage on S. McLoughlin Blvd. The eastern property line abuts a steep hill and there are no thoroughfare between the substation property and the property adjacent to the eastern property line. Staff notes that the applicant has only applied for a minor site plan, conditional use and variance for the addition of the two poles to the existing established site, and that there are few if any land use impacts associated with these improvements. Approval of this application does not vest any future expansions of the site. Future expansions on the site shall be reviewed through a similar process and may trigger proportional improvements and upgrades to and abutting the site, including but not limited to additional right-of-way dedications, street pavement, bike lanes, sidewalks, curbs etc, and landscaping and screening improvements. Such improvements will require approval by Oregon Department of Transportation who has jurisdiction over 99-E, but which did not comment on this application.

*h. Vehicle and pedestrian access easements may serve in lieu of streets when approved by the decision maker only where dedication of a street is deemed impracticable by the city.*

**Finding: Not applicable.** The subject property does not allow for public access. The site has frontage on S. McLoughlin Blvd. which does not currently have sidewalks or other pedestrian access. No streets connections are planned through the property. Staff notes that the applicant has only applied for a minor site plan, conditional use and variance for the addition of the two poles to the existing established site, and that there are few if any land use impacts associated with these improvements. Approval of this application does not vest any future expansions of the site. Future expansions on the site shall be reviewed through a similar process and may trigger proportional improvements and upgrades to and abutting the site, including but not limited to additional right-of-way dedications, street pavement, bike lanes, sidewalks, curbs etc, and landscaping and screening improvements. Such improvements will require approval by Oregon Department of Transportation who has jurisdiction over 99-E, but which did not comment on this application.

*i. Vehicular and pedestrian easements shall allow for public access and shall comply with all applicable pedestrian access requirements.*

**Finding: Not applicable.** The subject property does not allow for public access. The site has frontage on S. McLoughlin Blvd. which does not currently have sidewalks or other pedestrian access. No streets connections are planned through the property.

*j. In the case of dead-end stub streets that will connect to streets on adjacent sites in the future, notification that the street is planned for future extension shall be posted on the stub street until the street is extended and shall inform the public that the dead-end street may be extended in the future.*

**Finding: Not applicable.** The subject property does not allow for public access. The site has frontage on S. McLoughlin Blvd. No

streets connections are planned through the property.

*k. Parcels larger than three acres shall provide streets as required in Chapter 12.04. The streets shall connect with existing or planned streets adjacent to the site.*

**Finding: Not applicable.** The subject site is an established electrical substation and no public streets are planned through the site. The property backs up to a steep hillside that is unlikely to be developed. Staff does not anticipate the need for additional streets to serve the subject site or adjacent sites with this application. The subject property does not allow for public access. The site has frontage on S. McLoughlin Blvd. No streets connections are planned through the property.

*l. Parking garage entries shall not dominate the streetscape. They shall be designed and situated to be ancillary to the use and architecture of the ground floor. This standard applies to both public garages and any individual private garages, whether they front on a street or private interior access road.*

**Finding: Not applicable.** No parking garages are proposed.

*m. Buildings containing above-grade structured parking shall screen such parking areas with landscaping or landscaped berms, or incorporate contextual architectural elements that complement adjacent buildings or buildings in the area. Upper level parking garages shall use articulation or fenestration treatments that break up the massing of the garage and/or add visual interest.*

**Finding: Not applicable.** No structured parking is proposed.

*3. Building structures shall be complimentary to the surrounding area. All exterior surfaces shall present a finished appearance. All sides of the building shall include materials and design characteristics consistent with those on the front. Use of inferior or lesser quality materials for side or rear facades or decking shall be prohibited.*

**Finding: Not applicable.** No buildings are proposed.

*a. Alterations, additions and new construction located within the McLoughlin Conservation District, Canemah National Register District, and the Downtown Design District and when abutting a designated Historic Landmark shall utilize materials and a design that incorporates the architecture of the subject building as well as the surrounding district or abutting Historic Landmark. Historic materials such as doors, windows and siding shall be retained or replaced with in kind materials unless the community development director determines that the materials cannot be retained and the new design and materials are compatible with the subject building, and District or Landmark. The community development director may utilize the Historic Review Board's Guidelines for New Construction (2006) to develop findings to show compliance with this section.*

**Finding: Not applicable.** The Canemah Substation is not located within the McLoughlin Conservation District, the Canemah National Register District or the Downtown Design District.

*b. In historic areas and where development could have a significant visual impact, the review authority may request the advisory opinions of appropriate experts designated by the community development director from the design fields of architecture, landscaping and urban planning. The applicant shall pay the costs associated with obtaining such independent professional advice; provided, however, that the review authority shall seek to minimize those costs to the extent practicable.*

**Finding: Not applicable.** This standard is not applicable to the proposed project because the subject property is not within a designated historic district. Additionally, the substation has operated continuously for approximately 50 years. The proposed addition of utility poles does not represent a significant visual impact relative to existing conditions (see Exhibit - Visual Simulation).

*4. Grading shall be in accordance with the requirements of Chapter 15.48 and the public works stormwater and grading design standards.*

**Finding: Not applicable.** This project does not require grading.

*5. Development subject to the requirements of the Geologic Hazard overlay district shall comply with the requirements of that district.*

**Finding: Not applicable.** The subject property is not within the boundary of the Geologic Hazard overlay district. Therefore, the requirements of that district are not applicable to the proposed substation expansion.

*6. Drainage shall be provided in accordance with city's drainage master plan, Chapter 13.12, and the public works stormwater and grading design standards.*

**Finding: Not applicable.** This project does not impact drainage.

*7. Parking, including carpool, vanpool and bicycle parking, shall comply with city off-street parking standards, Chapter 17.52.*

**Finding: Not applicable.** This project does not propose nor affect any off-street parking.

*8. Sidewalks and curbs shall be provided in accordance with the city's transportation master plan and street design standards. Upon application, the community development director may waive this requirement in whole or in part in those locations where there is no probable need, or comparable alternative location provisions for pedestrians are made.*

**Finding: Not applicable.** The property does not currently have a sidewalk along the S. McLoughlin Blvd. frontage and the proposed project will not impact pedestrian activity in the area. Staff notes that the applicant has only applied for a minor site plan, conditional use and variance for the addition of the two poles to the existing established site, and that there are few if any land use impacts associated with these improvements. Approval of this application does not vest any future expansions of the site. Future expansions on the site shall be reviewed through a similar process and may trigger proportional improvements and upgrades to and abutting the site, including but not limited to additional right-of-way dedications, street pavement, bike lanes, sidewalks, curbs etc, and landscaping and screening improvements. Such improvements will require approval by Oregon Department of Transportation who has jurisdiction over 99-E, but which did not comment on this application.

*9. A well-marked, continuous and protected on-site pedestrian circulation system meeting the following standards shall be provided:*

*a. Pathways between all building entrances and the street are required. Pathways between the street and buildings fronting on the street shall be direct. Exceptions may be allowed by the director where steep slopes or protected natural resources prevent a direct connection or where an indirect route would enhance the design and/or use of a common open space.*

*a. The pedestrian circulation system shall connect all main entrances on the site. For buildings fronting on the street, the sidewalk may be used to meet this standard. Pedestrian connections to other areas of the site, such as parking areas, recreational areas, common outdoor areas, and any pedestrian amenities shall be required.*

*b. Elevated external stairways or walkways, that provide pedestrian access to multiple dwelling units located above the ground floor of any building are prohibited. The community development director may allow exceptions for external stairways or walkways located in, or facing interior courtyard areas provided they do not compromise visual access from dwelling units into the courtyard.*

*b. The pedestrian circulation system shall connect the main entrances of adjacent buildings on the same site.*

*c. The pedestrian circulation system shall connect the principal building entrance to those of buildings on adjacent commercial and residential sites where practicable. Walkway linkages to adjacent developments shall not be required within industrial developments or to industrial developments or to vacant industrially-zoned land.*

*d. On-site pedestrian walkways shall be hard surfaced, well drained and at least five feet wide. Surface material shall contrast visually to adjoining surfaces. When bordering parking spaces other than spaces for parallel parking, pedestrian walkways shall be a minimum of seven feet in width unless curb stops are provided. When the pedestrian circulation system is parallel and adjacent to an auto travel lane, the walkway shall be raised or separated from the auto travel lane by a raised curb, bollards, landscaping or other physical barrier. If a raised walkway is used, the ends of the raised portions shall be equipped with curb ramps for each direction of travel. Pedestrian walkways that cross drive isles or other vehicular circulation areas shall utilize a change in textual material or height to alert the driver of the pedestrian crossing area.*

**Finding: Not applicable.** The standards relating to on-site pedestrian improvements are not relevant to proposed project. The substation use does not include buildings and no employees are based at the facility. There is no public access permitted on the site. Additionally, the subject property has frontage along S. McLoughlin Blvd. which does not currently have a sidewalk.

*10. There shall be provided adequate means to ensure continued maintenance and necessary normal replacement of private common facilities and areas, drainage ditches, streets and other ways, structures, recreational facilities, landscaping, fill and excavation areas, screening and fencing, groundcover, garbage storage areas and other facilities not subject to periodic maintenance by the city or other public agency.*

**Finding: Complies.** There are no common facilities, recreational facilities, garbage storage areas or other storage areas associated with the on-going operation of the Canemah Substation. PGE will maintain the current vegetation on the property.

*11. Site planning shall conform to the requirements of OCMC Chapter 17.41 Tree Protection.*

**Finding: Not applicable.** This standard is not applicable to the proposed project. No trees or shrubbery will be removed in connection with the project and the total project impact area is minimal.

12. Development shall be planned, designed, constructed and maintained to protect water resources and habitat conservation areas in accordance with the requirements of the city's Natural Resources Overlay District, Chapter 17.49, as applicable.

**Finding: Not applicable.** The site is not within the Natural Resources Overlay District.

13. All development shall maintain continuous compliance with applicable federal, state, and city standards pertaining to air and water quality, odor, heat, glare, noise and vibrations, outdoor storage, radioactive materials, toxic or noxious matter, and electromagnetic interference. Prior to issuance of a building permit, the community development director or building official may require submission of evidence demonstrating compliance with such standards and receipt of necessary permits. The review authority may regulate the hours of construction or operation to minimize adverse impacts on adjoining residences, businesses or neighborhoods. The emission of odorous gases or other matter in such quantity as to be readily detectable at any point beyond the property line of the use creating the odors or matter is prohibited.

**Finding: Complies.** PGE will continue to maintain compliance with all applicable federal, state and city environmental performance standards. The substation does not require an air quality permit from DEQ for either a direct or indirect source discharge. The substation facility does not result in emissions to the air. The substation does not generate odors, heat or glare. The substation use does not involve the storage, transportation, or disposal of hazardous materials under current standards. PCBs are no longer used in transformers. PGE will prepare and file an oil spill containment plan to comply with DEQ standards potentially associated with an on-site spill of the small amounts of mineral oil used in transformers. PGE can comply with DEQ noise standards. Transformers are the only source of continuous sound generation in an electric utility substation.

14. Adequate public water and sanitary sewer facilities sufficient to serve the proposed or permitted level of development shall be provided. The applicant shall demonstrate that adequate facilities and services are presently available or can be made available concurrent with development. Service providers shall be presumed correct in the evidence, which they submit. All facilities shall be designated to city standards as set out in the city's facility master plans and public works design standards. A development may be required to modify or replace existing offsite systems if necessary to provide adequate public facilities. The city may require over sizing of facilities where necessary to meet standards in the city's facility master plan or to allow for the orderly and efficient provision of public facilities and services. Where over sizing is required, the developer may request reimbursement from the city for over sizing based on the city's reimbursement policy and fund availability, or provide for recovery of costs from intervening properties as they develop.

**Finding: Not applicable.** Canemah Substation is not connected to and does not require public water or sewer facilities.

15. Adequate right-of-way and improvements to streets, pedestrian ways, bike routes and bikeways, and transit facilities shall be provided and be consistent with the city's transportation master plan and design standards and this title. Consideration shall be given to the need for street widening and other improvements in the area of the proposed development impacted by traffic generated by the proposed development. This shall include, but not be limited to, improvements to the right-of-way, such as installation of lighting, signalization, turn lanes, median and parking strips, traffic islands, paving, curbs and gutters, sidewalks, bikeways, street drainage facilities and other facilities needed because of anticipated vehicular and pedestrian traffic generation. Compliance with

[Chapter] 12.04, Streets, Sidewalks and Public Places shall be sufficient to achieve right-of-way and improvement adequacy.

**Finding: Not applicable.** The proposed addition of two utility poles does not trigger requirements for public improvements. The property fronts S. McLoughlin Blvd. which is currently improved as follows: 4 travel lanes, no curb and gutter. Staff notes that the applicant has only applied for a minor site plan, conditional use and variance for the addition of the two poles to the existing established site, and that there are few if any land use impacts associated with these improvements. Approval of this application does not vest any future expansions of the site. Future expansions on the site shall be reviewed through a similar process and may trigger proportional improvements and upgrades to and abutting the site, including but not limited to additional right-of-way dedications, street pavement, bike lanes, sidewalks, curbs etc, and landscaping and screening improvements. Such improvements will require approval by Oregon Department of Transportation who has jurisdiction over 99-E, but which did not comment on this application.

16. If a transit agency, upon review of an application for an industrial, institutional, retail or office development, recommends that a bus stop, bus turnout lane, bus shelter, accessible bus landing pad, lighting, or transit stop connection be constructed, or that an easement or dedication be provided for one of these uses, consistent with an agency adopted or approved plan at the time of development, the review authority shall require such improvement, using designs supportive of transit use. Improvements at a major transit stop may include intersection or mid-block traffic management improvements to allow for crossings at major transit stops, as identified in the transportation system plan.

**Finding: Complies.** Tri-Met did not comment on this application, despite receiving notice. TriMet currently provides transit service along S. McLoughlin Blvd. The proposed project does not include industrial, institutional, retail or office development that would trigger the review of the application by TriMet.

*17. All utility lines shall be placed underground.*

**Finding: Not applicable.** Improvements to the transmission lines out of the substation are not subject to land use review, but rather are regulated by PGE's franchise agreement with Oregon City. Therefore, this standard is not applicable to the proposed project.

*18. Access and facilities for physically handicapped people shall be incorporated into the site and building design consistent with applicable federal and state requirements, with particular attention to providing continuous, uninterrupted access routes.*

**Finding: Not applicable.** The standards relating to ADA access are not applicable to the proposed project.

*19. For a residential development, site layout shall achieve at least eighty percent of the maximum density of the base zone for the net developable area. Net developable area excludes all areas for required right-of-way dedication, land protected from development through Natural Resource or Geologic Hazards protection, and required open space or park dedication.*

**Finding: Not applicable.** This is not a residential development.

*20. Screening of Mechanical Equipment:*

**Finding: Not applicable.** The standards relating to screening of roof and wall mounting mechanical equipment are not applicable to the proposed addition of two utility poles. The existing substation is screened by evergreen shrubs along S. McLoughlin Blvd. and by significant vegetation throughout the south and eastern portions of the property.

*21. Building Materials.*

*a. Preferred building materials. Building exteriors shall be constructed from high quality, durable materials. Preferred exterior building materials that reflect the city's desired traditional character are as follows:*

*i. Brick.*

*ii. Basalt stone or basalt veneer.*

*iii. Narrow horizontal wood or composite siding (generally five inches wide or less); wider siding will be considered where there is a historic precedent.*

*iv. Board and baton siding.*

*v. Other materials subject to approval by the community development director.*

*vi. Plywood with battens or fiber/composite panels with concealed fasteners and contiguous aluminum sections at each joint that are either horizontally or vertically aligned.*

*vii. Stucco shall be trimmed in wood, masonry, or other approved materials and shall be sheltered from extreme weather by roof overhangs or other methods.*

**Finding: Not applicable.** The proposed project does not include buildings. Therefore, the standards relating to preferred building materials are not applicable.

*b. Prohibited materials. The following materials shall be prohibited in visible locations unless an exception is granted by the community development director based on the integration of the material into the overall design of the structure.*

*i. Vinyl or plywood siding (including T-111 or similar plywood).*

*ii. Glass block or highly tinted, reflected, translucent or mirrored glass (except stained glass) as more than ten percent of the building facade.*

*iii. Corrugated fiberglass.*

*iv. Chain link fencing (except for temporary purposes such as a construction site or as a gate for a refuse enclosure). [v.] Crushed colored rock/crushed tumbled glass.*

*[vi.] Non-corrugated and highly reflective sheet metal.*

**Finding: Complies.** The existing substation on Tax Lot 2770 is enclosed by an 8 foot chain link fence topped by three strands of barbed wire. These materials were previously permitted or not regulated by older code. Mature evergreen hedge and trees provide screening of views into the existing substation. The proposed addition of two utility poles does not expand or otherwise affect the fence or fenced area.

*c. Special material standards: The following materials are allowed if they comply with the requirements found below:*

*1. Concrete block. When used for the front facade of any building, concrete blocks shall be split, rock- or ground- faced and shall*

*not be the prominent material of the elevation. Plain concrete block or plain concrete may be used as foundation material if the foundation material is not revealed more than three feet above the finished grade level adjacent to the foundation wall.*

*2. Metal siding. Metal siding shall have visible corner moldings and trim and incorporate masonry or other similar durable/permanent material near the ground level (first two feet above ground level).*

*3. Exterior Insulation and Finish System (EIFS) and similar troweled finishes shall be trimmed in wood, masonry, or other approved materials and shall be sheltered from extreme weather by roof overhangs or other methods.*

*4. Building surfaces shall be maintained in a clean condition and painted surfaces shall be maintained to prevent or repair peeling, blistered or cracking paint.*

**Finding: Not applicable.** The special material standards listed above apply to buildings are not relevant to the proposed addition of two utility poles.

*22. Conditions of Approval. The review authority may impose such conditions as it deems necessary to ensure compliance with these standards and other applicable review criteria, including standards set out in city overlay districts, the city's master plans, and city public works design standards. Such conditions shall apply as described in Sections 17.50.310, 17.50.320 and 17.50.330. The review authority may require a property owner to sign a waiver of remonstrance against the formation of and participation in a local improvement district where it deems such a waiver necessary to provide needed improvements reasonably related to the impacts created by the proposed development. To ensure compliance with this chapter, the review authority may require an applicant to sign or accept a legal and enforceable covenant, contract, dedication, easement, performance guarantee, or other document, which shall be approved in form by the city attorney.*

**Finding:** Staff has not recommended any applicable conditions of approval.

*17.62.55 - Institutional and commercial building standards.*

**Finding: These standards are not applicable to the proposed project.** The standards in OCMC 17.62.55 are architectural requirements that apply to new commercial and institutional buildings, i.e. structures that people inhabit and which have walls, windows and other architectural features that must be reviewed for compatibility with adjacent development. The project is for two utility poles to an existing substation site. No typical habitable buildings exist or are proposed.

*17.62.56 - Additional standards for large retail establishments.*

**Finding: These standards are not applicable to the proposed project.**

*17.62.57 - Multi-family standards.*

**Finding: These standards are not applicable to the proposed project.**

*17.62.059 - Cottage housing.*

**Finding: These standards are not applicable to the proposed project.**

*17.62.065 - Outdoor lighting.*

*B. Applicability.*

*1. General.*

*a. All exterior lighting for any type of commercial, mixed-use, industrial or multi-family development shall comply with the standards of this section, unless excepted in subsection B.3.*

*b. The city engineer/public works director shall have the authority to enforce these regulations on private property if any outdoor illumination is determined to present an immediate threat to the public health, safety and welfare.*

**Finding: Not applicable.** The proposed addition of two utility poles does not require the addition of or change to the current lighting at the substation facility.

*2. Lighting Plan Requirement.*

*All commercial, industrial, mixed-use, cottage housing and multi-family developments shall submit a proposed exterior lighting plan. The plan must be submitted concurrently with the site plan. The exterior lighting plan shall include plans and specifications for streetlights, parking lot lights, and exterior building lights. The specifications shall include details of the pole, fixture height and design, lamp type, wattage, and spacing of lights.*

**Finding: Not applicable.** The proposed addition of two utility poles does not require the addition of or change to the current lighting at the substation facility.

### 3. Excepted Lighting.

*The following types of lighting are excepted from the requirements of this section.*

- a. Residential lighting for single-family attached and detached homes, and duplexes.*
- b. Public street and right-of-way lighting.*
- c. Temporary decorative seasonal lighting provided that individual lamps have a light output of sixty watts or less.*
- d. Temporary lighting for emergency or nighttime work and construction.*
- e. Temporary lighting for theatrical, television, and performance areas, or for special public events.*
- f. Lighting for a special district, street, or building that, according to an adopted municipal plan or ordinance, is determined to require special lighting aesthetics as part of its physical character.*
- g. Lighting required and regulated by the Federal Aviation Administration.*

**Finding: Not applicable. The applicant has not proposed additional lighting.**

*17.62.080 - Special development standards along transit streets.*

**Finding: This standard is not applicable to the proposed project.**

*17.62.085 - Refuse and recycling standards for commercial, industrial, and multi-family developments.*

**Finding: This standard is not applicable to the proposed project.**

## **CHAPTER 17.52 OFF-STREET PARKING AND LOADING**

**Finding: Not applicable.** The proposed project does not require, propose, nor affect off-street parking.

## **CHAPTER 17.56 CONDITIONAL USES**

*17.56.010.A.1. The use is listed as a conditional use in the underlying district;*

**Finding: Complies.** A substation is identified as a use that may be permitted in the R-6 District when a conditional use permit is approved. When the substation was built in the 1960s, the City did not have the current zoning codes in place. The proposed addition of two utility poles has triggered a review of the current zoning status and compliance with the requirement for a conditional use permit, site plan review and variance. The proposed utility poles are similar in design, size and location to the existing utility poles on the property.

*17.56.010.A.2 The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, existence of improvements and natural features;*

**Finding: Complies.** The established site is suitable for the substation considering its size, shape, location on 99-E by the Willamette River and PGE. The site and adjacent properties to are zoned residential and mixed-use, however there are currently are no residential uses that immediately about the facility, therefore the substation has minimal impact on residential use. The two proposed utility poles will be wood and similar in size and placement to the existing poles on the property. Please refer to Exhibits for a visual simulation for the proposed poles. The current design and placement will allow the proposed poles to blend into the existing surroundings.

*17.56.10.A.3. Development shall demonstrate compliance with Chapter 12.04, Streets, Sidewalks and Public Places;*

**Finding: Not applicable.** See section 12.04 for findings.

*17.56.10.A.4. The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or precludes the use of surrounding properties for the primary uses listed in the underlying district;*

**Finding: Complies as proposed.** The two proposed utility poles will be wood and similar in size and placement to the existing poles on the property. Please refer to Exhibit 1 for a visual simulation for the proposed poles. The current design and placement will allow the proposed poles to blend into the existing surroundings.

*17.56.10.A.5. The proposal satisfies the goals and policies of the city comprehensive plan which apply to the proposed use.*

**Finding: Complies as proposed.** The intent of this project is to upgrade PGE's existing electrical infrastructure to improve electrical reliability to the area with minimal effect to the surrounding area. The inability to complete this upgrade could result in a catastrophic electrical outage for nearby residents and commercial customers, including West Linn Paper Company that



could take up to 24 hours to restore.

## **Comprehensive Plan - 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.*

**Finding: Complies. See also findings under Section 17.48.** PGE acknowledges that the Willamette River Greenway Overlay District has a restriction for new substations and power line towers in the WRG and river view corridor. The proposed project does not expand the current substation area, however, PGE is proposing to add two transmission structures to the substation property. The proposed transmission poles are wooden monopoles that are similar in height, design and placement to the existing structures on the site and will create a negligible visual impact on the property. Please see Exhibits for a visual simulation of the proposed structures.

Staff finds that the scale of the addition of the two poles has minimal impact on and is consistent with the applicable Comprehensive Plan goals and policies for the Willamette River Greenway.

## **Comprehensive Plan 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.*

**Finding: Complies.** The proposed transmission poles are wooden, monopoles that are similar in height, design and placement to the existing structures on the site and will create a negligible visual impact. There are no inventoried open space, scenic and historic areas on or near the property, and the site is not within the Natural Resources Overlay District.

Staff finds that the scale of the addition of the two poles has minimal impact on and is consistent with the applicable Comprehensive Plan goals and policies for the Open Spaces, Scenic and Historic Areas, and Natural Resources.

## **Comprehensive Plan Section 11: Public Facilities - Page 79:**

*"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."*

See page 82 of Comp. Plan. *"Currently, there is sufficient electricity capacity in the Oregon City area to support industrial, commercial, and residential expansion."*

**Finding: Complies.** In order to provide safe and reliable electricity, PGE must continually maintain, evaluate and upgrade its electricity facilities. The recent determination to split the existing 57kV circuit from the Canemah Substation to the Willamette River Crossing was made to improve electricity reliability for residents and commercial customers in the area and provide safer working conditions for PGE's operations and maintenance personnel. The proposed project does not increase electricity capacity, however it does provide an alternate circuit for electricity transmission which will allow for more consistent, reliable and safe electricity delivery throughout Oregon City and to West Linn via the Willamette River Crossing.

Staff finds that the scale of the addition of the two poles has will promote and be consistent with the applicable Comprehensive Plan statements regarding electrical transmission capacity.

## **Any other applicable Comprehensive Plan goals or Policies**

### *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.*

**Finding: Complies.** Oregon City Comprehensive Plan Goal 11.7, Private Utility Operations requires that the City 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. PGE has identified that the existing 57kV line from the Canemah Substation to the Willamette River Crossing should be split to provide an additional electricity transmission route which will reduce the possibility of a major electrical outage, control power load swings and improve safety conditions for PGE operations and maintenance personnel.

**17.56.10.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.*

**Finding: Not applicable.** Staff has not recommended conditions of approval. Due to the very minor impacts associated with the addition of the two utility poles on the existing development on and adjacent to the site, no conditions of approval appear to be necessary. Staff notes that the applicant has only applied for a minor site plan, conditional use and variance for the addition of the two poles to the existing established site, and that there are few if any land use impacts associated with these improvements. Approval of this application does not vest any future expansions of the site. Future expansions on the site shall be reviewed through a similar process and may trigger proportional improvements and upgrades to and abutting the site, including but not limited to additional right-of-way dedications, street pavement, bike lanes, sidewalks, curbs etc, and landscaping and screening improvements. Such improvements will require approval by Oregon Department of Transportation who has jurisdiction over 99-E, but which did not comment on this application. Future expansions to the site would be required to seek additional conditional use approval.

**17.56.10.C.** *Any conditional use shall meet the dimensional standards of the zone in which it is to be located pursuant to subsection B of this section unless otherwise indicated, as well as the minimum conditions listed below.*

**Finding: Complies.** Please refer to the analyses regarding OCMC Chapters 17.08 and 17.56 in this report.

**17.56.10.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.*

**Finding: Applicable.** A substation is identified as a use that may be permitted in the R-6 District when a conditional use permit is approved. When the substation was built in the 1960s, the City did not have the current zoning codes in place. The proposed addition of two utility poles has triggered a review of the current zoning status and compliance with the requirement for a conditional use permit, site plan review and variance. The substation lot area, foundations, impervious surfaces or buildings will not be constructed or expanded as a part of this proposed project.

**17.56.10.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.*

**Finding: Not applicable.** PGE has no immediate plans to expand or modify the substation site other than the installation of two new transmission poles to carry the split 57kv line to the existing transmission lattice structure. Without specific plans, it may be difficult to determine a specified maximum as designated by the Planning Commission, although the applicant PGE is open to Commission proposals for evaluation. Staff notes that the applicant has only applied for a minor site plan, conditional use and variance for the addition of the two poles to the existing established site, and that there are few if any land use impacts associated with these improvements. Approval of this application does not vest any future expansions of the site. Future expansions on the site shall be reviewed through a similar process and may trigger proportional improvements and upgrades to and abutting the site, including but not limited to additional right-of-way dedications, street pavement, bike lanes, sidewalks, curbs etc, and landscaping and screening improvements. Such improvements will require approval by Oregon Department of Transportation who has jurisdiction over 99-E, but which did not comment on this application.

**17.56.040.A.** *Building Openings. The city may limit or prohibit building openings within fifty feet of residential property in a residential zone if the openings will cause glare, excessive noise or excessive traffic which would adversely affect adjacent*

*residential property as set forth in the findings of the planning commission.*

**Finding: Not applicable.** No new buildings are proposed. This standard is not applicable to the proposed project.

**17.56.40.B Additional Street Right-of-Way.** *The dedication of additional right-of-way may be required where the city plan indicates need for increased width and where the street is inadequate for its use; or where the nature of the proposed development warrants increased street width.*

**Finding: Not applicable. See section 12.04.** The proposed project will not increase vehicular or pedestrian traffic in the area. This standard is not applicable to the proposed project.

**17.56.40.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.*

**Finding: Variance required.** Please refer to findings in section 17.68. The proposed 80' pole will be installed approximately 10' from the northern property line. This new pole is parallel to the existing lattice tower. PGE is requesting a variance for the setback to meet safety clearance height and angles. The two new poles are similar in height, design and location to the existing poles on the property. The pole placement is based on electrical safety standards. The new line will make maintenance and repair on electrical lines in the area safer for PGE's crew while providing more consistent, reliable electricity to area residents and commercial customers.

#### **CHAPTER 13.12 - STORMWATER CONVEYANCE, QUANTITY AND QUALITY**

**13.12.50 Pursuant to each of the subsections below, proposed activities may be required to meet the performance standards for stormwater conveyance, stormwater quantity or stormwater quality.**

**13.12.50.A. Stormwater Conveyance.** *The stormwater conveyance requirements of this chapter shall apply to all stormwater systems constructed with any development activity, except as follows:*

- 1. The conveyance facilities are located entirely on one privately owned parcel;*
- 2. The conveyance facilities are privately maintained; and*
- 3. The conveyance facilities receive no stormwater runoff from outside the parcel's property limits. Those facilities*

*exempted from the stormwater conveyance requirements by the above subsection will remain subject to the requirements of the Oregon Uniform Plumbing Code. Those exempted facilities shall be reviewed by the building official.*

**Finding: This standard is not applicable to the proposed project.**

**13.12.50.B. Stormwater Quantity Control.** *The stormwater quantity control requirements of this chapter shall apply to the following proposed activities, uses or developments:*

- 1. Activities located wholly or partially within water quality resource areas pursuant to Chapter 17.49 that will result in the creation of more than five hundred square feet of impervious surface within the WQRA or will disturb more than one thousand square feet of existing impervious surface within the WQRA as part of a commercial or industrial redevelopment project. These square footage measurements will be considered cumulative for any given seven-year period;*
- 2. Activities that create more than two thousand square feet of impervious surface, cumulated over any given seven year period; or*
- 3. Redevelopment of a commercial or industrial land use that will disturb more than five thousand square feet of existing impervious surface. This five thousand square foot measurement cumulates over any given seven year period;*
- 4. An exemption to the stormwater quantity control requirements of this chapter will be granted in the following circumstances:*
  - a. The development site discharges to a stormwater quantity control facility approved by the city engineer to receive the developed site runoff after verification that the facility is adequately sized to receive the additional stormwater, or,*
  - b. The development site discharges to one of the following receiving bodies of water: Willamette River, Clackamas River or Abernethy Creek; and either lies within the one hundred year floodplain or is up to ten feet above the design flood elevation as defined in Chapter 17.42*

**Finding: This standard is not applicable to the proposed project.**

*13.12.50.C. Stormwater Quality Control. The stormwater quality control requirements of this chapter shall apply to the following proposed activities, uses or developments:*

- 1. Category A. Activities subject to general water quality requirements of this chapter:*
  - a. The construction of four or more single-family residences; Activities located wholly or partially within water quality resource areas pursuant to Chapter 17.49 that will result in the creation of more than five hundred square feet of impervious surface within the WQRA or will disturb more than one thousand square feet of existing impervious surface within the WQRA as part of a commercial or industrial redevelopment project. These square footage measurements will be considered cumulative for any given seven year period; or*
  - b. Activities that create more than eight thousand square feet of new impervious surface for other than a single-family residential development. This eight thousand square foot measurement will be considered cumulative for any given seven year period;*
  - c. An exemption to the stormwater quantity control requirements of this subsection will be granted if the development site discharges to a stormwater quality control facility approved by the city engineer to receive the developed site runoff after verification that the facility is adequately sized to receive the additional stormwater.*
- 2. Category B. Uses Requiring Additional Management Practices. In addition to any other applicable requirements of this chapter, the following uses are subject to additional management practices as contained in the Public Works Stormwater and Grading Design Standards:*
  - a. Fuel dispensing facilities;*
  - b. Bulk petroleum storage in multiple stationary tanks;*
  - c. Solid waste storage areas for commercial, industrial or multi-family uses;*
  - d. Loading and unloading docks for commercial or industrial uses; or*
  - e. Covered vehicle parking for commercial or industrial uses.*
- 3. Category C. Clackamas River Watershed. In addition to any other applicable requirements of this chapter, any development that creates new waste discharges and whose stormwater runoff may directly or indirectly flow into the Clackamas River is subject to additional requirements associated with Oregon Administrative Rules (OAR) 340-41-470 (Thee Basin Rule).*

**Finding: This standard is not applicable to the proposed project.**

*13.12.90 Approval criteria for engineered drainage plans and drainage report.*

*An engineered drainage plan and/or drainage report shall be approved only upon making the following findings:*

- A. The plan and report demonstrate how the proposed development and stormwater management facilities will accomplish the purpose statements of this chapter;*
- B. The plan and report meet the requirements of the Public Works Stormwater and Grading Design Standards adopted by resolution under Section 13.12.020*
- C. Unless otherwise exempted by Section 13.12.050(B), the plan and report includes adequate stormwater quantity control facilities, so that when the proposed land development activity takes place, peak rates and volumes of runoff:*
  - 1. Do not exceed the capacity of receiving drainage conveyance facilities;*
  - 2. Do not increase the potential for streambank erosion; and*
  - 3. Do not add volume to an off-site closed depression without providing for mitigation.*
- D. Unless otherwise exempted by Section 13.12.050(C), the proposed development includes:*
  - 1. Adequate stormwater quality control facilities, so that when the proposed land development activity takes place, the temperature and overall pollution level of stormwater runoff is no greater than the water entering. When no water enters a project, then stormwater runoff shall be compared to rain samples; and*
  - 2. Stormwater quality control facilities which:*
    - a. Are in compliance with applicable National Pollutant Discharge Elimination System (NPDES) requirements;*
    - b. Minimize the deterioration of existing watercourses, culverts, bridges, dams and other structures; and*
    - c. Minimize any increase in nonpoint source pollution.*
- E. The storm drainage design within the proposed development includes provisions to adequately control runoff from all public and private streets and roof, footing, and area drains and ensures future extension of the current drainage system.*
- F. Streambank erosion protection is provided where stormwater, directly or indirectly, discharges to open channels or streams. The postdevelopment peak stormwater discharge rate from a development site for the two year, twenty-four hour duration storm event shall not exceed fifty percent of the two year, twenty-four hour predevelopment peak runoff rate.*

*G. Specific operation and maintenance measures are proposed that ensure that the proposed stormwater quantity control facilities will be properly operated and maintained.*

**Finding: This standard is not applicable to the proposed project.**

#### **CHAPTER 12.04 - STREETS SIDEWALKS AND PUBLIC PLACES**

**Finding: Not applicable.** These standards are not applicable to the proposed project because the installation of two utility poles will not increase vehicular or pedestrian traffic in the area. The existing substation does not include buildings and no buildings or parking areas are associated with the proposed addition to two utility poles. The impact of the addition of two utility poles to the existing substation has no impact on the City's Transportation System. The project was reviewed by the City's Transportation Consultant, John Replinger, P.E. of Replinger and Associates who stated that "There is no transportation impact from this proposal."

Staff notes that the applicant has only applied for a minor site plan, conditional use and variance for the addition of the two poles to the existing established site, and that there are few if any land use impacts associated with these improvements. Approval of this application does not vest any future expansions of the site. Future expansions on the site shall be reviewed through a similar process and may trigger proportional improvements and upgrades to and abutting the site, including but not limited to additional right-of-way dedications, street pavement, bike lanes, sidewalks, curbs etc, and landscaping and screening improvements. Such improvements will require approval by Oregon Department of Transportation who has jurisdiction over 99-E, but which did not comment on this application.

#### **Chapter 12.08 - PUBLIC AND STREET TREES**

*12.08.015 - Street tree planting and maintenance requirements.*

*All new construction or major redevelopment shall provide street trees adjacent to all street frontages. Species of trees shall be selected based upon vision clearance requirements, but shall in all cases be selected from the Oregon City Street Tree List or be approved by a certified arborist. If a setback sidewalk has already been constructed or the Development Services determines that the forthcoming street design shall include a setback sidewalk, then all street trees shall be installed with a planting strip. If existing street design includes a curb-tight sidewalk, then all street trees shall be placed within the front yard setback, exclusive of any utility easement.*

**Finding: Not applicable.** This project is not considered new construction or major redevelopment, therefore, this standard is not applicable to the proposed project.

#### **CHAPTER 15.48 – GRADING, FILLING AND EXCAVATING**

*15.48.030 Applicability—Grading permit required.*

*A. A city-issued grading permit shall be required before the commencement of any of the following filling or grading activities:*

- 1. Grading activities in excess of ten cubic yards of earth;*
- 2. Grading activities which may result in the diversion of existing drainage courses, both natural and man-made, from their natural point of entry or exit from the grading site;*
- 3. Grading and paving activities resulting in the creation of impervious surfaces greater than two thousand square feet or more in area;*
- 4. Any excavation beyond the limits of a basement or footing excavation, having an unsupported soil height greater than five feet after the completion of such a structure; or*
- 5. Grading activities involving the clearing or disturbance of one-half acres (twenty-one thousand seven hundred eighty square feet) or more of land.*

**Finding: This standard is not applicable to the proposed project.** No grading, filling or excavating is proposed that would exceed the limits specified. The pole installation requires the augering of two holes for a footing, which will require a building permit, but which does not trigger a requirement for a fill / grading permit.

#### **CHAPTER 17.47 - EROSION AND SEDIMENT CONTROL**

*17.47.070 Erosion and sediment control plans.*

*A. An application for an erosion and sediment control permit shall include an erosion and sediment control plan, which contains methods and interim measures to be used during and following construction to prevent or control erosion prepared in compliance with City of Oregon City public works standards for erosion and sediment control. These standards are incorporated herein and made a part of this title and are on file in the office of the city recorder.*

**Finding: This standard is not applicable to the proposed project.**

**CHAPTER 17.41 - TREE PROTECTION STANDARDS**

*17.41.020 - Tree protection—Applicability.*

- 1. Applications for development subject to Chapters 16.08 or 16.12 (Subdivision or Minor Partition) or Chapter 17.62 (Site Plan and Design Review) shall demonstrate compliance with these standards as part of the review proceedings for those developments.*
- 2. For public capital improvement projects, the city engineer shall demonstrate compliance with these standards pursuant to a Type II process.*
- 3. Tree canopy removal greater than twenty-five percent on sites greater than twenty-five percent slope, unless exempted under Section 17.41.040, shall be subject to these standards.*
- 4. A heritage tree or grove which has been designated pursuant to the procedures of Chapter 12.08.050 shall be subject to the standards of this section.*

*17.41.030 - Tree protection—Conflicting code provisions.*

*Except as otherwise specified in this section, where these standards conflict with adopted city development codes or policies, the provision which provides the greater protection for regulated trees or groves, as defined in Section 17.04, shall govern.*

**Finding: Not applicable.** No trees or shrubbery will be removed in connection with the project and the total project impact area is minimal.

**CHAPTER 17.44 – GEOLOGIC HAZARDS OVERLAY DISTRICT**

**Finding: This standard is not applicable because the site is outside of the Geologic Hazards Overlay District.**

**CHAPTER 17.49 – NATURAL RESOURCE OVERLAY DISTRICT**

**Finding: This standard is not applicable because the site is outside of the Natural Resource Overlay District and utility poles are exempt per Chapter 17.49[0]80 of the Oregon City Code.**

**CHAPTER 17.50 - ADMINISTRATION AND PROCEDURES**

*17.50.050 Preapplication Conference*

*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.

**Finding: Complies.** Jason Chu and Jennifer Santhouse of PGE attended a pre-application conference with John Stutesman and Peter Walter on April 20, 2016 to discuss the proposed project. The Pre-App file number is PA-16-0017, and pre-application and summary was included with the formal land use application.

#### *17.50.055 Neighborhood Association Meeting*

*The purpose of the meeting with the recognized neighborhood association is to inform the affected neighborhood association about the proposed development and to receive the preliminary responses and suggestions from the neighborhood association and the member residents.*

*1. Applicants applying for annexations, zone change, comprehensive plan amendments, conditional use, planning commission variances, subdivision, or site plan and design review (excluding minor site plan and design review), general development master plans or detailed development plans applications shall schedule and attend a meeting with the city-recognized neighborhood association in whose territory the application is proposed. Although not required for other projects than those identified above, a meeting with the neighborhood association is highly recommended.*

*2. The applicant shall send, by certified mail, return receipt requested letter to the chairperson of the neighborhood association and the citizen involvement committee describing the proposed project. Other communication methods may be used if approved by the neighborhood association.*

*3. A meeting shall be scheduled within thirty days of the notice. A meeting may be scheduled later than thirty days if by mutual agreement of the applicant and the neighborhood association. If the neighborhood association does not want to, or cannot meet within thirty days, the applicant shall hold their own meeting after six p.m. or on the weekend, with notice to the neighborhood association, citizen involvement committee, and all property owners within three hundred feet. If the applicant holds their own meeting, a copy of the certified letter requesting a neighborhood association meeting shall be required for a complete application. The meeting held by the applicant shall be held within the boundaries of the neighborhood association or in a city facility.*

*4. If the neighborhood association is not currently recognized by the city, is inactive, or does not exist, the applicant shall request a meeting with the citizen involvement committee.*

*5. To show compliance with this section, the applicant shall submit a sign-in sheet of meeting attendees, a summary of issues discussed, and letter from the neighborhood association or citizen involvement committee indicating that a neighborhood meeting was held. If the applicant held a separately noticed meeting, the applicant shall submit a copy of the meeting flyer, a sign in sheet of attendees and a summary of issues discussed.*

**Finding: Complies.** Jason Chu and Jennifer Santhouse presented the proposed plan to the Canemah Neighborhood Association meeting on June 16, 2016. A copy of the correspondence from the neighborhood association secretary, the meeting minutes and the attendance record for the meeting are provided as part of the application.

#### **CHAPTER 17.54.100 – FENCES, HEDGES AND WALLS**

**Finding: Not applicable.** This standard is not applicable to the proposed project. The existing fence surrounding the substation will not be modified in connection with this project.

#### **CHAPTER 17.60 VARIANCES**

##### **17.60.20 - Variances—Procedures.**

**17.60.20.A.** *A request for a variance shall be initiated by a property owner or authorized agent by filing an application with the city recorder. The application shall be accompanied by a site plan, drawn to scale, showing the dimensions and arrangement of the proposed development. When relevant to the request, building plans may also be required. The application shall note the zoning requirement and the extent of the variance requested. Procedures shall thereafter be held under Chapter 17.50. In addition, the procedures set forth in subsection D. of this section shall apply when applicable.*

**Finding: Complies.** PGE proposes to install two new transmission poles on the substation property. The current zoning of R-6 limits utility pole height to 35'. PGE is requesting a variance to accommodate a new transmission line from an updated circuit within the substation to the existing Willamette River transmission crossing. Additionally, the R-6 zoning designation requires that poles be placed a distance equivalent to height from the property line. PGE proposes to install an 80' transmission pole approximately 10' from the northern property line of Tax Lot 2790 in order to properly support and connect with the existing transmission lines crossing. The location of the 80' pole is parallel to the existing transmission lattice structure and will be secured by guy wires to prevent encroachment onto the neighboring property.

**17.60.20.B.** A nonrefundable filing fee, as listed in Section 17.50.[0]80, shall accompany the application for a variance to defray the costs.

**Finding: Complies.** PGE submitted a Variance Application fee in the amount of \$2,467.00 with its application.

**17.60.20.C.** Before the planning commission may act on a variance, it shall hold a public hearing thereon following procedures as established in Chapter 17.50. A Variance shall address the criteria identified in Section 17.60.030, Variances — Grounds.

**Finding: A public hearing was noticed in accordance with Chapter 17.50.** The proposed project requires a Variance because the proposed utility pole heights exceed the 35' height maximum allowed within an R-6 Zone and the Code states that utility poles are located a distance equivalent to height from the property line. PGE is requesting a variance to allow for an 80' utility pole to be placed parallel to the existing lattice tower (approximately 10' south of the northern property line) and near an existing 75' utility pole. The placement of this pole was determined by the need to meet electrical safety clearance height and angle requirements and without the Variance, PGE will be unable to meet these safety requirements.

Minor variances, as defined in subsection E. of this section, shall be processed as a Type II decision, shall be reviewed pursuant to the requirements in Section 17.50.030B., and shall address the criteria identified in Section 17.60.030, Variance — Grounds.

**Finding: Not applicable.** The application is for a Planning Commission Type III variance.

**17.60.20.D.** For the purposes of this section, minor variances shall be defined as follows:

1. Variances to setback and yard requirements to allow additions to existing buildings so that the additions follow existing building lines;
2. Variances to width, depth and frontage requirements of up to twenty percent;
3. Variances to residential yard/setback requirements of up to twenty-five percent;
4. Variances to nonresidential yard/setback requirements of up to ten percent;
5. Variances to lot area requirements of up to five;
6. Variance to lot coverage requirements of up to twenty-five percent;
7. Variances to the minimum required parking stalls of up to five percent; and
8. Variances to the floor area requirements and minimum required building height in the mixed-use districts.

**Finding: Not applicable.** The application is for a Planning Commission Type III variance.

**17.60.30 - Variance—Grounds.**

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

**17.60.30.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;

**Finding: Complies.** The proposed addition of two transmission poles will not significantly affect light, air, safe access or other desirable or necessary qualities for the Applicant or the surrounding properties. As indicated in the visual simulations, the impact of the addition of the two poles is unlikely to be visible relative to existing structures on the site, many of which are higher and more massive than the proposed poles.

**17.60.30.B.** That the request is the minimum variance that would alleviate the hardship;

**Finding: Complies.** The addition of the new utility poles is in connection with the splitting of the existing 57kV circuit from the Canemah Substation to the Willamette River Crossing. The addition of this new circuit will provide additional reliability and improve safety for PGE's maintenance crews while reducing the potential for a catastrophic electrical outage in Oregon City, West Linn and the surrounding areas. Pole placement is based on standard electrical safety clearance that allows the new transmission lines to be safely connected to the existing lattice tower.

**17.60.30.C.** Granting the variance will equal or exceed the purpose of the regulation to be modified.

**Finding: Complies.** Section 11 of the Oregon City Comprehensive Plan states that "Oregon City is committed to providing its residence 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." The proposed setback and height variance is necessary in order to provide safe and reliable electricity. PGE must continually maintain, evaluate and upgrade its electricity facilities. The recent determination to split the existing 57kV circuit from the Canemah Substation to the Willamette River Crossing was made to improve electricity reliability for residents and commercial customers in the area and provide safer working conditions for PGE's operations and maintenance personnel.



**17.60.30.D.** *Any impacts resulting from the adjustment are mitigated;*

**Finding: Complies.** The variance for the utility pole heights (60' and 80') and the setback (approximately 10' from property boundary) will have a negligible visual impact on the property for the Applicant or the surrounding neighbors because the height, design and placement of the proposed poles are congruent with the existing facilities. The property is heavily vegetated and no trees or shrubbery will be removed during the installation process. The impact of the setback variance will be mitigated by securing the pole with multiple guy-wires to ensure that the pole will not fall onto the adjacent property.

**17.60.30.E.** *No practical alternatives have been identified which would accomplish the same purpose and not require a variance; and*

**Finding:** As mentioned above, the proposed pole placement is based on standard electrical safety clearance that allows the new transmission lines to be safely connected to the existing lattice tower. There are no practical alternatives to this project.

**17.60.30.F.** *The variance conforms to the comprehensive plan and the intent of the ordinance being varied.*

**Finding: Please see also findings above under Conditional Use, Section 17.56.** Staff has made findings that the proposal conforms to the applicable provisions of the Comprehensive Plan. The Oregon City Comprehensive Plan describes the city's commitment to providing its citizens and businesses with access to safe and reliable public facilities, including electricity. PGE's proposed upgrade and installation of two utility poles on the Canemah Substation site will ensure that the local residents and businesses have reliable electrical service while also improving the safety for PGE's maintenance and operations personnel, with minimal impact to adjacent development.

### III. CONCLUSION AND RECOMMENDATION

Based on the analysis and findings as described above, the proposed Conditional Use, Site Plan and Design Review application for the addition of 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 can meet the requirements as described in the Oregon City Municipal Code.

Therefore, staff recommends approval of files CU-16-0001, SP-16-0008, and VR-16-0002, based upon the findings and exhibits contained in this staff report.

### IV. EXHIBITS

1. Land Use Application
2. Applicant's Submittal
3. Site Drawings
4. Code Responses
5. Pre-App Conference Summary (Planning)
6. Pre-App Conference Summary (Dev. Services)
7. Neighborhood Meeting Documents

# **PGE Canemah Substation**

## **Type III – Site Plan Design and Review, Conditional Use and Variance Application**

### **Project Narrative**

Portland General Electric Company (“PGE”) constructed the Canemah Substation and related transmission structures nearly 50 years ago. The population and employment base in Oregon City has grown significantly in the years since the substation was built. Replacing existing breakers, splitting the existing 57kV circuit and adding an additional transmission line from the substation is necessary in order to add capability to the power and delivery system, increase system reliability, improve safety for PGE’s operations and maintenance personnel, meet the demands of growth and continue to provide reliable and safe power to serve Oregon City and surrounding areas now and in the future. If PGE is unable to complete the proposed project before the winter storm season, its residential and commercial customers are at risk for major power load swings and a potential for a catastrophic power outage.

The current substation site has existed in its current form for many years and currently, PGE does not intend to expand or modify the fenced substation area. 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 Willamette River Crossing Tower. The addition of these two poles has triggered the need for a Conditional Use Permit since the substation was built prior to the current zoning code.

The property is situated in an R-6 zone and an electrical substation is may be permitted in the R-6 District when a conditional use permit is approved. To reduce the impact of this project on the property and surrounding neighborhood, the proposed poles will be similar in style and height to the utility poles currently installed on the property. The height and placement of the two transmission poles will carry an additional feeder line from the substation breaker to the existing transmission lines are based on electrical safety clearance requirements. The 80’ pole placement is parallel to the existing transmission lattice tower (approximately 10’ south of the northern property line) and near an existing 75’ transmission pole. A variance is requested to accommodate the taller utility poles (60’ and 80’) and the setback (a distance less than pole height from property line).

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. PGE anticipates that the installation of these two transmission poles and the related electrical lines will take 5 to 10 days to complete. With a short construction time and utility poles similar to the existing structures, PGE believe the overall visual impact will be negligible to neighbors and area visitors, but the increased reliability and safety will be significant throughout the community.

Pursuant to Section 11 of the Oregon City Comprehensive Plan, “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.” PGE’s evaluation of the current status of the Canemah Substation revealed necessary maintenance upgrades including the split of the current 57kV transmission line that connects to the Willamette River Crossing. The installation of the two transmission poles to support the split of the current line will facilitate Oregon City’s goal to contribute to its citizens’ access to safe and reliable electricity.

## TYPE III –MINOR SITE PLAN AND DESIGN REVIEW, CONDITIONAL USE AND VARIANCE

### Applicant's Submittal

July 8, 2016

**APPLICANT:** Portland General Electric Company  
121 SW Salmon Street, Portland, OR 97204

**OWNER:** Portland General Electric Company  
121 SW Salmon Street, Portland, OR 97204

**REQUEST:** Installation of two wood-guyed, utility poles on substation property

**LOCATION:** 152 S. McLoughlin Blvd., Oregon City, OR 97045  
2 E 31CC 2790 and 2770

#### I. BACKGROUND:

##### 1. Existing Conditions

Portland General Electric Company ("PGE") constructed the Canemah Substation and related transmission structures nearly 50 years ago. The population and employment base in Oregon City has grown significantly in the years since the substation was built. Replacing existing breakers and adding an additional transmission line from the substation is necessary in order to add capability into the power and delivery system, increase system reliability, meet the demands of growth and continue to provide reliable and safe power to serve Oregon City and surrounding areas now and into the future.

##### 2. Project Description

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.

#### II. RESPONSES TO THE OREGON CITY MUNICIPAL CODE:

##### **CHAPTER 17.12 - "R-6" SINGLE-FAMILY DWELLING DISTRICT**

17.12.020 - Permitted uses.

*Permitted uses in the R-6 district are:*

*A. Single-family detached residential units;*

*B. Parks, playgrounds, playfields and community or neighborhood centers;*

- C. Home occupations;
- D. Farms, commercial or truck gardening and horticultural nurseries on a lot not less than twenty thousand square feet in area (retail sales of materials grown on-site is permitted);
- E. Temporary real estate offices in model homes located on and limited to sales of real estate on a single piece of platted property upon which new residential buildings are being constructed;
- F. Accessory uses, buildings and dwellings;
- G. Family day care provider, subject to the provisions of Section 17.54.050;
- H. Residential home per ORS 443.400;
- I. Cottage housing;
- J. Transportation facilities.

**Applicant's Response:** The current use does not fall into Permitted Use category.

*17.12.030 - Conditional uses.*

The following conditional uses are permitted in this district when authorized by and in accordance with the standards contained in [Chapter 17.56](#):

- A. Golf courses, except miniature golf courses, driving ranges or similar commercial enterprises;
- B. Bed and breakfast inns/boarding houses;
- C. Cemeteries, crematories, mausoleums and columbariums;
- D. Child care centers and nursery schools;
- E. Emergency service facilities (police and fire), excluding correctional facilities;
- F. Residential care facility;
- G. Private and/or public educational or training facilities;
- H. Public utilities, including sub-stations (such as buildings, plants and other structures);
- I. Religious institutions.
- J. Assisted living facilities; nursing homes and group homes for over fifteen patients.

**Applicant's Response:** A substation is identified as a use that may be permitted in the R-6 District when a conditional use permit is approved. When the substation was built in the 1960s, the City did not have the current zoning codes in place. The proposed addition of two utility poles has triggered a review of the current zoning status and compliance with the requirement for a conditional use permit, site plan review and variance.

*17.12.040.A. Minimum lot area, six thousand square feet;*

*17.12.040.B. Minimum lot width, fifty feet;*

*17.12.040.C. Minimum lot depth, seventy feet;*

**Applicant's Response:** The property is composed of two tax parcels of approximately 5.85 acres (254,826 sq ft). The combined parcels create a lot that is over 560' wide and over 365' deep.

*17.12.040.D. Maximum building height: two and one-half stories, not to exceed thirty-five feet. If an existing structure is being retained.*

**Applicant's Response:** There are no existing buildings on the property as the property is being used as an electrical substation.

*17.12.040.E. Setbacks if an existing structure is being retained.*

1. Front yard: ten feet minimum depth.
2. Front porch, five feet minimum setback,
3. Attached and detached garage, twenty feet minimum setback from the public right-of-way where access is taken, except for alleys. Detached garages on an alley shall be setback a minimum of five feet in residential areas.
4. Interior side yard, nine feet minimum setback for at least one side yard; five feet minimum setback for the other side yard,
5. Corner side yard, fifteen feet minimum setback,
6. Rear yard, twenty-foot minimum setback
7. Rear porch, fifteen-foot minimum setback.

**Applicant's Response:** There are no existing buildings on the property. One new utility pole will be installed approximately 10' from the northern property boundary. The City requires that utility poles be located a distance equivalent to height from the property line. PGE is requesting a variance to allow for the pole to be

placed parallel to the existing lattice tower and near an existing 75' utility pole to meet electrical safety clearance height and angle requirements.

*17.12.040.G. Maximum lot coverage: The footprint of all structures two hundred square feet or greater shall cover a maximum of forty percent of the lot area. If an existing structure is being retained.*

**Applicant's Response:** The city has indicated that "buildings" cover 0.02 acres of a total lot area of 5.85 acres (0.003%).

## **CHAPTER 17.62 SITE PLAN AND DESIGN REVIEW**

*17.62.015 - Modifications that will better meet design review requirements.*

*The review body may consider modification of site-related development standards. These modifications are done as part of design review and are not required to go through the Variance process pursuant to [section 17.60.020](#).*

*Adjustments to use-related development standards (such as floor area ratios, intensity of use, size of the use, number of units, or concentration of uses) are required to go through the Variance process pursuant to [section 17.60.020](#). Modifications that are denied through design review may be requested as Variance through the Variance process pursuant to [section 17.60.020](#). The review body may approve requested modifications if it finds that the applicant has shown that the following approval criteria are met:*

*A. The modification will result in a development that better meets design guidelines; and*

**Applicant's Response:** Pole placement is based on standard electrical safety clearance that allows the new transmission lines to be safely connected to the existing lattice tower. The new transmission poles are 60' and 80' in height and the current zoning (R-6) height limit is 35'. Additionally, the code requires setbacks equal to the height of the poles. The 80' pole will be installed approximately 10' from the northern property line. This new pole is parallel to the existing lattice tower. PGE is requesting a variance for the pole height and setback to meet safety clearance height and angles. The new poles are similar in height, design and location to the existing poles on the property.

*B. The modification meets the intent of the standard. On balance, the proposal will be consistent with the purpose of the standard for which a modification is requested.*

**Applicant's Response:** As mentioned above, the pole placement is based on electrical safety standards. The new line will make maintenance and repair on electrical lines in the area safer for PGE's crew while providing more consistent, reliable electricity to area residents and commercial customers.

*17.62.020 - Preapplication conference.*

*Prior to filing for site plan and design review approval, the applicant shall confer with the community development director pursuant to [Section 17.50.030](#). The community development director shall identify and explain the relevant review procedures and standards.*

**Applicant's Response:** Jason Chu and Jennifer Santhouse of PGE attended a pre-application conference with John Stutesman and Peter Walter on April 20, 2016 to discuss the proposed project.

*17.62.030 - When required.*

*Site plan and design review shall be required for all development of real property in all zones except the R-10, R-8, R-6, R-5 and R-3.5 zoning districts, unless otherwise provided for by this title or as a condition of approval of a permit. Site plan and design review shall also apply to all conditional uses, cottage housing development, multi-family and non-residential uses in all zones. No building permit or other permit authorization for development shall be issued prior to site plan and design review approval. Parking lots and parking areas accessory to uses regulated by this chapter also shall require site plan and design review approval. Site plan and design review shall not alter the type and category of uses permitted in zoning districts.*

**Applicant's Response:** PGE is submitting its application for a Minor Site Plan review in connection with this project and the property's use as a substation, which qualifies as a conditional use in the R-6 zoning district.

*17.62.035 - Minor site plan and design review.*

*This section provides for a minor site plan and design review process. Minor Site Plan Review is a Type II decision subject to administrative proceedings described in OCMC [17.50](#) section and may be utilized as the appropriate review process only when authorized by the community development director. The purpose of this type of review is*

to expedite design review standards for uses and activities that require only a minimal amount of review, typical of minor modifications and/or changes to existing uses or buildings.

A. Generally. Minor site plan and design review applies to the following uses and activities:

1. Modification of an office, commercial, industrial, institutional, public or multi-family structure for the purpose of enhancing the aesthetics of the building and not increasing the interior usable space (for example covered walkways or entryways, addition of unoccupied features such as clock tower, etc.).
2. Modification to parking lot layout and landscaping or the addition of up to 5 parking spaces.
3. A maximum addition of up to one thousand square feet to a commercial, office, institutional, public, multi-family, or industrial building provided that the addition is not more than thirty-five percent of the original building square footage.
4. Other land uses and activities may be added if the community development director makes written findings that the activity/use will not increase off-site impacts and is consistent with the type and/or scale of activities/uses listed above.

**Applicant's Response: PGE proposes to add two utility poles to an existing substation site. This project does not add buildings and/or interior usable space or modify a parking lot layout. This project will not increase off-site impacts and is consistent with the current type and scale of activity on the property.**

17.62.040 - Plans required.

A complete application for site plan and design review shall be submitted. Except as otherwise in subsection I of this section, the application shall include the following plans and information:

A. A site plan or plans, to scale, containing the following:

1. Vicinity information showing streets and access points, pedestrian and bicycle pathways, transit stops and utility locations;
2. The site size, dimensions, and zoning, including dimensions and gross area of each lot or parcel and tax lot and assessor map designations for the proposed site and immediately adjoining properties;
3. Contour lines at two-foot contour intervals for grades zero to ten percent, and five-foot intervals for grades over ten percent;
4. The location of natural hazard areas on and within one hundred feet of the boundaries of the site, including:
  - a. Areas indicated on floodplain maps as being within the one hundred-year floodplain,
  - b. Unstable slopes, as defined in Section 17.44.020,
  - c. Areas identified on the seismic conditions map in the comprehensive plan as subject to earthquake and seismic conditions;
5. The location of natural resource areas on and within one hundred feet of the boundaries of the site, including fish and wildlife habitat, existing trees (six inches or greater in caliper measured four feet above ground level), wetlands, streams, natural areas, wooded areas, areas of significant trees or vegetation, and areas designated as being within the natural resources overlay district;
6. The location of inventoried historic or cultural resources on and within one hundred feet of the boundaries of the site;
7. The location, dimensions, and setback distances of all existing permanent structures, improvements and utilities on or within twenty-five feet of the site, and the current or proposed uses of the structures;
8. The location, dimensions, square footage, building orientation and setback distances of proposed structures, improvements and utilities, and the proposed uses of the structures by square footage;
9. The location, dimension and names, as appropriate, of all existing and platted streets, other public ways, sidewalks, bike routes and bikeways, pedestrian/bicycle accessways and other pedestrian and bicycle ways, transit street and facilities, neighborhood activity centers, and easements on and within two hundred fifty feet of the boundaries of the site;
10. The location, dimension and names, as appropriate, of all proposed streets, other public ways, sidewalks, bike routes and bikeways, pedestrian/bicycle accessways and other pedestrian and bicycle ways, transit streets and facilities, neighborhood activity centers, and easements on and within two hundred fifty feet of the boundaries of the site;
11. All parking, circulation, loading and servicing areas, including the locations of all carpool, vanpool and bicycle parking spaces as required in [Chapter 52](#) of this title;
12. Site access points for automobiles, pedestrians, bicycles and transit;
13. On-site pedestrian and bicycle circulation;
14. Outdoor common areas proposed as open space;

15. Total impervious surface created (including buildings and hard ground surfaces).

16. The proposed location, dimensions and materials of fences and walls.

B. A landscaping plan, drawn to scale, showing the location and types of existing trees (six inches or greater in caliper measured four feet above ground level) and vegetation proposed to be removed and to be retained on the site, the location and design of landscaped areas, the varieties, sizes and spacings of trees and plant materials to be planted on the site, other pertinent landscape features, and irrigation systems required to maintain plant materials.

C. Architectural drawings or sketches, drawn to scale and showing floor plans, elevations accurately reflected to grade, and exterior materials of all proposed structures and other improvements as they will appear on completion of construction.

D. A materials board, no larger size than eleven inches by seventeen inches clearly depicting all building materials with specifications as to type, color and texture of exterior materials of proposed structures. An electronic version may be accepted as an alternative if approved by the community development director.

E. An erosion/sedimentation control plan, in accordance with the requirements of Chapter 17.47 and the Public Works Erosion and Sediment Control Standards, and a drainage plan developed in accordance with city drainage master plan requirements, [Chapter 13.12](#) and the Public Works Stormwater and Grading Design Standards. The drainage plan shall identify the location of drainage patterns and drainage courses on and within one hundred feet of the boundaries of the site. Where development is proposed within an identified hazard area, these plans shall reflect concerns identified in the hydrological/geological/geotechnical development impact statement.

F. The legal description of the site.

G. An exterior lighting plan, drawn to scale, showing type, height, and area of illumination.

H. Archeological Monitoring Recommendation. For all projects that will involve ground disturbance, the applicant shall provide:

1. A letter or email from the Oregon State Historic Preservation Office Archaeological Division indicating the level of recommended archeological monitoring on-site, or demonstrate that the applicant had notified the Oregon State Historic Preservation Office and that the Oregon State Historic Preservation Office had not commented within forty-five days of notification by the applicant; and

2. A letter or email from the applicable tribal cultural resource representative of the Confederated Tribes of the Grand Ronde, Confederated Tribes of the Siletz, Confederated Tribes of the Umatilla, Confederated Tribes of the Warm Springs and the Confederated Tribes of the Yakama Nation indicating the level of recommended archeological monitoring on-site, or demonstrate that the applicant had notified the applicable tribal cultural resource representative and that the applicable tribal cultural resource representative had not commented within forty-five days of notification by the applicant.

If, after forty-five days notice from the applicant, the Oregon State Historic Preservation Office or the applicable tribal cultural resource representative fails to provide comment, the city will not require the letter or email as part of the completeness review. For the purpose of this section, ground disturbance is defined as the movement of native soils.

I. Such special studies or reports as the community development director may require to obtain information to ensure that the proposed development does not adversely affect the surrounding community or identified natural resource areas or create hazardous conditions for persons or improvements on the site. The community development director shall require an applicant to submit one or more development impact statements, as described in [Section 16.12.050](#), upon determination that (1) there is a reasonable likelihood that traffic safety or capacity improvements may be required; (2) the proposal could have significant adverse impacts on identified natural resource areas, including areas designated as being within the natural resources overlay district; or (3) the proposal would be located on or could have significant adverse impacts on natural hazard areas, including the geologic hazard and flood plain overlay districts. The community development director shall determine which types of development impact statements are necessary and provide written reasons for requiring the statement(s). The development impact statements shall include the information described in Sections [16.12.070](#), [16.12.080](#), and [16.12.120](#) [and this Section] [17.62.040](#).

J. The community development director may waive the submission of information for specific requirements of this section or may require information in addition to that required by a specific provision of this section, as follows:

1. The community development director may waive the submission of information for a specific requirement upon determination either that specific information is not necessary to evaluate the application properly, or that a specific approval standard is not applicable to the application. If submission of information is waived, the community development director shall, in the decision, identify the waived requirements, explain the reasons for the waiver, and state that the waiver may be challenged on appeal and may be denied by a subsequent review



authority. If the matter is forwarded to the planning commission for initial review, the information required by this paragraph shall be included in the staff report;

2. The community development director may require information in addition to that required by a specific provision of this section upon determination that the information is needed to evaluate the application properly and that the need can be justified on the basis of a special or unforeseen circumstance. If additional information is required, the community development director shall, in the decision, explain the reasons for requiring the additional information.

K. If the applicant has not already done so as some other part of the land use review process, the applicant shall submit an erosion control plan that complies with the applicable requirements of Chapter 17.74 of this code.

**Applicant's Response:** See the project Site Plan attached hereto as Appendix A-1.

#### 17.62.050 - Standards.

A. All development shall comply with the following standards:

1. Landscaping, A minimum of fifteen percent of the lot shall be landscaped. Existing native vegetation shall be retained to the maximum extent practicable. All plants listed on the Oregon City Nuisance Plant List shall be removed from the site prior to issuance of a final occupancy permit for the building.

a. Except as allowed elsewhere in the zoning and land division chapters of this Code, all areas to be credited towards landscaping must be installed with growing plant materials. A reduction of up to twenty-five percent of the overall required landscaping may be approved by the community development director if the same or greater amount of pervious material is incorporated in the non-parking lot portion of the site plan (pervious material within parking lots are regulated in OCMC 17.52.070).

b. Pursuant to Chapter 17.49, landscaping requirements within the Natural Resource Overlay District, other than landscaping required for parking lots, may be met by preserving, restoring and permanently protecting native vegetation and habitat on development sites.

c. The landscaping plan shall be prepared by a registered landscape architect and include a mix of vertical (trees and shrubs) and horizontal elements (grass, groundcover, etc.) that within three years will cover one hundred percent of the Landscape area. No mulch, bark chips, or similar materials shall be allowed at the time of landscape installation except under the canopy of shrubs and within two feet of the base of trees. The community development department shall maintain a list of trees, shrubs and vegetation acceptable for landscaping.

d. For properties within the Downtown Design District, or for major remodeling in all zones subject to this chapter, landscaping shall be required to the extent practicable up to the ten percent requirement.

e. Landscaping shall be visible from public thoroughfares to the extent practicable.

f. Interior parking lot landscaping shall not be counted toward the fifteen percent minimum, unless otherwise permitted by the dimensional standards of the underlying zone district.

**Applicant's Response:** The project does not contemplate the construction of buildings, the expansion of impervious surface or the removal of trees. Over 50% of the property is covered with existing vegetation.

#### 2. Vehicular Access and Connectivity.

a. Parking areas shall be located behind buildings, below buildings, or on one or both sides of buildings.

**Applicant's Response:** The existing substation does not include buildings and no buildings or parking areas are associated with the proposed addition to two utility poles. There is adequate area located outside the substation fence to accommodate PGE vehicles that visit the site on an intermittent basis for inspection purposes. Therefore, this standard is not applicable to the proposed project.

b. Ingress and egress locations on thoroughfares shall be located in the interest of public safety. Access for emergency services (fire and police) shall be provided.

**Applicant's Response:** As shown on the Site Plan (see Appendix A-1) there is one existing driveway that provides access into the substation from S. McLoughlin Blvd. No changes to the existing access are proposed. PGE has established protocols with emergency services (fire and police) regarding substation access and protection in the interest of public safety. Therefore, this standard is met.

c. Alleys or vehicular access easements shall be provided in the following Districts: R-2, MUC-1, MUC-2, MUD and NC zones unless other permanent provisions for access to off-street parking and loading facilities are approved by the decision-maker. The corners of alley intersections shall have a radius of not less than ten feet.

**Applicant's Response:** The property is currently zoned R-6, therefore this standard is not applicable.



*d. Sites abutting an alley shall be required to gain vehicular access from the alley unless deemed impracticable by the community development director.*

**Applicant's Response:** The substation has frontage and an existing driveway off S. McLoughlin Blvd. No changes to the existing access point are proposed and the subject property does not abut an alley. Therefore, the standard above is not applicable.

*e. Where no alley access is available, the development shall be configured to allow only one driveway per frontage. On corner lots, the driveway(s) shall be located off of the side street (unless the side street is an arterial) and away from the street intersection. Shared driveways shall be required as needed to accomplish the requirements of this section. The location and design of pedestrian access from the sidewalk shall be emphasized so as to be clearly visible and distinguishable from the vehicular access to the site. Special landscaping, paving, lighting, and architectural treatments may be required to accomplish this requirement.*

**Applicant's Response:** The substation has frontage and an existing driveway off S. McLoughlin Blvd. No changes to the existing driveway are proposed. There is currently no sidewalk along the S. McLoughlin Blvd. frontage on PGE's property or neighboring properties.

*f. Driveways that are at least twenty-four feet wide shall align with existing or planned streets on adjacent sites.*

**Applicant's Response:** There will be no changes to the location or width of the existing driveway. Therefore, this standard is not applicable.

*g. Development shall be required to provide existing or future connections to adjacent sites through the use of vehicular and pedestrian access easements where applicable. Such easements shall be required in addition to applicable street dedications as required in [Chapter 12.04](#).*

**Applicant's Response:** This standard is not applicable to the proposed project. The subject property has frontage on S. McLoughlin Blvd. The eastern property line abuts a steep hill and there are no thoroughfare between the substation property and the property adjacent to the eastern property line.

*h. Vehicle and pedestrian access easements may serve in lieu of streets when approved by the decision maker only where dedication of a street is deemed impracticable by the city.*

**Applicant's Response:** This standard is not applicable to the proposed project. The subject property has frontage on S. McLoughlin Blvd. which does not currently have sidewalks or other pedestrian access.

*i. Vehicular and pedestrian easements shall allow for public access and shall comply with all applicable pedestrian access requirements.*

**Applicant's Response:** As noted above, there is no need for vehicle and pedestrian easements with the frontage on S. McLoughlin Blvd. since it does not currently have sidewalks or pedestrian access on the subject property or neighboring properties.

*j. In the case of dead-end stub streets that will connect to streets on adjacent sites in the future, notification that the street is planned for future extension shall be posted on the stub street until the street is extended and shall inform the public that the dead-end street may be extended in the future.*

**Applicant's Response:** The property is located on a major thoroughfare and not a dead-end stub street; therefore this standard is not applicable.

*k. Parcels larger than three acres shall provide streets as required in [Chapter 12.04](#). The streets shall connect with existing or planned streets adjacent to the site.*

**Applicant's Response:** The property is located on a major thoroughfare along its western property line and abuts a bluff on its eastern property line. There are no known planned streets adjacent to the site.

*l. Parking garage entries shall not dominate the streetscape. They shall be designed and situated to be ancillary to the use and architecture of the ground floor. This standard applies to both public garages and any individual private garages, whether they front on a street or private interior access road.*

**Applicant's Response:** This standard is not applicable to the proposed project. No parking garages are proposed.

*m. Buildings containing above-grade structured parking shall screen such parking areas with landscaping or landscaped berms, or incorporate contextual architectural elements that complement adjacent buildings or buildings in the area. Upper level parking garages shall use articulation or fenestration treatments that break up the massing of the garage and/or add visual interest.*

**Applicant's Response: This standard is not applicable to the proposed project. No structured parking is proposed.**

*3. Building structures shall be complimentary to the surrounding area. All exterior surfaces shall present a finished appearance. All sides of the building shall include materials and design characteristics consistent with those on the front. Use of inferior or lesser quality materials for side or rear facades or decking shall be prohibited.*

**Applicant's Response: This standard is not applicable to the proposed project. No buildings are proposed.**

*a. Alterations, additions and new construction located within the McLoughlin Conservation District, Canemah National Register District, and the Downtown Design District and when abutting a designated Historic Landmark shall utilize materials and a design that incorporates the architecture of the subject building as well as the surrounding district or abutting Historic Landmark. Historic materials such as doors, windows and siding shall be retained or replaced with in kind materials unless the community development director determines that the materials cannot be retained and the new design and materials are compatible with the subject building, and District or Landmark. The community development director may utilize the Historic Review Board's Guidelines for New Construction (2006) to develop findings to show compliance with this section.*

**Applicant's Response: The Canemah Substation is not located within the McLoughlin Conservation District, the Canemah National Register District or the Downtown Design District.**

*b. In historic areas and where development could have a significant visual impact, the review authority may request the advisory opinions of appropriate experts designated by the community development director from the design fields of architecture, landscaping and urban planning. The applicant shall pay the costs associated with obtaining such independent professional advice; provided, however, that the review authority shall seek to minimize those costs to the extent practicable.*

**Applicant's Response: This standard is not applicable to the proposed project because the subject property is not within a designated historic district. Additionally, the substation has operated continuously for approximately 50 years. The proposed addition of utility poles does not represent a significant visual impact relative to existing conditions (see Exhibit 1 Visual Simulation).**

*5. Development subject to the requirements of the Geologic Hazard overlay district shall comply with the requirements of that district.*

**Applicant's Response: The subject property is not within the boundary of the Geologic Hazard overlay district. Therefore, the requirements of that district are not applicable to the proposed substation expansion.**

*8. Sidewalks and curbs shall be provided in accordance with the city's transportation master plan and street design standards. Upon application, the community development director may waive this requirement in whole or in part in those locations where there is no probable need, or comparable alternative location provisions for pedestrians are made.*

**Applicant's Response: The property does not currently have a sidewalk along the S. McLoughlin Blvd. frontage and the proposed project will not impact pedestrian activity in the area.**

*9. A well-marked, continuous and protected on-site pedestrian circulation system meeting the following standards shall be provided:*

*a. Pathways between all building entrances and the street are required. Pathways between the street and buildings fronting on the street shall be direct. Exceptions may be allowed by the director where steep slopes or protected natural resources prevent a direct connection or where an indirect route would enhance the design and/or use of a common open space.*

*b. The pedestrian circulation system shall connect all main entrances on the site. For buildings fronting on the street, the sidewalk may be used to meet this standard. Pedestrian connections to other areas of the site, such as parking areas, recreational areas, common outdoor areas, and any pedestrian amenities shall be required.*

*c. Elevated external stairways or walkways, that provide pedestrian access to multiple dwelling units located above*

*the ground floor of any building are prohibited. The community development director may allow exceptions for external stairways or walkways located in, or facing interior courtyard areas provided they do not compromise visual access from dwelling units into the courtyard.*

*d. The pedestrian circulation system shall connect the main entrances of adjacent buildings on the same site.*

*e. The pedestrian circulation system shall connect the principal building entrance to those of buildings on adjacent commercial and residential sites where practicable. Walkway linkages to adjacent developments shall not be required within industrial developments or to vacant industrially-zoned land.*

*f. On-site pedestrian walkways shall be hard surfaced, well drained and at least five feet wide. Surface material shall contrast visually to adjoining surfaces. When bordering parking spaces other than spaces for parallel parking, pedestrian walkways shall be a minimum of seven feet in width unless curb stops are provided. When the pedestrian circulation system is parallel and adjacent to an auto travel lane, the walkway shall be raised or separated from the auto travel lane by a raised curb, bollards, landscaping or other physical barrier. If a raised walkway is used, the ends of the raised portions shall be equipped with curb ramps for each direction of travel. Pedestrian walkways that cross drive isles or other vehicular circulation areas shall utilize a change in textual material or height to alert the driver of the pedestrian crossing area.*

**Applicant's Response: The standards relating to on-site pedestrian improvements are not relevant to proposed project. The substation use does not include buildings and no employees are based at the facility. Additionally, the subject property has frontage along S. McLoughlin Blvd. which does not currently have a sidewalk.**

*10. There shall be provided adequate means to ensure continued maintenance and necessary normal replacement of private common facilities and areas, drainage ditches, streets and other ways, structures, recreational facilities, landscaping, fill and excavation areas, screening and fencing, groundcover, garbage storage areas and other facilities not subject to periodic maintenance by the city or other public agency.*

**Applicant's Response: There are no common facilities, recreational facilities, garbage storage areas or other storage areas associated with the on-going operation of the Canemah Substation. PGE will maintain the current vegetation on the property.**

*13. All development shall maintain continuous compliance with applicable federal, state, and city standards pertaining to air and water quality, odor, heat, glare, noise and vibrations, outdoor storage, radioactive materials, toxic or noxious matter, and electromagnetic interference. Prior to issuance of a building permit, the community development director or building official may require submission of evidence demonstrating compliance with such standards and receipt of necessary permits. The review authority may regulate the hours of construction or operation to minimize adverse impacts on adjoining residences, businesses or neighborhoods. The emission of odorous gases or other matter in such quantity as to be readily detectable at any point beyond the property line of the use creating the odors or matter is prohibited.*

**Applicant's Response: PGE will continue to maintain compliance with all applicable federal, state and city environmental performance standards. The substation does not require an air quality permit from DEQ for either a direct or indirect source discharge. The substation facility does not result in emissions to the air. The substation does not generate odors, heat or glare. The substation use does not involve the storage, transportation, or disposal of hazardous materials under current standards. PCBs are no longer used in transformers. PGE will prepare and file an oil spill containment plan to comply with DEQ standards potentially associated with an on-site spill of the small amounts of mineral oil used in transformers. PGE can comply with DEQ noise standards. Transformers are the only source of continuous sound generation in an electric utility substation.**

*14. Adequate public water and sanitary sewer facilities sufficient to serve the proposed or permitted level of development shall be provided. The applicant shall demonstrate that adequate facilities and services are presently available or can be made available concurrent with development. Service providers shall be presumed correct in the evidence, which they submit. All facilities shall be designated to city standards as set out in the city's facility master plans and public works design standards. A development may be required to modify or replace existing offsite systems if necessary to provide adequate public facilities. The city may require over sizing of facilities where necessary to meet standards in the city's facility master plan or to allow for the orderly and efficient provision of public facilities and services. Where over sizing is required, the developer may request reimbursement from the city for over sizing based on the city's reimbursement policy and fund availability, or provide for recovery of costs from intervening properties as they develop.*

**Applicant's Response:** Canemah Substation is not connected to and does not require public water or sewer facilities.

*15. Adequate right-of-way and improvements to streets, pedestrian ways, bike routes and bikeways, and transit facilities shall be provided and be consistent with the city's transportation master plan and design standards and this title. Consideration shall be given to the need for street widening and other improvements in the area of the proposed development impacted by traffic generated by the proposed development. This shall include, but not be limited to, improvements to the right-of-way, such as installation of lighting, signalization, turn lanes, median and parking strips, traffic islands, paving, curbs and gutters, sidewalks, bikeways, street drainage facilities and other facilities needed because of anticipated vehicular and pedestrian traffic generation. Compliance with [Chapter] 12.04, Streets, Sidewalks and Public Places shall be sufficient to achieve right-of-way and improvement adequacy.*

**Applicant's Response:** The proposed addition of two utility poles does not trigger requirements for public improvements. The property fronts S. McLoughlin Blvd. which is currently improved as follows: 4 travel lanes, no curb and gutter.

*16. If a transit agency, upon review of an application for an industrial, institutional, retail or office development, recommends that a bus stop, bus turnout lane, bus shelter, accessible bus landing pad, lighting, or transit stop connection be constructed, or that an easement or dedication be provided for one of these uses, consistent with an agency adopted or approved plan at the time of development, the review authority shall require such improvement, using designs supportive of transit use. Improvements at a major transit stop may include intersection or mid-block traffic management improvements to allow for crossings at major transit stops, as identified in the transportation system plan.*

**Applicant's Response:** TriMet currently provides transit service along S. McLoughlin Blvd. The proposed project does not include industrial, institutional, retail or office development that would trigger the review of the application by TriMet.

*17. All utility lines shall be placed underground.*

**Applicant's Response:** Improvements to the transmission lines out of the substation are not subject to land use review, but rather are regulated by PGE's franchise agreement with Oregon City. Therefore, this standard is not applicable to the proposed project.

*18. Access and facilities for physically handicapped people shall be incorporated into the site and building design consistent with applicable federal and state requirements, with particular attention to providing continuous, uninterrupted access routes.*

**Applicant's Response:** The standards relating to ADA access are not applicable to the proposed project.

*19. For a residential development, site layout shall achieve at least eighty percent of the maximum density of the base zone for the net developable area. Net developable area excludes all areas for required right-of-way dedication, land protected from development through Natural Resource or Geologic Hazards protection, and required open space or park dedication.*

**Applicant's Response:** This standard is not applicable to the proposed project.

*20. Screening of Mechanical Equipment:*

*a. Rooftop mechanical equipment, including HVAC equipment and utility equipment that serves the structure, shall be screened. Screening shall be accomplished through the use of parapet walls or a sight-obscurer enclosure around the equipment constructed of one of the primary materials used on the primary facades of the structure, and that is an integral part of the building's architectural design. The parapet or screen shall completely surround the rooftop mechanical equipment to an elevation equal to or greater than the highest portion of the rooftop mechanical equipment being screened. In the event such parapet wall does not fully screen all rooftop equipment, then the rooftop equipment shall be enclosed by a screen constructed of one of the primary materials used on the primary facade of the building so as to achieve complete screening.*

*b. Wall-mounted mechanical equipment shall not be placed on the front facade of a building or on a facade that faces a right-of-way. Wall-mounted mechanical equipment, including air conditioning or HVAC equipment and groups of multiple utility meters, that extends six inches or more from the outer building wall shall be screened*

from view from streets; from residential, public, and institutional properties; and from public areas of the site or adjacent sites through the use of (a) sight-obscuring enclosures constructed of one of the primary materials used on the primary facade of the structure, (b) sight-obscuring fences, or (c) trees or shrubs that block at least eighty percent of the equipment from view or (d) painting the units to match the building. Wall-mounted mechanical equipment that extends six inches or less from the outer building wall shall be designed to blend in with the color and architectural design of the subject building.

c. Ground-mounted above-grade mechanical equipment shall be screened by ornamental fences, screening enclosures, trees, or shrubs that block at least eighty percent of the view. Placement and type of screening shall be determined by the community development director.

d. All mechanical equipment shall comply with the standards in this section. If mechanical equipment is installed outside of the site plan and design review process, planning staff shall review the plans to determine if additional screening is required. If the proposed screening meets this section, no additional planning review is required.

e. This section shall not apply to the installation of solar energy panels, photovoltaic equipment or wind power generating equipment.

**Applicant's Response:** The standards relating to screening of roof and wall mounting mechanical equipment are not applicable to the proposed addition of two utility poles. The existing substation is screened by evergreen shrubs along S. McLoughlin Blvd. and by significant vegetation throughout the south and eastern portions of the property.

#### 21. Building Materials.

a. Preferred building materials. Building exteriors shall be constructed from high quality, durable materials.

Preferred exterior building materials that reflect the city's desired traditional character are as follows:

i. Brick.

ii. Basalt stone or basalt veneer.

iii. Narrow horizontal wood or composite siding (generally five inches wide or less); wider siding will be considered where there is a historic precedent.

iv. Board and baton siding.

v. Other materials subject to approval by the community development director.

vi. Plywood with battens or fiber/composite panels with concealed fasteners and contiguous aluminum sections at each joint that are either horizontally or vertically aligned.

vii. Stucco shall be trimmed in wood, masonry, or other approved materials and shall be sheltered from extreme weather by roof overhangs or other methods.

**Applicant's Response:** The proposed project does not include buildings. Therefore, the standards relating to preferred building materials are not applicable.

b. Prohibited materials. The following materials shall be prohibited in visible locations unless an exception is granted by the community development director based on the integration of the material into the overall design of the structure.

i. Vinyl or plywood siding (including T-111 or similar plywood).

ii. Glass block or highly tinted, reflected, translucent or mirrored glass (except stained glass) as more than ten percent of the building facade.

iii. Corrugated fiberglass.

iv. Chain link fencing (except for temporary purposes such as a construction site or as a gate for a refuse enclosure).

[v.] Crushed colored rock/crushed tumbled glass.

[vi.] Non-corrugated and highly reflective sheet metal.

**Applicant's Response:** The existing substation on Tax Lot 2770 is enclosed by 8 foot chain link fence topped by three strands of barbed wire. Mature evergreen hedge and trees provide screening of views into the existing substation. The proposed addition of two utility poles does not expand or otherwise affect the fence or fenced area.

c. Special material standards: The following materials are allowed if they comply with the requirements found below:

1. Concrete block. When used for the front facade of any building, concrete blocks shall be split, rock- or ground-faced and shall not be the prominent material of the elevation. Plain concrete block or plain concrete may be used

as foundation material if the foundation material is not revealed more than three feet above the finished grade level adjacent to the foundation wall.

2. Metal siding. Metal siding shall have visible corner moldings and trim and incorporate masonry or other similar durable/permanent material near the ground level (first two feet above ground level).

3. Exterior Insulation and Finish System (EIFS) and similar troweled finishes shall be trimmed in wood, masonry, or other approved materials and shall be sheltered from extreme weather by roof overhangs or other methods.

4. Building surfaces shall be maintained in a clean condition and painted surfaces shall be maintained to prevent or repair peeling, blistered or cracking paint.

**Applicant's Response: The special material standards listed above apply to buildings are not relevant to the proposed addition of two utility poles.**

22. Conditions of Approval. The review authority may impose such conditions as it deems necessary to ensure compliance with these standards and other applicable review criteria, including standards set out in city overlay districts, the city's master plans, and city public works design standards. Such conditions shall apply as described in Sections 17.50.310, 17.50.320 and 17.50.330. The review authority may require a property owner to sign a waiver of remonstrance against the formation of and participation in a local improvement district where it deems such a waiver necessary to provide needed improvements reasonably related to the impacts created by the proposed development. To ensure compliance with this chapter, the review authority may require an applicant to sign or accept a legal and enforceable covenant, contract, dedication, easement, performance guarantee, or other document, which shall be approved in form by the city attorney.

**Applicant's Response: This standard is not applicable to the proposed project.**

17.62.055 - Institutional and commercial building standards.

**Applicant's Response: This standard is not applicable to the proposed project.**

17.62.056 - Additional standards for large retail establishments.

**Applicant's Response: This standard is not applicable to the proposed project.**

17.62.057 - Multi-family standards.

**Applicant's Response: This standard is not applicable to the proposed project.**

17.62.059 - Cottage housing.

**Applicant's Response: This standard is not applicable to the proposed project.**

17.62.065 - Outdoor lighting.

B. Applicability.

1. General.

a. All exterior lighting for any type of commercial, mixed-use, industrial or multi-family development shall comply with the standards of this section, unless excepted in subsection B.3.

b. The city engineer/public works director shall have the authority to enforce these regulations on private property if any outdoor illumination is determined to present an immediate threat to the public health, safety and welfare.

**Applicant's Response: The proposed addition of two utility poles does not require the addition of or change to the current lighting at the substation facility.**

2. Lighting Plan Requirement.

All commercial, industrial, mixed-use, cottage housing and multi-family developments shall submit a proposed exterior lighting plan. The plan must be submitted concurrently with the site plan. The exterior lighting plan shall include plans and specifications for streetlights, parking lot lights, and exterior building lights. The specifications shall include details of the pole, fixture height and design, lamp type, wattage, and spacing of lights.

**Applicant's Response: The proposed addition of two utility poles does not require the addition of or change to the current lighting at the substation facility.**

3. Excepted Lighting.

The following types of lighting are excepted from the requirements of this section.

a. Residential lighting for single-family attached and detached homes, and duplexes.

- b. Public street and right-of-way lighting.
- c. Temporary decorative seasonal lighting provided that individual lamps have a light output of sixty watts or less.
- d. Temporary lighting for emergency or nighttime work and construction.
- e. Temporary lighting for theatrical, television, and performance areas, or for special public events.
- f. Lighting for a special district, street, or building that, according to an adopted municipal plan or ordinance, is determined to require special lighting aesthetics as part of its physical character.
- g. Lighting required and regulated by the Federal Aviation Administration.

**Applicant's Response:** The activity lights that are controlled by a switch inside the fenced area are only used for emergency or nighttime work.

*C. General Review Standard. If installed, all exterior lighting shall meet the functional security needs of the proposed land use without adversely affecting adjacent properties or the community. For purposes of this section, properties that comply with the design standards of subsection D. below shall be deemed to not adversely affect adjacent properties or the community.*

**Applicant's Response:** PGE's exterior lighting of substations is designed to meet the security needs of the utility without adversely affecting adjacent properties or the community.

#### *D. Design and Illumination Standards.*

##### *General Outdoor Lighting Standard and Glare Prohibition.*

*1. Outdoor lighting, if provided, shall be provided in a manner that enhances security, is appropriate for the use, avoids adverse impacts on surrounding properties, and the night sky through appropriate shielding as defined in this section. Glare shall not cause illumination on other properties in excess of a measurement of 0.5 footcandles of light as measured at the property line. In no case shall exterior lighting add more than 0.5 footcandle to illumination levels at any point off-site. Exterior lighting is not required except for purposes of public safety.*

*However, if installed, all exterior lighting shall meet the following design standards:*

**Applicant's Response:** PGE's exterior lighting of substations is designed to meet the security needs of the utility without adversely affecting adjacent properties or the community.

*2. Any light source or lamp that emits more than nine hundred lumens (thirteen watt compact fluorescent or sixty watt incandescent) shall be concealed or shielded with a full cut-off style fixture in order to minimize the potential for glare and unnecessary diffusion on adjacent property. All fixtures shall utilize one of the following bulb types: metal halide, induction lamp, compact fluorescent, incandescent (including tungsten-halogen), or high pressure sodium with a color rendering index above seventy.*

**Applicant's Response:** This standard does not apply to the proposed project.

*3. The maximum height of any lighting pole serving a multi-family residential use shall be twenty feet. The maximum height serving any other type of use shall be twenty-five feet, except in parking lots larger than five acres, the maximum height shall be thirty-five feet if the pole is located at least one hundred feet from any residential use.*

**Applicant's Response:** This standard does not apply to the proposed project.

#### *4. Lighting levels:*

*Table 1-17.62.065. Foot-candle Levels*

<i>Location</i>	<i>Min</i>	<i>Max</i>	<i>Avg</i>
<i>Pedestrian Walkways</i>	<i>0.5</i>	<i>7:1 max/min ratio</i>	<i>1.5</i>
<i>Pedestrian Walkways in Parking Lots</i>		<i>10:1 max/min ratio</i>	<i>0.5</i>
<i>Pedestrian Accessways</i>	<i>0.5</i>	<i>7:1 max/min ratio</i>	<i>1.5</i>
<i>Building Entrances</i>	<i>3</i>		

Bicycle Parking Areas	3		
Abutting property	N/A	.05	

**Applicant's Response:** This standard does not apply to the proposed project because there are no pedestrian walkways, parking facilities or buildings constructed for this project.

5. Parking lots and other background spaces shall be illuminated as unobtrusively as possible while meeting the functional needs of safe circulation and protection of people and property. Foreground spaces, such as building entrances and outside seating areas, shall utilize pedestrian scale lighting that defines the space without glare.

**Applicant's Response:** This standard applies to parking lots and is not applicable to the proposed project.

6. Any on-site pedestrian circulation system shall be lighted to enhance pedestrian safety and allow employees, residents, customers or the public to use the walkways at night. Pedestrian walkway lighting through parking lots shall be lighted to light the walkway and enhance pedestrian safety pursuant to Table 1.

**Applicant's Response:** The proposed installation of two utility poles does not include an on-site pedestrian circulation system. Therefore, this standard is not applicable.

7. Pedestrian Accessways. To enhance pedestrian and bicycle safety, pedestrian accessways required pursuant to OCMC 12.28 shall be lighted with pedestrian-scale lighting. Accessway lighting shall be to a minimum level of one-half foot-candles, a one and one-half foot-candle average, and a maximum to minimum ratio of seven-to-one and shall be oriented not to shine upon adjacent properties. Street lighting shall be provided at both entrances. Lamps shall include a high-pressure sodium bulb with an unbreakable lens.

**Applicant's Response:** This standard is not applicable to the proposed project.

8. Floodlights shall not be utilized to light all or any portion of a building facade between ten p.m. and six a.m.

**Applicant's Response:** This standard is not applicable to the proposed project. Activity lights will only be used for emergencies when the switch is turned on inside the substation fence.

9. Lighting on automobile service station, convenience store, and other outdoor canopies shall be fully recessed into the canopy and shall not protrude downward beyond the ceiling of the canopy.

**Applicant's Response:** This standard is not applicable to the proposed project.

10. The style of light standards and fixtures shall be consistent with the style and character of architecture proposed on the site.

**Applicant's Response:** This standard is not applicable to the proposed project. The lighting fixtures installed at the site are standard PGE fixtures associated with substations and safety. This is not an architectural style fixture since it is for substation background and task lighting functions.

11. In no case shall exterior lighting add more than one foot-candle to illumination levels at any point off-site.

**Applicant's Response:** This standard is not applicable to the proposed project.

12. All outdoor light not necessary for security purposes shall be reduced, activated by motion sensor detectors, or turned off during non-operating hours.

**Applicant's Response:** PGE's standard operating procedures comply with this standard. The background and activity lights currently installed will be controlled by photocells and are only activated by a switch inside the fenced area and needed for emergency or maintenance purposes. No new lighting is associated with the proposed project.

13. Light fixtures used to illuminate flags, statues, or any other objects mounted on a pole, pedestal, or platform shall use a narrow cone beam of light that will not extend beyond the illuminated object.

**Applicant's Response:** This standard is not applicable to the proposed project.

14. For upward-directed architectural, landscape, and decorative lighting, direct light emissions shall not be visible above the building roofline.



**Applicant's Response:** This standard is not applicable to the proposed project.

*15. No flickering or flashing lights shall be permitted, except for temporary decorative seasonal lighting.*

**Applicant's Response:** This standard is not applicable to the proposed project.

*16. Wireless Sites. Unless required by the Federal Aviation Administration or the Oregon Aeronautics Division, artificial lighting of wireless communication towers and antennas shall be prohibited. Strobe lighting of wireless communication facilities is prohibited unless required by the Federal Aviation Administration. Security lighting for equipment shelters or cabinets and other on-the-ground auxiliary equipment on wireless communication facilities shall be initiated by motion detecting lighting.*

**Applicant's Response:** This standard is not applicable to the proposed project.

*17. Lighting for outdoor recreational uses such as ball fields, playing fields, tennis courts, and similar uses, provided that such uses comply with the following standards:*

*i. Maximum permitted light post height: eighty feet.*

*ii. Maximum permitted illumination at the property line: 0.5 foot-candles.*

**Applicant's Response:** This standard is not applicable to the proposed project.

*17.62.080 - Special development standards along transit streets.*

**Applicant's Response:** This standard is not applicable to the proposed project.

*17.62.085 - Refuse and recycling standards for commercial, industrial, and multi-family developments.*

**Applicant's Response:** This standard is not applicable to the proposed project.

#### **CHAPTER 17.52 OFF-STREET PARKING AND LOADING**

**Applicant's Response:** This standard is not applicable to the proposed project.

#### **Chapter 17.56 Conditional Uses**

*17.56.010.A.1. The use is listed as a conditional use in the underlying district;*

**Applicant's Response:** A substation is identified as a use that may be permitted in the R-6 District when a conditional use permit is approved. When the substation was built in the 1960s, the City did not have the current zoning codes in place. The proposed addition of two utility poles has triggered a review of the current zoning status and compliance with the requirement for a conditional use permit, site plan review and variance. The proposed utility poles are similar in design, size and location to the existing utility poles on the property.

*17.56.010.A.2 The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, existence of improvements and natural features;*

**Applicant's Response:** The two proposed utility poles will be wood and similar in size and placement to the existing poles on the property. Please refer to Exhibit 1 for a visual simulation for the proposed poles. The current design and placement will allow the proposed poles to blend into the existing surroundings.

*17.56.010.A.3. Development shall demonstrate compliance with Chapter 12.04, Streets, Sidewalks and Public Places;*

**Applicant's Response:** The two proposed poles are set back from the street, sidewalks and public places. Both proposed utility poles will be located on private property owned by the Applicant.

*17.56.010.A.4. The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or precludes the use of surrounding properties for the primary uses listed in the underlying district;*

**Applicant's Response:** The two proposed utility poles will be wood and similar in size and placement to the existing poles on the property. Please refer to Exhibit 1 for a visual simulation for the proposed poles. The current design and placement will allow the proposed poles to blend into the existing surroundings.

**17.56.010.A.5.** *The proposal satisfies the goals and policies of the city comprehensive plan which apply to the proposed use.*

**Applicant's Response:** The intent of this project is to upgrade PGE's existing electrical infrastructure to improve electrical reliability to the area with minimal effect to the surrounding area. The inability to complete this upgrade could result in a catastrophic electrical outage for nearby residents and commercial customers, including West Linn Paper Company that could take up to 24 hours to restore.

## **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.

**Applicant's Response:** PGE acknowledges that the Willamette River Greenway Overlay District has a restriction for new substations and power line towers in the WRG and river view corridor. The proposed project does not expand the current substation area, however, PGE is proposing to add two transmission structures to the substation property. The proposed transmission poles are wooden, monopoles that are similar in height, design and placement to the existing structures on the site and will create a negligible visual impact on the property. Please see Exhibit 1 for a visual simulation of the proposed structures.

## **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.

**Applicant's Response:** The proposed transmission poles are wooden, monopoles that are similar in height, design and placement to the existing structures on the site and will create a negligible visual impact on the property.

## **Section 11: Public Facilities - Page 79:**

"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."

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

**Applicant's Response:** In order to provide safe and reliable electricity, PGE must continually maintain, evaluate and upgrade its electricity facilities. The recent determination to split the existing 57kV circuit from the Canemah Substation to the Willamette River Crossing was made to improve electricity reliability for residents and commercial customers in the area and provide safer working conditions for PGE's operations and maintenance personnel. The proposed project does not increase electricity capacity, however it does provide an alternate circuit for electricity transmission which will allow for more consistent, reliable and safe electricity delivery throughout Oregon City and to West Linn via the Willamette River Crossing.

### *Any other applicable Comprehensive Plan goals or Policies*

**Applicant's Response:** Oregon City Comprehensive Plan Goal 11.7, Private Utility Operations requires that the City 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. PGE has identified that the existing 57kV line from the Canemah Substation to the Willamette River Crossing should be split to provide an additional electricity transmission route which will reduce the possibility of a major electrical outage, control power load swings and improve safety conditions for PGE operations and maintenance personnel.

**17.56.010.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.*

**Applicant's Response:** This standard is not applicable to the proposed project.

**17.56.010.C.** *Any conditional use shall meet the dimensional standards of the zone in which it is to be located pursuant to subsection B of this section unless otherwise indicated, as well as the minimum conditions listed below.*

**Finding: Complies with Conditions.** Please refer to the analyses regarding OCMC Chapters 17.08 and 17.56 in this report.

**17.56.010.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.*

**Applicant's Response:** A substation is identified as a use that may be permitted in the R-6 District when a conditional use permit is approved. When the substation was built in the 1960s, the City did not have the current zoning codes in place. The proposed addition of two utility poles has triggered a review of the current zoning status and compliance with the requirement for a conditional use permit, site plan review and variance. The substation lot area, foundations, impervious surfaces or buildings will not be constructed or expanded as a part of this proposed project.

**17.56.010.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.*

**Applicant's Response:** PGE has no immediate plans to expand or modify the substation site other than the installation of two new transmission poles to carry the split 57kv line to the existing transmission lattice structure. Without specific plans, it may be difficult to determine a specified maximum as designated by the Planning Commission, although PGE is open to Commission proposals for evaluation.

**17.56.040.A. Building Openings.** *The city may limit or prohibit building openings within fifty feet of residential property in a residential zone if the openings will cause glare, excessive noise or excessive traffic which would adversely affect adjacent residential property as set forth in the findings of the planning commission.*

**Applicant's Response:** This standard is not applicable to the proposed project.

**17.56.040.B Additional Street Right-of-Way.** *The dedication of additional right-of-way may be required where the city plan indicates need for increased width and where the street is inadequate for its use; or where the nature of the proposed development warrants increased street width.*

**Applicant's Response:** The proposed project will not increase vehicular or pedestrian traffic in the area. This standard is not applicable to the proposed project.

**17.56.040.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's Response:** The proposed 80' pole will be installed approximately 10' from the northern property line. This new pole is parallel to the existing lattice tower. PGE is requesting a variance for the setback to meet safety clearance height and angles. The two new poles are similar in height, design and location to the existing poles on the property. The pole placement is based on electrical safety standards. The new line will make maintenance and repair on electrical lines in the area safer for PGE's crew while providing more consistent, reliable electricity to area residents and commercial customers.

**17.56.040.D** *Schools.*

- 17.56.040.E      *Helipad Landing Facility.*  
17.56.040.F      *Residential Care Facilities.*  
17.56.040.G      *Bed and Breakfast Inns.*

**Applicant's Response: These standards are not applicable to the proposed project.**

**17.56.060** *Revocation of conditional use permits.*

*The Planning Commission or the City Commission may initiate administrative action under Chapter 17.50 to revoke any conditional use permit previously issued by the city or, with regard to lands annexed by the city, those such permits issued by the county. The Planning Commission or, on review, the City Commission, may revoke such permit upon determining:*

- A. One or more conditions attached to the grant of the conditional use permit have not been fulfilled; and*
- B. The unfulfilled condition is substantially related to the issuance of the conditional use permit.*

**Applicant's Response: This standard is not applicable to the proposed project because there are no current conditional use permits associated with the property.**

**CHAPTER 13.12 - STORMWATER CONVEYANCE, QUANTITY AND QUALITY**

*13.12.050 Pursuant to each of the subsections below, proposed activities may be required to meet the performance standards for stormwater conveyance, stormwater quantity or stormwater quality.*

*13.12.050.A. Stormwater Conveyance. The stormwater conveyance requirements of this chapter shall apply to all stormwater systems constructed with any development activity, except as follows:*

- 1. The conveyance facilities are located entirely on one privately owned parcel;*
- 2. The conveyance facilities are privately maintained; and*
- 3. The conveyance facilities receive no stormwater runoff from outside the parcel's property limits.*

*Those facilities exempted from the stormwater conveyance requirements by the above subsection will remain subject to the requirements of the Oregon Uniform Plumbing Code. Those exempted facilities shall be reviewed by the building official.*

**Applicant's Response: This standard is not applicable to the proposed project.**

*13.12.050.B. Stormwater Quantity Control. The stormwater quantity control requirements of this chapter shall apply to the following proposed activities, uses or developments:*

- 1. Activities located wholly or partially within water quality resource areas pursuant to Chapter 17.49 that will result in the creation of more than five hundred square feet of impervious surface within the WQRA or will disturb more than one thousand square feet of existing impervious surface within the WQRA as part of a commercial or industrial redevelopment project. These square footage measurements will be considered cumulative for any given seven-year period;*
- 2. Activities that create more than two thousand square feet of impervious surface, cumulated over any given seven year period; or*
- 3. Redevelopment of a commercial or industrial land use that will disturb more than five thousand square feet of existing impervious surface. This five thousand square foot measurement cumulates over any given seven year period;*
- 4. An exemption to the stormwater quantity control requirements of this chapter will be granted in the following circumstances:*
  - a. The development site discharges to a stormwater quantity control facility approved by the city engineer to receive the developed site runoff after verification that the facility is adequately sized to receive the additional stormwater, or,*
  - b. The development site discharges to one of the following receiving bodies of water: Willamette River, Clackamas River or Abernethy Creek; and either lies within the one hundred year floodplain or is up to ten feet above the design flood elevation as defined in Chapter 17.42*

**Applicant's Response: This standard is not applicable to the proposed project.**

*13.12.050.C. Stormwater Quality Control. The stormwater quality control requirements of this chapter shall apply to the following proposed activities, uses or developments:*

- 1. Category A. Activities subject to general water quality requirements of this chapter:*
  - a. The construction of four or more single-family residences;*

- b. Activities located wholly or partially within water quality resource areas pursuant to Chapter 17.49 that will result in the creation of more than five hundred square feet of impervious surface within the WQRA or will disturb more than one thousand square feet of existing impervious surface within the WQRA as part of a commercial or industrial redevelopment project. These square footage measurements will be considered cumulative for any given seven year period; or
  - c. Activities that create more than eight thousand square feet of new impervious surface for other than a single-family residential development. This eight thousand square foot measurement will be considered cumulative for any given seven year period;
  - d. An exemption to the stormwater quantity control requirements of this subsection will be granted if the development site discharges to a stormwater quality control facility approved by the city engineer to receive the developed site runoff after verification that the facility is adequately sized to receive the additional stormwater.
2. *Category B. Uses Requiring Additional Management Practices.* In addition to any other applicable requirements of this chapter, the following uses are subject to additional management practices as contained in the Public Works Stormwater and Grading Design Standards:
- a. Fuel dispensing facilities;
  - b. Bulk petroleum storage in multiple stationary tanks;
  - c. Solid waste storage areas for commercial, industrial or multi-family uses;
  - d. Loading and unloading docks for commercial or industrial uses; or
  - e. Covered vehicle parking for commercial or industrial uses.
3. *Category C. Clackamas River Watershed.* In addition to any other applicable requirements of this chapter, any development that creates new waste discharges and whose stormwater runoff may directly or indirectly flow into the Clackamas River is subject to additional requirements associated with Oregon Administrative Rules (OAR) 340-41-470 (Thee Basin Rule).

**Applicant's Response: This standard is not applicable to the proposed project.**

#### 13.12.090 Approval criteria for engineered drainage plans and drainage report.

An engineered drainage plan and/or drainage report shall be approved only upon making the following findings:

- A. The plan and report demonstrate how the proposed development and stormwater management facilities will accomplish the purpose statements of this chapter;
- B. The plan and report meet the requirements of the Public Works Stormwater and Grading Design Standards adopted by resolution under Section 13.12.020
- C. Unless otherwise exempted by Section 13.12.050(B), the plan and report includes adequate stormwater quantity control facilities, so that when the proposed land development activity takes place, peak rates and volumes of runoff:
  - 1. Do not exceed the capacity of receiving drainage conveyance facilities;
  - 2. Do not increase the potential for streambank erosion; and
  - 3. Do not add volume to an off-site closed depression without providing for mitigation.
- D. Unless otherwise exempted by Section 13.12.050(C), the proposed development includes:
  - 1. Adequate stormwater quality control facilities, so that when the proposed land development activity takes place, the temperature and overall pollution level of stormwater runoff is no greater than the water entering. When no water enters a project, then stormwater runoff shall be compared to rain samples; and
  - 2. Stormwater quality control facilities which:
    - a. Are in compliance with applicable National Pollutant Discharge Elimination System (NPDES) requirements;
    - b. Minimize the deterioration of existing watercourses, culverts, bridges, dams and other structures; and
    - c. Minimize any increase in nonpoint source pollution.
- E. The storm drainage design within the proposed development includes provisions to adequately control runoff from all public and private streets and roof, footing, and area drains and ensures future extension of the current drainage system.
- F. Streambank erosion protection is provided where stormwater, directly or indirectly, discharges to open channels or streams. The postdevelopment peak stormwater discharge rate from a development site for the two year, twenty-four hour duration storm event shall not exceed fifty percent of the two year, twenty-four hour predevelopment peak runoff rate.
- G. Specific operation and maintenance measures are proposed that ensure that the proposed stormwater quantity control facilities will be properly operated and maintained.

**Applicant's Response:** This standard is not applicable to the proposed project.

#### **CHAPTER 12.04 - STREETS SIDEWALKS AND PUBLIC PLACES**

**Applicant's Response:** This standard is not applicable to the proposed project because the installation of two utility poles will not increase vehicular or pedestrian traffic in the area. The existing substation does not include buildings and no buildings or parking areas are associated with the proposed addition to two utility poles.

#### **Chapter 12.08 - PUBLIC AND STREET TREES<sup>[2]</sup>**

##### *12.08.015 - Street tree planting and maintenance requirements.*

*All new construction or major redevelopment shall provide street trees adjacent to all street frontages. Species of trees shall be selected based upon vision clearance requirements, but shall in all cases be selected from the Oregon City Street Tree List or be approved by a certified arborist. If a setback sidewalk has already been constructed or the Development Services determines that the forthcoming street design shall include a setback sidewalk, then all street trees shall be installed with a planting strip. If existing street design includes a curb-tight sidewalk, then all street trees shall be placed within the front yard setback, exclusive of any utility easement.*

**Applicant's Response:** This standard is not applicable to the proposed project.

*A. One street tree shall be planted for every thirty-five feet of property frontage. The tree spacing shall be evenly distributed throughout the total development frontage. The community development director may approve an alternative street tree plan if site or other constraints prevent meeting the placement of one street tree per thirty-five feet of property frontage.*

**Applicant's Response:** This standard is not applicable to the proposed project. Over 50% of the property is currently covered with vegetation and no trees or shrubbery will be removed in connection with the proposed project.

*B. The following clearance distances shall be maintained when planting trees:*

- 1. Fifteen feet from streetlights;*
- 2. Five feet from fire hydrants;*
- 3. Twenty feet from intersections;*
- 4. A minimum of five feet (at mature height) below power lines.*

**Applicant's Response:** This standard is not applicable to the proposed project.

*C. All trees shall be a minimum of two inches in caliper at six inches above the root crown and installed to city specifications.*

**Applicant's Response:** This standard is not applicable to the proposed project.

*D. All established trees shall be pruned tight to the trunk to a height that provides adequate clearance for street cleaning equipment and ensures ADA complaint clearance for pedestrians.*

**Applicant's Response:** This standard is not applicable to the proposed project.

##### *12.08.020 - Street tree species selection.*

*The community development director may specify the species of street trees required to be planted if there is an established planting scheme adjacent to a lot frontage, if there are obstructions in the planting strip, or if overhead power lines are present.*

**Applicant's Response:** This standard is not applicable to the proposed project.

##### *12.08.035 - Public tree removal.*

*Existing street trees shall be retained and protected during construction unless removal is specified as part of a land use approval or in conjunction with a public facilities construction project, as approved by the community development director. A diseased or hazardous street tree, as determined by a registered arborist and verified by the City, may be removed if replaced. A non-diseased, non-hazardous street tree that is removed shall be replaced in accordance with the Table 12.08.035.*

*All new street trees will have a minimum two-inch caliper trunk measured six inches above the root crown. The community development director may approve off-site installation of replacement trees where necessary due to*

planting constraints. The community development director may additionally allow a fee in-lieu of planting the tree(s) to be placed into a city fund dedicated to planting trees in Oregon City in accordance with Oregon City Municipal Code 12.08.

Table 12.08.035

Replacement Schedule for Trees Determined to be Dead, Diseased or Hazardous by a Certified Arborist		Replacement Schedule for Trees Not Determined to be Dead, Diseased or Hazardous by a Certified Arborist	
Diameter of tree to be Removed (Inches of diameter at 4-ft height)	Number of Replacement Trees to be Planted	Diameter of tree to be Removed (Inches of diameter at 4-ft height)	Number of Replacement Trees to be Planted
Any Diameter	1 Tree	Less than 6"	1 Tree
		6" to 12"	2 Trees
		13" to 18"	3 Trees
		19" to 24"	4 Trees
		25" to 30"	5 Trees
		31" and over	8 Trees

**Applicant's Response:** This standard is not applicable to the proposed project.

12.08.040 - Heritage Trees and Groves.

**Applicant's Response:** This standard is not applicable to the proposed project.

#### **CHAPTER 15.48 - GRADING, FILLING AND EXCAVATING**

15.48.030 Applicability—Grading permit required.

A. A city-issued grading permit shall be required before the commencement of any of the following filling or grading activities:

1. Grading activities in excess of ten cubic yards of earth;
2. Grading activities which may result in the diversion of existing drainage courses, both natural and man-made, from their natural point of entry or exit from the grading site;
3. Grading and paving activities resulting in the creation of impervious surfaces greater than two thousand square feet or more in area;
4. Any excavation beyond the limits of a basement or footing excavation, having an unsupported soil height greater than five feet after the completion of such a structure; or
5. Grading activities involving the clearing or disturbance of one-half acres (twenty-one thousand seven hundred eighty square feet) or more of land.

**Applicant's Response:** This standard is not applicable to the proposed project.

15.48.090 Submittal requirements.

An engineered grading plan or an abbreviated grading plan shall be prepared in compliance with the submittal requirements of the Public Works Stormwater and Grading Design Standards whenever a city approved grading permit is required. In addition, a geotechnical engineering report and/or residential lot grading plan may be required pursuant to the criteria listed below.

A. Abbreviated Grading Plan. The city shall allow the applicant to submit an abbreviated grading plan in compliance with the submittal requirements of the Public Works Stormwater and Grading Design Standards if the following criteria are met:

1. No portion of the proposed site is within the flood management area overlay district pursuant to Chapter 17.42, the unstable soils and hillside constraints overlay district pursuant to Chapter 17.44, or a water quality resource area pursuant to Chapter 17.49; and

2. The proposed filling or grading activity does not involve more than fifty cubic yards of earth.

B. Engineered Grading Plan. The city shall require an engineered grading plan in compliance with the submittal requirements of the Public Works Stormwater and Grading Design Standards to be prepared by a professional engineer if the proposed activities do not qualify for abbreviated grading plan.

C. Geotechnical Engineering Report. The city shall require a geotechnical engineering report in compliance with the minimum report requirements of the Public Works Stormwater and Grading Design Standards to be prepared by a professional engineer who specializes in geotechnical work when any of the following site conditions may exist in the development area:

1. When any publicly maintained facility (structure, street, pond, utility, park, etc.) will be supported by any engineered fill;

2. When an embankment for a stormwater pond is created by the placement of fill;

3. When, by excavation, the soils remaining in place are greater than three feet high and less than twenty feet wide.

D. Residential Lot Grading Plan. The city shall require a residential lot grading plan in compliance with the minimum report requirements of the Public Works Stormwater and Grading Design Standards to be prepared by a professional engineer for all land divisions creating new residential building lots or where a public improvement project is required to provide access to an existing residential lot.

**Applicant's Response: This standard is not applicable to the proposed project.**

#### **CHAPTER 17.47 - EROSION AND SEDIMENT CONTROL**

17.47.070 Erosion and sediment control plans.

A. An application for an erosion and sediment control permit shall include an erosion and sediment control plan, which contains methods and interim measures to be used during and following construction to prevent or control erosion prepared in compliance with City of Oregon City public works standards for erosion and sediment control. These standards are incorporated herein and made a part of this title and are on file in the office of the city recorder.

**Applicant's Response: This standard is not applicable to the proposed project.**

#### **CHAPTER 17.41 - TREE PROTECTION STANDARDS**

17.41.020 - Tree protection—Applicability.

1. Applications for development subject to Chapters 16.08 or 16.12 (Subdivision or Minor Partition) or Chapter 17.62 (Site Plan and Design Review) shall demonstrate compliance with these standards as part of the review proceedings for those developments.

2. For public capital improvement projects, the city engineer shall demonstrate compliance with these standards pursuant to a Type II process.

3. Tree canopy removal greater than twenty-five percent on sites greater than twenty-five percent slope, unless exempted under Section 17.41.040, shall be subject to these standards.

4. A heritage tree or grove which has been designated pursuant to the procedures of Chapter 12.08.050 shall be subject to the standards of this section.

17.41.030 - Tree protection—Conflicting code provisions.

Except as otherwise specified in this section, where these standards conflict with adopted city development codes or policies, the provision which provides the greater protection for regulated trees or groves, as defined in Section 17.04, shall govern.

**Applicant's Response: This standard is not applicable to the proposed project. No trees or shrubbery will be removed in connection with the project and the total project impact area is minimal.**

17.41.040 - Same—Exemptions.

These regulations are not intended to regulate normal cutting, pruning and maintenance of trees on private property except where trees are located on lots that are undergoing development review or are otherwise



protected within the Natural Resource Overlay District (NROD) of [section 17.49](#). These standards are not intended to regulate farm and forest practices as those practices are defined under ORS 30.930. Farm or forest resources. An applicant for development may claim exemption from compliance with these standards if the development site containing the regulated grove or trees was a designated farm or forest use, tree farm, Christmas tree plantation, or other approved timber use within one year prior to development application. "Forest practices" and "forestlands" as used in this subsection shall have the meaning as set out in ORS 30.930. The community development director has the authority to modify or waive compliance in this case.

**Applicant's Response: This standard is not applicable to the proposed project.**

**17.41.050 - Same—Compliance options.**

Applicants for review shall comply with these requirements through one or a combination of the following procedures:

- A. Option 1—Mitigation. Retention and removal of trees, with subsequent mitigation by replanting pursuant to Sections [17.41.060](#) or [17.41.070](#). All replanted and saved trees shall be protected by a permanent restrictive covenant or easement approved in form by the city.
- B. Option 2—Dedicated Tract. Protection of trees or groves by placement in a tract within a new subdivision or partition plat pursuant to Sections [17.41.080](#)—[17.41.100](#); or
- C. Option 3—Restrictive Covenant. Protection of trees or groves by recordation of a permanent restrictive covenant pursuant to Sections [17.41.110](#)—[17.41.120](#); or
- D. Option 4—Cash-in-lieu of planting pursuant to [Section 17.41.130](#).

A regulated tree that has been designated for protection pursuant to this section must be retained or permanently protected unless it has been determined by a certified arborist to be diseased or hazardous, pursuant to the following applicable provisions.

The community development director, pursuant to a Type II procedure, may allow a property owner to cut a specific number of trees within a regulated grove if preserving those trees would:

- 1. Preclude achieving eighty percent of minimum density with reduction of lot size; or
- 2. Preclude meeting minimum connectivity requirements for subdivisions.

**Applicant's Response: This standard is not applicable to the proposed project.**

**17.41.060 - Tree removal and replanting—Mitigation (Option 1).**

A. Applicants for development who select this option shall ensure that all healthy trees shall be preserved outside the construction area as defined in [Chapter 17.04](#) to the extent practicable. Compliance with these standards shall be demonstrated in a tree mitigation plan report prepared by a certified arborist, horticulturalist or forester or other environmental professional with experience and academic credentials in forestry or arboriculture. At the applicant's expense, the city may require the report to be reviewed by a consulting arborist. The number of replacement trees required on a development site shall be calculated separately from, and in addition to, any public or street trees in the public right-of-way required under [section 12.08](#)—Community Forest and Street Trees.

B. The applicant shall determine the number of trees to be mitigated on the site by counting all of the trees six inch DBH (minimum four and one-half feet from the ground) or larger on the entire site and either:

- 1. Trees that are removed outside of the construction area, shall be replanted with the number of trees specified in Column 1 of Table 17.41.060-1. Trees that are removed within the construction area shall be replanted with the number of replacement trees required in Column 2; or
- 2. Diseased or hazardous trees, when the condition is verified by a certified arborist to be consistent with the definition in [Section 17.04.1360](#), may be removed from the tree replacement calculation. Regulated healthy trees that are removed outside of the construction area, shall be replanted with the number of trees specified in Column 1 of Table 17.41.060-1. Regulated healthy trees that are removed within the construction area shall be replanted with the number of replacement trees required in Column 2.

Table 17.41.060-1

**Tree Replacement Requirements**

All replacement trees shall be either:

Two-inch caliper deciduous, or  
Six-foot high conifer

Size of tree removed (DBH)	Column 1	Column 2

	<i>Number of trees to be planted. (If removed Outside of construction area)</i>	<i>Number of trees to be planted. (If removed Within the construction area)</i>
6 to 12"	3	1
13 to 18"	6	2
19 to 24"	9	3
25 to 30"	12	4
31 and over"	15	5

*Steps for calculating the number of replacement trees:*

- 1. Count all trees measuring six inches DBH (minimum four and one-half feet from the ground) or larger on the entire development site.*
- 2. Designate (in certified arborists report) the condition and size (DBH) of all trees pursuant to accepted industry standards.*
- 3. Document any trees that are currently diseased or hazardous.*
- 4. Subtract the number of diseased or hazardous trees in step 3. from the total number of trees on the development site in step 1. The remaining number is the number of healthy trees on the site. Use this number to determine the number of replacement trees in steps 5. through 8.*
- 5. Define the construction area (as defined in [Chapter 17.04](#)).*
- 6. Determine the number and diameter of trees to be removed within the construction area. Based on the size of each tree, use Column 2 to determine the number of replacement trees required.*
- 7. Determine the number and diameter of trees to be removed outside of the construction area. Based on the size of each tree, use Column 1 to determine the number of replacement trees required.*
- 8. Determine the total number of replacement trees from steps 6. and 7.*

**Applicant's Response: This standard is not applicable to the proposed project.**

*17.41.070 - Planting area priority for mitigation (Option 1).*

*Development applications which opt for removal of trees with subsequent replanting pursuant to section 17.41.050A. shall be required to mitigate for tree cutting by complying with the following priority for replanting standards below:*

*A. First Priority. Replanting on the development site.*

*B. Second Priority. Off-site replacement tree planting locations. If the community development director determines that it is not practicable to plant the total number of replacement trees on-site, a suitable off-site planting location for the remainder of the trees may be approved that will reasonably satisfy the objectives of this section. Such locations may include either publicly owned or private land and must be approved by the community development director.*

**Applicant's Response: This standard is not applicable to the proposed project.**

*17.41.075 - Alternative mitigation plan.*

*The community development director may, subject to a Type II procedure, approve an alternative mitigation plan that adequately protects habitat pursuant to the standards for the natural resource overlay district alternative mitigation plan, [Section 17.49.190](#).*

**Applicant's Response: This standard is not applicable to the proposed project.**

*17.41.080 - Tree preservation within subdivisions and partitions—Dedicated tract (Option 2).*

*A. Applicants for new subdivision and partition plats may delineate and show the regulated trees or groves as either a separate tract or part of a larger tract that meets the requirements of subsection D. of this section.*

*B. The standards for land divisions subject to this section shall apply in addition to the requirements of the city land division ordinance and zoning ordinance, provided that the minimum lot area, minimum average lot width, and*

minimum average lot depth standards of the base zone may be superseded in order to allow for a reduction of dimensional standards pursuant to Section 17.41.100 below.

C. Prior to preliminary plat approval, the regulated tree or grove area shall be shown either as a separate tract or part of a larger tract that meets the requirements of subsection D. of this section, which shall not be a part of any parcel used for construction of a structure. The size of the tract shall be the minimum necessary as recommended by a consulting arborist to adequately encompass the dripline of the tree, protect the critical root zone and ensure long term survival of the tree or grove.

D. Prior to final plat approval, ownership of the regulated tree or grove tract shall be identified to distinguish it from lots intended for sale. The tract may be identified as any one of the following:

1. Private open space held by the owner or a homeowners association; or
2. For residential land divisions, private open space subject to an easement conveying stormwater and surface water management rights to the city and preventing the owner of the tract from activities and uses inconsistent with the purpose of this document; or
3. At the owners option, public open space where the tract has been dedicated to the city or other governmental unit; or
4. Any other ownership proposed by the owner and approved by the community development director.

**Applicant's Response: This standard is not applicable to the proposed project.**

17.41.090 - Density transfers incentive for tree protection tracts (Option 2).

A. The purpose of this section is to allow dimensional adjustments within a regulated tree protection tract to be transferred outside said tract to the remainder of the site. This provision applies on-site and density shall not be transferred beyond the boundaries of the development site.

B. Development applications for subdivisions and minor partitions that request a density transfer shall:

1. Provide a map showing the net buildable area of the tree protection tract;
2. Provide calculations justifying the requested dimensional adjustments;
3. Demonstrate that the minimum lot size requirements can be met based on an average of all lots created, including the tree protection tract created pursuant to [Section 17.41.080](#);
4. Demonstrate that, with the exception of the tree protection tract created pursuant to [Section 17.41.080](#), no parcels have been created which would be unbuildable in terms of minimum yard setbacks;
5. Meet all other standards of the base zone except as modified in [section 17.41.100](#).

C. The area of land contained in a tree protection tract may be excluded from the calculations for determining compliance with minimum density requirements of the zoning code.

**Applicant's Response: This standard is not applicable to the proposed project.**

17.41.100 - Permitted modifications to dimensional standards (Option 2 only).

A. An applicant proposing to protect trees in a dedicated tract pursuant to [section 17.41.080](#) may request, and the community development director, pursuant to a Type II procedure, may grant a reduction to, the lot size, width, depth, and setbacks of the underlying zone district in approving a subdivision or partition if necessary to retain a regulated tree or grove in a tract, as long as the calculation of average lot size, including tree protection tracts, meet the minimum lot size for the zone. The applicant may choose to make the adjustments over as many lots as required. For example, the lot reduction could be spread across all the remaining lots in the proposed subdivision or partition or could be applied to only those needed to incorporate the area of the tree tract.

Table 17.41.100 A

Lot Size Reduction

ZONE	Min. Lot Size [sq. feet]	Min. Lot Width	Min. Lot Depth
R-10	5,000 sq. feet	50'	65'
R-8	4,000 sq. feet	45'	60'
R-6	3,500 sq. feet	35'	55'

R-5	3,000 sq. feet	30'	50'
R-3.5	1,800 sq. feet	20'	45'

Table 17.41.100 B

*Reduced Dimensional Standards for Detached Single-Family Residential Units*

Size of Reduced Lot	Front Yard Setback	Rear Yard Setback	Side yard Setback	Corner Side	Lot Coverage
8,000—9,999 square feet	15 feet	20 feet	7/9 feet	15 feet	40%
6,000—7,999 square feet	10 feet	15 feet	5/7 feet	15 feet	40%
4,000—5,999 square feet	10 feet	15 feet	5/5 feet	10 feet	40%
1,800—3,999 square feet	5 feet	15 feet	5/5 feet	10 feet	55%

Table 17.41.100 C

*Reduced Dimensional Standards for Single-Family Attached or Two-Family Residential Units*

Size of Reduced Lot	Front Yard Setback	Rear Yard Setback	Side yard Setback	Corner Side	Lot Coverage
3,500—7,000 square feet	10 feet	15 feet	5/0* feet	10 feet	40%
1,800—3,499 square feet	5 feet	15 feet	5/0* feet	10 feet	55%

*\*0 foot setback is only allowed on single-family attached units*

**Applicant's Response: This standard is not applicable to the proposed project.**

**17.41.110 - Tree protection by restrictive covenant (Option 3).**

Any regulated tree or grove which cannot be protected in a tract pursuant to [Section 17.41.080](#) above shall be protected with a restrictive covenant in a format to be approved by the community development director. Such covenant shall be recorded against the property deed and shall contain provisions to permanently protect the regulated tree or grove unless such tree or grove, as determined by a certified arborist and approved by the community development director, are determined to be diseased or hazardous.

**Applicant's Response: This standard is not applicable to the proposed project.**

**17.41.120 - Permitted adjustments (Option 3 Only).**

A. The community development director, pursuant to a Type II procedure, may grant an adjustment to the side, front and rear yard setback standards by up to 50 percent if necessary to retain a Regulated Tree or Grove through a restrictive covenant pursuant to this section. In no case may the side yard setback be reduce less than three feet. The adjustment shall be the minimum necessary to accomplish preservation of trees on the lot and shall not conflict with other conditions imposed on the property.

B. The community development director, pursuant to a Type II procedure, may grant an adjustment to street standards, pursuant to adopted public works standards, in order to preserve a tree. This may include flexibility to redesign sidewalk and planter strip sizes and locations and allow placement of sidewalks and planter strips in an easement within private lots.

*C. The community development director, pursuant to a Type II procedure, may allow other adjustments in order to preserve any healthy tree that cannot be moved due to its size, but will contribute to the landscape character of the area and will not present a foreseeable hazard if retained.*

**Applicant's Response: This standard is not applicable to the proposed project.**

*17.41.1[25] - Cash-in-lieu of planting (tree bank/fund) (Option 4).*

*The applicant may choose this option in-lieu-of or in addition to Compliance Options 1 through 3. In this case, the community development director may approve the payment of cash-in-lieu into a dedicated fund for the remainder of trees that cannot be replanted in the manner described above.*

*A. The cash-in-lieu payment per tree shall be as listed on the adopted fee schedule and shall be adjusted annually based on the Consumer Price Index (Index). The price shall include the cost of materials, transportation and planting.*

*B. The amount of the cash-in-lieu payment into the tree bank shall be calculated as the difference between the value of the total number of trees an applicant is required to plant, including cost of installation and adjusted for Consumer Price Index, minus the value of the trees actually planted. The value of the trees shall be based on the adopted fee schedule.*

**Applicant's Response: This standard is not applicable to the proposed project.**

*17.41.130 - Regulated tree protection procedures during construction.*

*A. No permit for any grading or construction of public or private improvements may be released prior to verification by the community development director that regulated trees designated for protection or conservation have been protected according to the following standards. No trees designated for removal shall be removed without prior written approval from the community development director.*

**Applicant's Response: This standard is not applicable to the proposed project.**

*B. Tree protection shall be as recommended by a qualified arborist or, as a minimum, to include the following protective measures:*

*1. Except as otherwise determined by the community development director, all required tree protection measures set forth in this section shall be instituted prior to any development activities, including, but not limited to clearing, grading, excavation or demolition work, and such measures shall be removed only after completion of all construction activity, including necessary landscaping and irrigation installation, and any required plat, tract, conservation easement or restrictive covenant has been recorded.*

*2. Approved construction fencing, a minimum of four feet tall with steel posts placed no farther than ten feet apart, shall be installed at the edge of the tree protection zone or dripline, whichever is greater. An alternative may be used with the approval of the community development director.*

*3. Approved signs shall be attached to the fencing stating that inside the fencing is a tree protection zone, not to be disturbed unless prior approval has been obtained from the community development director.*

*4. No construction activity shall occur within the tree protection zone, including, but not limited to; dumping or storage of materials such as building supplies, soil, waste items; nor passage or parking of vehicles or equipment.*

*5. The tree protection zone shall remain free of chemically injurious materials and liquids such as paints, thinners, cleaning solutions, petroleum products, and concrete or dry wall excess, construction debris, or run-off.*

*6. No excavation, trenching, grading, root pruning or other activity shall occur within the tree protection zone unless directed by an arborist present on site and approved by the community development director.*

*7. No machinery repair or cleaning shall be performed within ten feet of the dripline of any trees identified for protection.*

*8. Digging a trench for placement of public or private utilities or other structure within the critical root zone of a tree to be protected is prohibited. Boring under or through the tree protection zone may be permitted if approved by the community development director and pursuant to the approved written recommendations and on-site guidance and supervision of a certified arborist.*

*9. The city may require that a certified arborist be present during any construction or grading activities that may affect the dripline of trees to be protected.*

*10. The community development director may impose conditions to avoid disturbance to tree roots from grading activities and to protect trees and other significant vegetation identified for retention from harm. Such conditions may include, if necessary, the advisory expertise of a qualified consulting arborist or horticulturist both during and*

after site preparation, and a special maintenance/management program to provide protection to the resource as recommended by the arborist or horticulturist.

**Applicant's Response:** This standard is not applicable to the proposed project.

*C. Changes in soil hydrology due to soil compaction and site drainage within tree protection areas shall be avoided. Drainage and grading plans shall include provision to ensure that drainage of the site does not conflict with the standards of this section. Excessive site run-off shall be directed to appropriate storm drainage facilities and away from trees designated for conservation or protection.*

**Applicant's Response:** This standard is not applicable to the proposed project.

#### **CHAPTER 17.44 – GEOLOGIC HAZARDS OVERLAY DISTRICT**

**Applicant's Response:** This standard is not applicable because the site is outside of the Geologic Hazards Overlay District.

#### **CHAPTER 17.49 – NATURAL RESOURCE OVERLAY DISTRICT**

**Applicant's Response:** This standard is not applicable because the site is outside of the Natural Resource Overlay District and utility poles are exempt per Chapter 17.49[0]80 of the Oregon City Code.

#### **CHAPTER 17.50 - ADMINISTRATION AND PROCEDURES**

##### *17.50.050 Preapplication Conference*

*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.*

**Applicant's Response:** Jason Chu and Jennifer Santhouse met with John Stutesman and Pete Walter to discuss the application process.

##### *17.50.055 Neighborhood Association Meeting*

*The purpose of the meeting with the recognized neighborhood association is to inform the affected neighborhood association about the proposed development and to receive the preliminary responses and suggestions from the neighborhood association and the member residents.*

*1. Applicants applying for annexations, zone change, comprehensive plan amendments, conditional use, planning commission variances, subdivision, or site plan and design review (excluding minor site plan and design review), general development master plans or detailed development plans applications shall schedule and attend a meeting with the city-recognized neighborhood association in whose territory the application is proposed. Although not required for other projects than those identified above, a meeting with the neighborhood association is highly recommended.*

*2. The applicant shall send, by certified mail, return receipt requested letter to the chairperson of the neighborhood association and the citizen involvement committee describing the proposed project. Other communication methods may be used if approved by the neighborhood association.*



3. A meeting shall be scheduled within thirty days of the notice. A meeting may be scheduled later than thirty days if by mutual agreement of the applicant and the neighborhood association. If the neighborhood association does not want to, or cannot meet within thirty days, the applicant shall hold their own meeting after six p.m. or on the weekend, with notice to the neighborhood association, citizen involvement committee, and all property owners within three hundred feet. If the applicant holds their own meeting, a copy of the certified letter requesting a neighborhood association meeting shall be required for a complete application. The meeting held by the applicant shall be held within the boundaries of the neighborhood association or in a city facility.

4. If the neighborhood association is not currently recognized by the city, is inactive, or does not exist, the applicant shall request a meeting with the citizen involvement committee.

5. To show compliance with this section, the applicant shall submit a sign-in sheet of meeting attendees, a summary of issues discussed, and letter from the neighborhood association or citizen involvement committee indicating that a neighborhood meeting was held. If the applicant held a separately noticed meeting, the applicant shall submit a copy of the meeting flyer, a sign in sheet of attendees and a summary of issues discussed.

**Applicant's Response:** Jason Chu and Jennifer Santhouse presented the proposed plan to the Canemah Neighborhood Association meeting on June 16, 2016. Please see Exhibit 2 for a copy of the correspondence from the neighborhood association secretary, the meeting minutes and the attendance record for the meeting.

#### **CHAPTER 17.54.100 – FENCES, HEDGES AND WALLS**

**Applicant's Response:** This standard is not applicable to the proposed project. The existing fence surrounding the substation will not be modified in connection with this project.

#### **CHAPTER 17.60 VARIANCES**

**17.60.020 - Variances—Procedures.**

**17.60.020.A.** A request for a variance shall be initiated by a property owner or authorized agent by filing an application with the city recorder. The application shall be accompanied by a site plan, drawn to scale, showing the dimensions and arrangement of the proposed development. When relevant to the request, building plans may also be required. The application shall note the zoning requirement and the extent of the variance requested. Procedures shall thereafter be held under Chapter 17.50. In addition, the procedures set forth in subsection D. of this section shall apply when applicable.

**Applicant's Response:** PGE proposes to install two new transmission poles on the substation property. The current zoning of R-6 limits utility pole height to 35'. PGE is requesting a variance to accommodate a new transmission line from an updated circuit within the substation to the existing Willamette River transmission crossing. Additionally, the R-6 zoning designation requires that poles be placed a distance equivalent to height from the property line. PGE proposes to install an 80' transmission pole approximately 10' from the northern property line of Tax Lot 2790 in order to properly support and connect with the existing transmission lines crossing. The location of the 80' pole is parallel to the existing transmission lattice structure and will be secured by guy wires to prevent encroachment onto the neighboring property.

**17.60.020.B.** A nonrefundable filing fee, as listed in Section 17.50.[0]80, shall accompany the application for a variance to defray the costs.

**Applicant's Response:** PGE has submitted a Variance Application fee in the amount of \$2,467.00 with its application.

**17.60.020.C.** Before the planning commission may act on a variance, it shall hold a public hearing thereon following procedures as established in Chapter 17.50. A Variance shall address the criteria identified in Section 17.60.030, Variances — Grounds.

**Applicant's Response:** The proposed project requires a Variance because the proposed utility pole heights exceed the 35' height maximum allowed within an R-6 Zone and the Code states that utility poles are located a distance equivalent to height from the property line. PGE is requesting a variance to allow for an 80' utility pole to be placed parallel to the existing lattice tower (approximately 10' south of the northern property line) and near an existing 75' utility pole. The placement of this pole was determined by the need to meet electrical safety clearance height and angle requirements and without the Variance, PGE will be unable to meet these safety requirements.

**17.60.020.D.** Minor variances, as defined in subsection E. of this section, shall be processed as a Type II decision, shall be reviewed pursuant to the requirements in Section 17.50.030B., and shall address the criteria identified in Section 17.60.030, Variance — Grounds.

**Applicant's Response:** The proposed utility poles are similar in height, design and placement to existing transmission structures on the property to minimize visual disturbance and to improve safety and reliability of PGE's electricity transmission in the area.

**17.60.020.E.** For the purposes of this section, minor variances shall be defined as follows:

1. Variances to setback and yard requirements to allow additions to existing buildings so that the additions follow existing building lines;

2. Variances to width, depth and frontage requirements of up to twenty percent;

3. Variances to residential yard/setback requirements of up to twenty-five percent;

4. Variances to nonresidential yard/setback requirements of up to ten percent;

5. Variances to lot area requirements of up to five;

6. Variance to lot coverage requirements of up to twenty-five percent;

7. Variances to the minimum required parking stalls of up to five percent; and

8. Variances to the floor area requirements and minimum required building height in the mixed-use districts.

**Applicant's Response:** The proposed poles are similar in height, design and placement to existing transmission structures on the property. The Applicant proposes that this project be considered as a minor variance considering the existing use of the property and the plan to integrate the new utility poles on the property without removing trees or shrubbery.

**17.60.030 - Variance—Grounds.**

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

**17.60.030.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;

**Applicant's Response:** The proposed addition of two transmission poles will not significantly affect light, air, safe access or other desirable or necessary qualities for the Applicant or the surrounding properties.

**17.60.030.B.** That the request is the minimum variance that would alleviate the hardship;

**Applicant's Response:** The addition of the new utility poles is in connection with the splitting of the existing 57kV circuit from the Canemah Substation to the Willamette River Crossing. The addition of this new circuit will provide additional reliability and improve safety for PGE's maintenance crews while reducing the potential for a catastrophic electrical outage in Oregon City, West Linn and the surrounding areas. Pole placement is based on standard electrical safety clearance that allows the new transmission lines to be safely connected to the existing lattice tower.

**17.60.030.C.** Granting the variance will equal or exceed the purpose of the regulation to be modified.

**Applicant's Response:** Section 11 of the Oregon City Comprehensive Plan states that "Oregon City is committed to providing its residence 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." In order to provide safe and reliable electricity, PGE must continually maintain, evaluate and upgrade its electricity facilities. The recent determination to split the existing 57kV circuit from the Canemah Substation to the Willamette River Crossing was made to improve electricity reliability for residents and commercial customers in the area and provide safer working conditions for PGE's operations and maintenance personnel.

**17.60.030.D.** Any impacts resulting from the adjustment are mitigated;

**Applicant's Response:** The variance for the utility pole heights (60' and 80') and the setback (approximately 10' from property boundary) will have a negligible visual impact on the property for the Applicant or the surrounding neighbors because the height, design and placement of the proposed poles are congruent with the existing facilities. The property is heavily vegetated and no trees or shrubbery will be removed during the installation process. The impact of the setback variance will be mitigated by securing the pole with multiple guy-wires to ensure that the pole will not fall onto the adjacent property.

*17.60.030.E. No practical alternatives have been identified which would accomplish the same purpose and not require a variance; and*

**Applicant's Response:** As mentioned above, the proposed pole placement is based on standard electrical safety clearance that allows the new transmission lines to be safely connected to the existing lattice tower. There are no practical alternatives to this project.

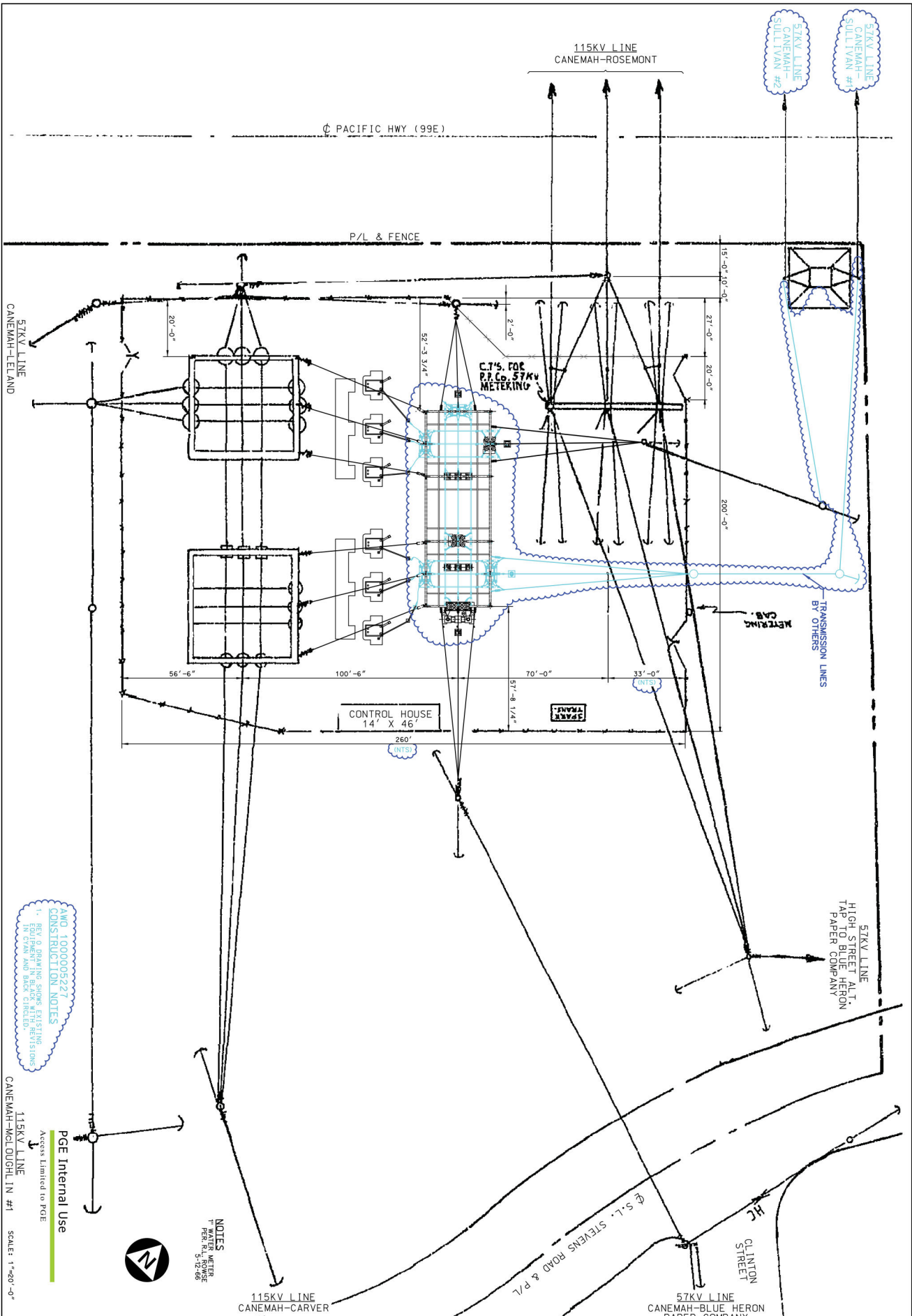
*17.60.030.F. The variance conforms to the comprehensive plan and the intent of the ordinance being varied.*

**Applicant's Response:** The Oregon City Comprehensive Plan describes the city's commitment to providing its citizens and businesses with access to safe and reliable public facilities, including electricity. PGE's proposed upgrade and installation of two utility poles on the Canemah Substation site will ensure that the local residents and businesses have reliable electrical service while also improving the safety for PGE's maintenance and operations personnel.

**Appendix A-1**  
**Site Plan**

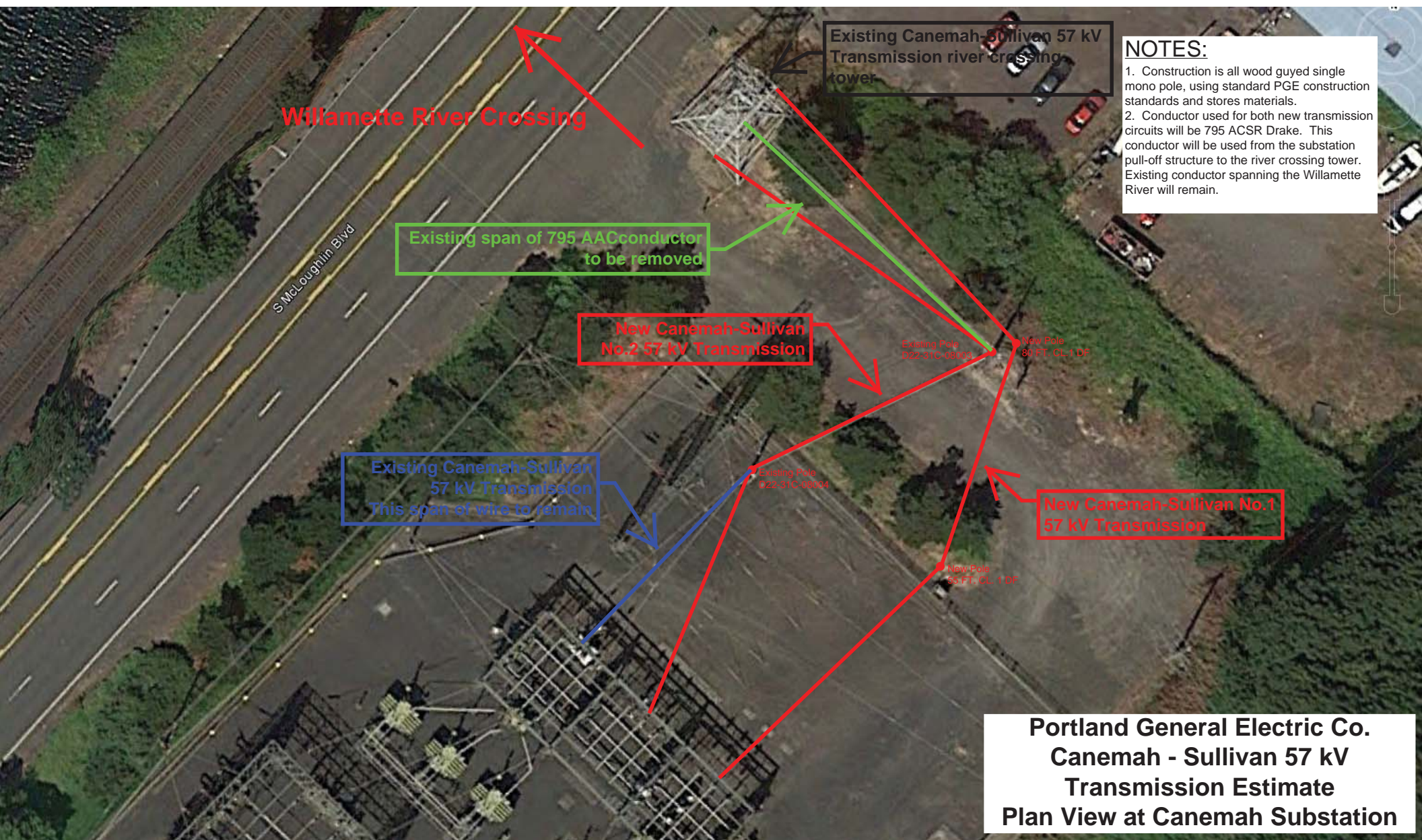
**(Attached)**





CNMH-1000		<u>CANEMAH SUBSTATION</u> GENERAL LAYOUT		 <b>Portland General Electric</b>		<table><tr><th>REV</th><th>DATE</th><th>REVISION DESCRIPTION</th></tr><tr><td>0</td><td>02/19/16</td><td>ORIGINAL SUBMITTALS C-0655a11, 57KV SWITCHYARD UPGRADE, AWO-100000227</td></tr><tr><td></td><td>/ /</td><td></td></tr><tr><td></td><td>/ /</td><td></td></tr><tr><td></td><td>/ /</td><td></td></tr></table>		REV	DATE	REVISION DESCRIPTION	0	02/19/16	ORIGINAL SUBMITTALS C-0655a11, 57KV SWITCHYARD UPGRADE, AWO-100000227		/ /			/ /			/ /		<table><tr><th>DESIGNER</th><th>CHECKER</th><th>ENGR</th><th>CHK</th><th>APP</th></tr><tr><td>B&amp;V</td><td>B&amp;V</td><td>PTO</td><td>JKC</td><td>NJC</td></tr></table>				DESIGNER	CHECKER	ENGR	CHK	APP	B&V	B&V	PTO	JKC	NJC
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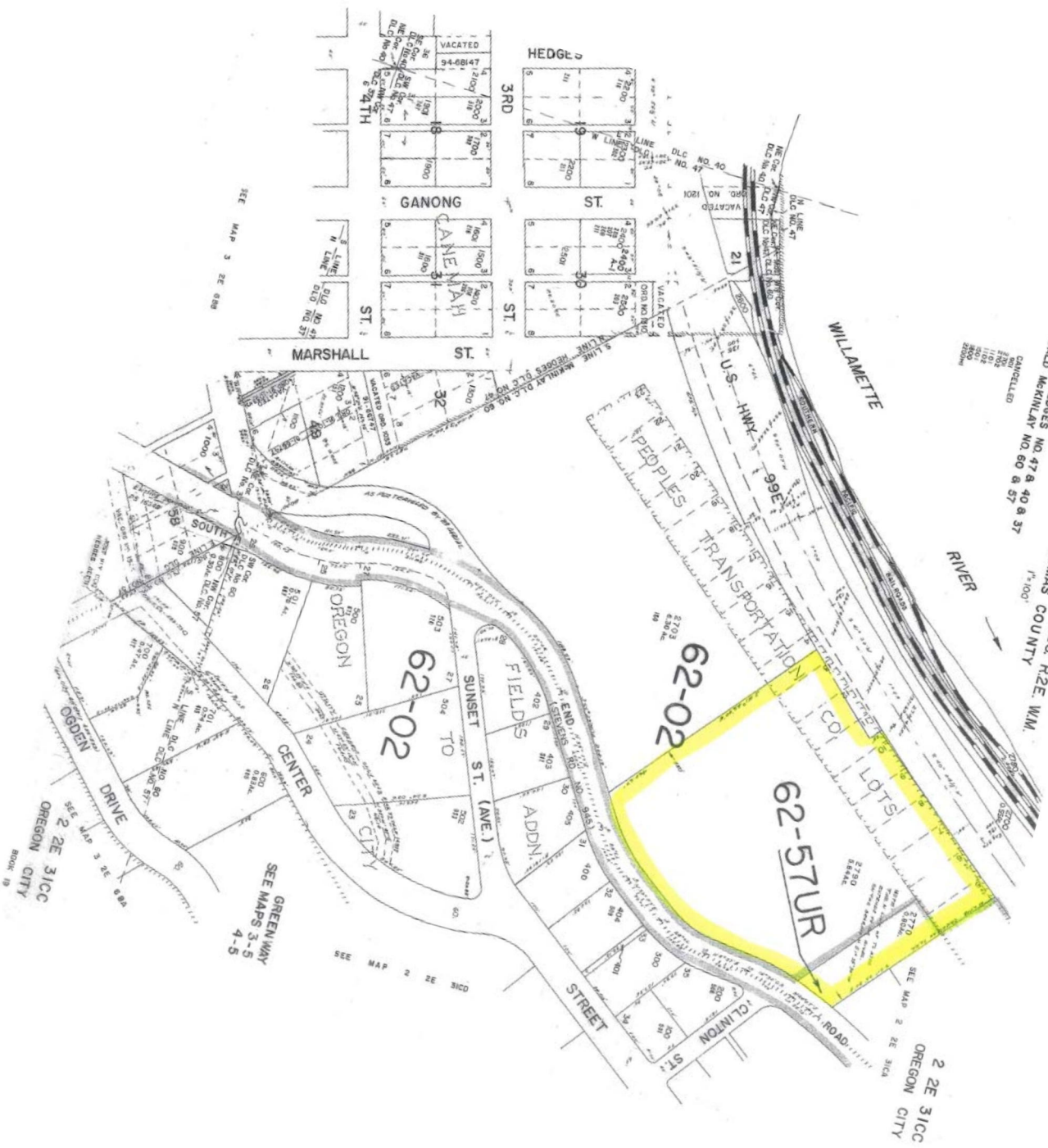


This aerial map of Clackamas County, Oregon, displays property boundaries and various parcels. The map is overlaid with a yellow grid and green lines indicating specific areas of interest. Key features include:

- Water:** A large body of water is visible in the upper left corner, labeled "WATER".
- Clackamas County:** The central area is labeled "Clackamas County".
- Parcels:** Numerous parcels are identified by numbers, including 22E31BD, 22E31CC, 22E31CA, 2700, 2701, 2702, 2703, 2704, 2705, 2706, 2707, 2708, 2709, 2710, 2711, 2712, 2713, 2714, 2715, 2716, 2717, 2718, 2719, 2720, 2721, 2722, 2723, 2724, 2725, 2726, 2727, 2728, 2729, 2730, 2731, 2732, 2733, 2734, 2735, 2736, 2737, 2738, 2739, 2740, 2741, 2742, 2743, 2744, 2745, 2746, 2747, 2748, 2749, 2750, 2751, 2752, 2753, 2754, 2755, 2756, 2757, 2758, 2759, 2760, 2761, 2762, 2763, 2764, 2765, 2766, 2767, 2768, 2769, 2770, 2771, 2772, 2773, 2774, 2775, 2776, 2777, 2778, 2779, 2780, 2781, 2782, 2783, 2784, 2785, 2786, 2787, 2788, 2789, 2790, 2791, 2792, 2793, 2794, 2795, 2796, 2797, 2798, 2799, 2800, 2801, 2802, 2803, 2804, 2805, 2806, 2807, 2808, 2809, 2810, 2811, 2812, 2813, 2814, 2815, 2816, 2817, 2818, 2819, 2820, 2821, 2822, 2823, 2824, 2825, 2826, 2827, 2828, 2829, 2830, 2831, 2832, 2833, 2834, 2835, 2836, 2837, 2838, 2839, 2840, 2841, 2842, 2843, 2844, 2845, 2846, 2847, 2848, 2849, 2850, 2851, 2852, 2853, 2854, 2855, 2856, 2857, 2858, 2859, 2860, 2861, 2862, 2863, 2864, 2865, 2866, 2867, 2868, 2869, 2870, 2871, 2872, 2873, 2874, 2875, 2876, 2877, 2878, 2879, 2880, 2881, 2882, 2883, 2884, 2885, 2886, 2887, 2888, 2889, 2890, 2891, 2892, 2893, 2894, 2895, 2896, 2897, 2898, 2899, 2900, 2901, 2902, 2903, 2904, 2905, 2906, 2907, 2908, 2909, 2910, 2911, 2912, 2913, 2914, 2915, 2916, 2917, 2918, 2919, 2920, 2921, 2922, 2923, 2924, 2925, 2926, 2927, 2928, 2929, 2930, 2931, 2932, 2933, 2934, 2935, 2936, 2937, 2938, 2939, 2940, 2941, 2942, 2943, 2944, 2945, 2946, 2947, 2948, 2949, 2950, 2951, 2952, 2953, 2954, 2955, 2956, 2957, 2958, 2959, 2960, 2961, 2962, 2963, 2964, 2965, 2966, 2967, 2968, 2969, 2970, 2971, 2972, 2973, 2974, 2975, 2976, 2977, 2978, 2979, 2980, 2981, 2982, 2983, 2984, 2985, 2986, 2987, 2988, 2989, 2990, 2991, 2992, 2993, 2994, 2995, 2996, 2997, 2998, 2999, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 3040, 3041, 3042, 3043, 3044, 3045, 3046, 3047, 3048, 3049, 3050, 3051, 3052, 3053, 3054, 3055, 3056, 3057, 3058, 3059, 3060, 3061, 3062, 3063, 3064, 3065, 3066, 3067, 3068, 3069, 3070, 3071, 3072, 3073, 3074, 3075, 3076, 3077, 3078, 3079, 3080, 3081, 3082, 3083, 3084, 3085, 3086, 3087, 3088, 3089, 3090, 3091, 3092, 3093, 3094, 3095, 3096, 3097, 3098, 3099, 3100, 3101, 3102, 3103, 3104, 3105, 3106, 3107, 3108, 3109, 3110, 3111, 3112, 3113, 3114, 3115, 3116, 3117, 3118, 3119, 3120, 3121, 3122, 3123, 3124, 3125, 3126, 3127, 3128, 3129, 3130, 3131, 3132, 3133, 3134, 3135, 3136, 3137, 3138, 3139, 3140, 3141, 3142, 3143, 3144, 3145, 3146, 3147, 3148, 3149, 3150, 3151, 3152, 3153, 3154, 3155, 3156, 3157, 3158, 3159, 3160, 3161, 3162, 3163, 3164, 3165, 3166, 3167, 3168, 3169, 3170, 3171, 3172, 3173, 3174, 3175, 3176, 3177, 3178, 3179, 3180, 3181, 3182, 3183, 3184, 3185, 3186, 3187, 3188, 3189, 3190, 3191, 3192, 3193, 3194, 3195, 3196, 3197, 3198, 3199, 3200, 3201, 3202, 3203, 3204, 3205, 3206, 3207, 3208, 3209, 3210, 3211, 3212, 3213, 3214, 3215, 3216, 3217, 3218, 3219, 3220, 3221, 3222, 3223, 3224, 3225, 3226, 3227, 3228, 3229, 3230, 3231, 3232, 3233, 3234, 3235, 3236, 3237, 3238, 3239, 3240, 3241, 3242, 3243, 3244, 3245, 3246, 3247, 3248, 3249, 3250, 3251, 3252, 3253, 3254, 3255, 3256, 3257, 3258, 3259, 3260, 3261, 3262, 3263, 3264, 3265, 3266, 3267, 3268, 3269, 3270, 3271, 3272, 3273, 3274, 3275, 3276, 3277, 3278, 3279, 3280, 3281, 3282, 3283, 3284, 3285, 3286, 3287, 3288, 3289, 3290, 3291, 3292, 3293, 3294, 3295, 3296, 3297, 3298, 3299, 3300, 3301, 3302, 3303, 3304, 3305, 3306, 3307, 3308, 3309, 3310, 3311, 3312, 3313, 3314, 3315, 3316, 3317, 3318, 3319, 3320, 3321, 3322, 3323, 3324, 3325, 3326, 3327, 3328, 3329, 3330, 3331, 3332, 3333, 3334, 3335, 3336, 3337, 3338, 3339, 3340, 3341, 3342, 3

**Canemah Substation  
Tax Parcel Map**

CANCELLED  
901  
2701  
2702  
1101  
1102  
1201  
1202  
2700mg





**Canemah Substation**  
**Tax Parcel – Aerial View**





**Canemah Substation  
Project Area – Aerial View**





**Canemah Substation  
Project Area – Aerial View**



# Canemah Substation



### Legend

- Taxlots
- Taxlots (Outside UGB)
- Unimproved ROW
- 1996 Flood Inundation
- FEMA 2008 - 100 yr Floodplair
- Geologic Hazards - All
- Slope Categories
  - 0 - 10%
  - 10 - 25%
  - 25 - 35%
  - > 35%
- City Limits
- UGB
- Basemap

### Notes

Geologic Hazard Overlay

### Overview Map

The City of Oregon City makes no representations, express or implied, as to the accuracy, completeness and timeliness of the information displayed. This map is not suitable for legal, engineering, surveying or navigation purposes. Notification of any errors is appreciated.

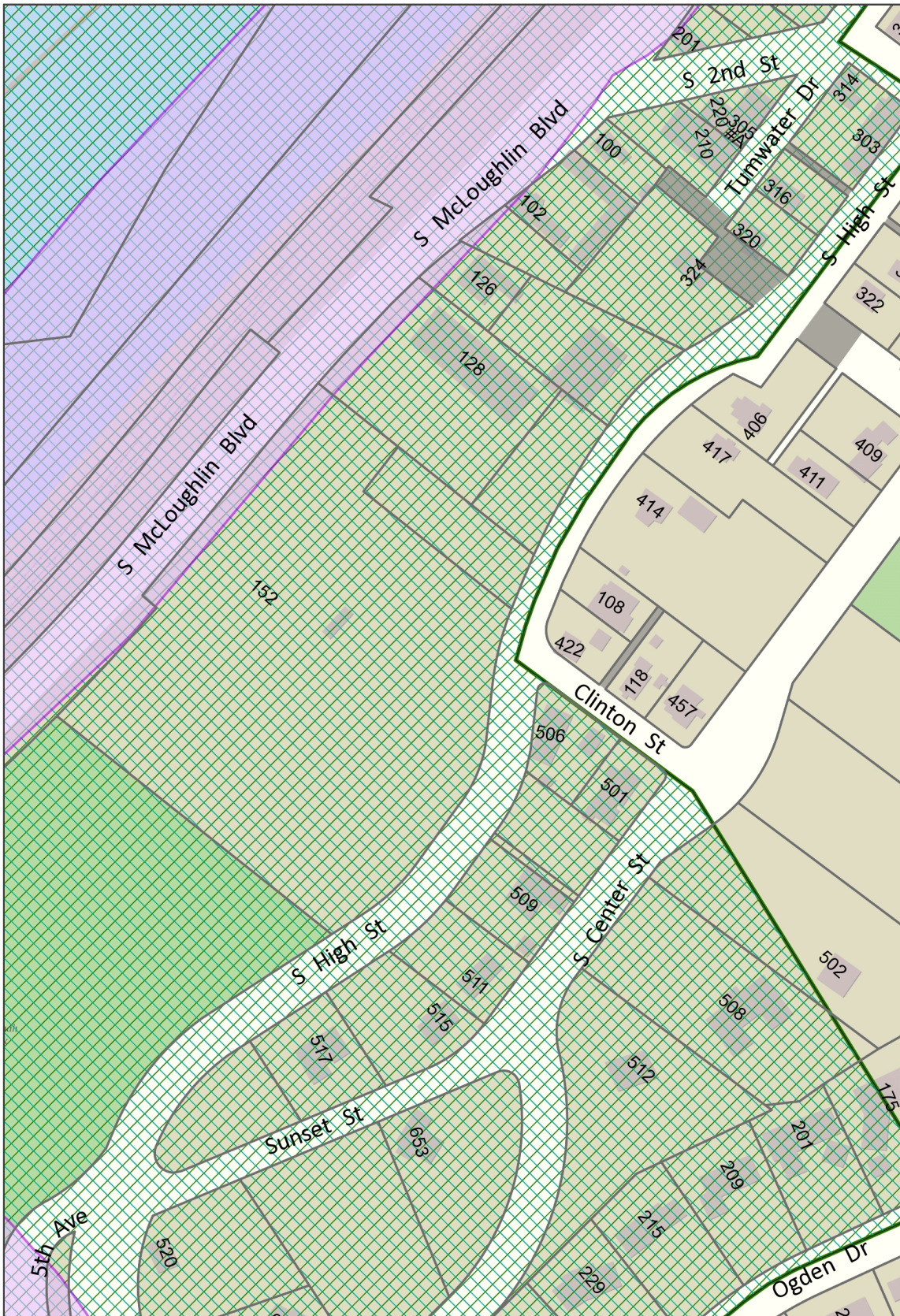


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 OR 97045  
 (503) 657-0891  
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# Canemah Substation

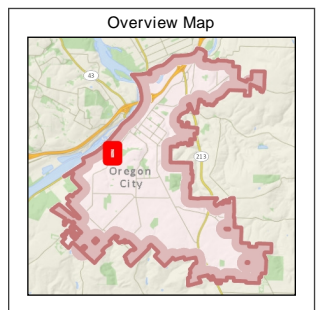


### Legend

- Taxlots
- Taxlots (Outside UGB)
- Unimproved ROW
- NROD - Natural Resource Overlay
- Willamette Greenway
- City Limits
- UGB
- Basemap

### Notes

Natural Resource & Willamette Greenway Overlays



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0 200 Feet  
1: 2,399

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# Canemah Substation

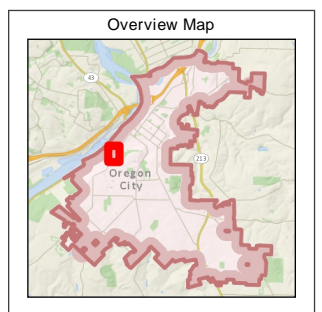


### Legend

- Taxlots
- Taxlots (Outside UGB)
- Unimproved ROW
- TSP - Crossing Solutions
  - Likely to be funded
  - Not likely to be funded
- TSP - Driving (Int. and Street I
  - Likely to be funded
  - Not likely to be funded
- TSP - Driving (Street Extensor
  - Likely to be funded
  - Not likely to be funded
- TSP - Driving (Street and Int. E
  - Likely to be funded
  - Not likely to be funded
- TSP - Driving (Int. and Street I
  - Likely to be funded
  - Not likely to be funded
- TSP - Walking Solutions
  - Likely to be funded
  - Not likely to be funded
- TSP - Biking Solutions
  - Likely to be funded
  - Not likely to be funded
- TSP - Family Friendly Routes
  - Likely to be funded
  - Not likely to be funded
- TSP - Shared-Use Path Solutic
  - Likely to be funded
  - Not likely to be funded
- RTP - Projects (point)
- RTP - Projects (line)
- Not yet assigned a number
- Assigned a number; 10123

### Notes

Transportation Planning Overlay



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## Current Street View



## Street View with New Transmission Poles



**Exhibit 2**  
**Canemah Neighborhood Association Meeting – June 16, 2016**  
**(Attached)**

## Jennifer Santhouse

---

**From:** k.baysinger@comcast.net  
**Sent:** Friday, June 17, 2016 10:37 AM  
**To:** Jennifer Santhouse  
**Subject:** Canemah Neighborhood Association  
**Attachments:** Minutes June 16, 2016.pdf

Jennifer & Jason,

Thank you for your presentation at last night's Canemah Neighborhood Association. I think the information you provided will help create a positive foundation for a good working relationship between Portland General Electric and the CNA. We look forward to future visits.

Ken Baysinger, Secretary  
Canemah Neighborhood Association

# General Membership Meeting Minutes Canemah Neighborhood Association

June 16, 2016  
John Adams Fire Station, 624 7<sup>th</sup> Street, Oregon City

**Call to Order** 7:00 by Rob Lorey

**Additions to the Agenda** Chris Staggs

## **Community Updates**

Oregon City Police Department, Jason Pohl  
Pedestrian enforcement in Oregon City  
National Night Out is August 2  
City-wide crime stats  
Illegal fireworks  
OCPD has purchased Mt Pleasant School

## **Guest Speakers**

Christina Robinson-Gardiner, Oregon City Senior Planner  
Legacy Project Informational Presentation  
Site tours are 2-4 pm Fridays – Neighborhood Assn tours are available  
Will have a booth at the First City Festival in July  
Would like to come back to CNA in November  
Preliminary plan approval expected Spring-Summer 2017

Jennifer Stanthouse & Jason Chv representing PGE  
What's happening at the Canemah substation  
Are installing two utility poles and dividing one circuit into two  
80-foot pole will replace 70-foot pole currently in use  
Result should be improved system reliability

## **Reports**

Treasurer's Report by Karen Blaha  
Approval of Meeting Minutes from April meeting  
CIC Update by Linda Baysinger  
HRB Update by Ken Baysinger

## **Unfinished Business**

Report from Fund Raising Committee by Karen Blaha & Monica Spravzoff  
Committee met on June 11 – Ideas include:  
Dessert Dash at CNA picnic  
Tour of historic homes in Canemah, coupled with arts show

Report from Bylaws Committee  
Committee was unable to meet – nothing to report

Report on Neighborhood Cleanup – Sheila Decker  
Oregon City has suspended the adopt-a-street program  
Cleanup on 5<sup>th</sup> Ave (including Miller St to 4<sup>th</sup> Ave) July 16, 10:00 am  
Nothing scheduled for Old Canemah Park

Discussion Item – What to do about criminal activity in Old Canemah Park  
Jim Riggle – problems with drug activity continues

Security cameras are prohibitively expensive  
City does not have resources to install and operate a locking gate  
Best thing to do is continue to report all suspicious activity

#### **New Business**

- Discussion Items – Liaison to the City regarding Trails Project (Dennis Anderson)  
McLoughlin NA has issued a letter of support for the trails  
Karen Blaha will compose a letter to Kelly Reid asking for CNA to be a stakeholder in the trails study.
- Action Item: Form a nominating committee for Vice-Chair  
Ron Bistline  
Paul Edgar  
Ken Baysinger
- Action Item: Develop a plan for Neighborhood Picnic  
Picnic will be August 13  
Sheila Decker will coordinate

#### **Items or Speakers Added to the Agenda**

Chris Staggs introduced himself and discussed his intentions regarding his property on Miller Street at 5<sup>th</sup> Avenue. Discussion of “small cottage homes” concept. Concerns were expressed regarding the way the property was cleared this week

**Adjourn** 9:18 pm

Minutes by Ken Baysinger, Secretary  
Canemah Neighborhood Association  
June 17, 2017

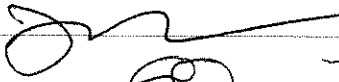
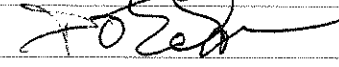

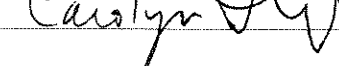


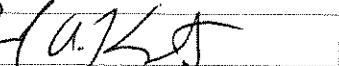
6-16-16

Signature	Last Name	First Name	Address
<i>Dennis Anderson</i>	Anderson	Dennis	804 4th Ave
<i>Ken Baysinger</i>	Baysinger	Ken	516 1st Ave
<i>Linda Baysinger</i>	Baysinger	Linda	516 1st Ave
<i>Mike Belfay</i>	Belfay	Mike	507 4th Ave
<i>Chris Bernard</i>	Bernard	Chris	625 4th Ave
<i>Debbie Bistline</i>	Bistline	Debbie	716 4th Ave
<i>Ron Bistline</i>	Bistline	Ron	716 4th Ave
<i>Karen Blaha</i>	Blaha	Karen	514 4th Ave
<i>Grant Blythe</i>	Blythe	Grant	407 5th Ave
<i>Susan Borger</i>	Borger	Susan	804 4th Ave
	Brainard	Amy	515 S McLoughlin Blvd
	Bronte	Denise	202 5th Ave
	Carey	Maureen	416 4th Ave
	Corbett	Vicki	507 3rd Ave
	Crone	Joyce	903 S McLoughlin Blvd
	Dale	Oliver	310 3rd Ave
	Decker	Laine	215 Miller St
<i>Sheila Decker</i>	Decker	Sheila	215 Miller St
	Delameter	James	900 4th Ave
	Dimms	Amber	405 4th Ave
<i>Darren Dobbins</i>	Dobbins	Darren	708 S McLoughlin Blvd
	Dobbins	Jennifer	708 S McLoughlin Blvd
	Dunlap	Verna	303 S. High St
<i>Joanne Dutra</i>	Dutra	Joanne	106 Miller St
	Dylla	Donna	701 3rd Ave

A - D



6-16-16

Signature	Last Name	First Name	Address	
	Economou	Tory	609 3rd Ave	5
	Edgar	Patricia	211 5th Ave	5
	Edgar	Paul	211 5th Ave	
	Enstad	Terry	316 S Mcclouglin Blvd	5
	Flynn	Carolyn	408 4th Ave	5
	Garcia	Jose Luis	814 4th Ave	5
	Gieszler	Oscar	803 5th Ave	5
	Gomez	Anthony	503 3rd Ave	5
	Goodwin	Tori + Clint	502 4th Ave	805
	Headrick	Judy	705 3rd Ave	
	Heinz	Bill		
	Heinz	Johna		
	Heydel	Brent	610 1st Ave	
	Heydel	Kathy	608 1st Ave	
	Houseman	Andy	210 Hedges St	
	Jabin	Laura	202 5th Ave	50
	Jones	Jessica	506 3rd Ave	
	Jones	Ryan	506 3rd Ave	
	Kemple	David	xxx 4th Ave	
	Kemple	Melissa	xxx 4th Ave	
	Koontz	Carl	106 Miller St	50
	Koop	Rosemary	607 S McLoughlin Blvd	
	Kramer	Amber	501 4th Ave	
	Kuhl	Anna	713 4th Ave	31
	Law	Christine	801 3rd Ave #7	

E - L

6-16-16

Signature	Last Name	First Name	Address
Rob Lorey	Lawson	Sandra	349 5th Ave
	Lorey	Robert	702 4th Ave
	McCuen	Dennis	311 Ganong St
	McShannon	Jennifer	702 4th Ave
Greta Michaelis	Medialdea	Dena	707 5th Pl
	Michaelis	Greta	707 4th Ave
	Michels	Gabe	605 4th Ave
	Michels	Jenny	605 4th Ave
	Mieher	Marc	507 3rd Ave
	Mielnik	Linda	714 5th Pl
	Minton	Scott	405 4th Ave
	Morton	Cyndi	608 S McLoughlin Blvd
	Morton	John	608 S McLoughlin Blvd
	Mulder	Garret	716 3rd Ave
H. Post J. Rambo	Perreira	Robert	502 S Mcloughlin Blvd
	Popma	Brant	510 1st Ave
	Popma	Carolyn	510 1st Ave
	Post	Howard	302 Blanchard St
	Rambo	Laura	203 3rd Ave
	Ramsey	Don	808 5th Pl
	Riggle	Jim	203 3rd Ave
	Roddy	James	709 5th Pl
	Rosthchild	Reid	408 4th Ave
	Scheehean	Ann Marie	209 Apperson St
	Scheehean	Mike	209 Apperson St

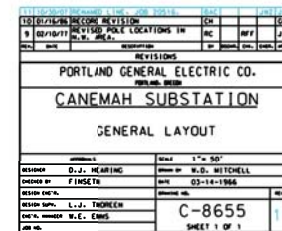
L - S

6-16-16

Signature	Last Name	First Name	Address
	Shull	Alan	713 5th Pl
	Shull	Jane	713 5th Pl
	Siewert	Bob	349 5th Ave
	Simon	Carolyn	302 Blanchard St
J Smith	Smith	Jessica	609 3rd Ave
	Smith	Lindy	602 1st Ave
	Smith	Ryan	602 1st Ave
Monica Spravzoff	Spravzoff	Monica	502 5th Pl
	Springer	Kathleen	615 4th Ave
	Springer	Robert	615 4th Ave
Laura Stone	Stone	Laura	716 4th Ave
	Sweet	Chris	514 4th Ave
	Sweet	Rick	514 4th Ave
S. M. Tan	Tacoma	Susanne	814 4th Ave
	Tester	Sandra	715 3rd Ave
	Tinseth	Ken	903 5th Ave
	Tinseth	Wendy	903 5th Ave
	Tjaden	Nick	515 S McLoughlin Blvd
	Van Der Sluis	Mandi	815 5th Ave
	Van Ommen	John	501 4th Ave
	Vermeire	Rod	402 5th Ave
Phil Vermeire	Vermeire	Shirley	402 5th Ave
	Webb	Patty	310 3rd Ave
	Wenkman	Keegan	207 4th Ave
	Wolf	Bruce	905 S McLoughlin Blvd

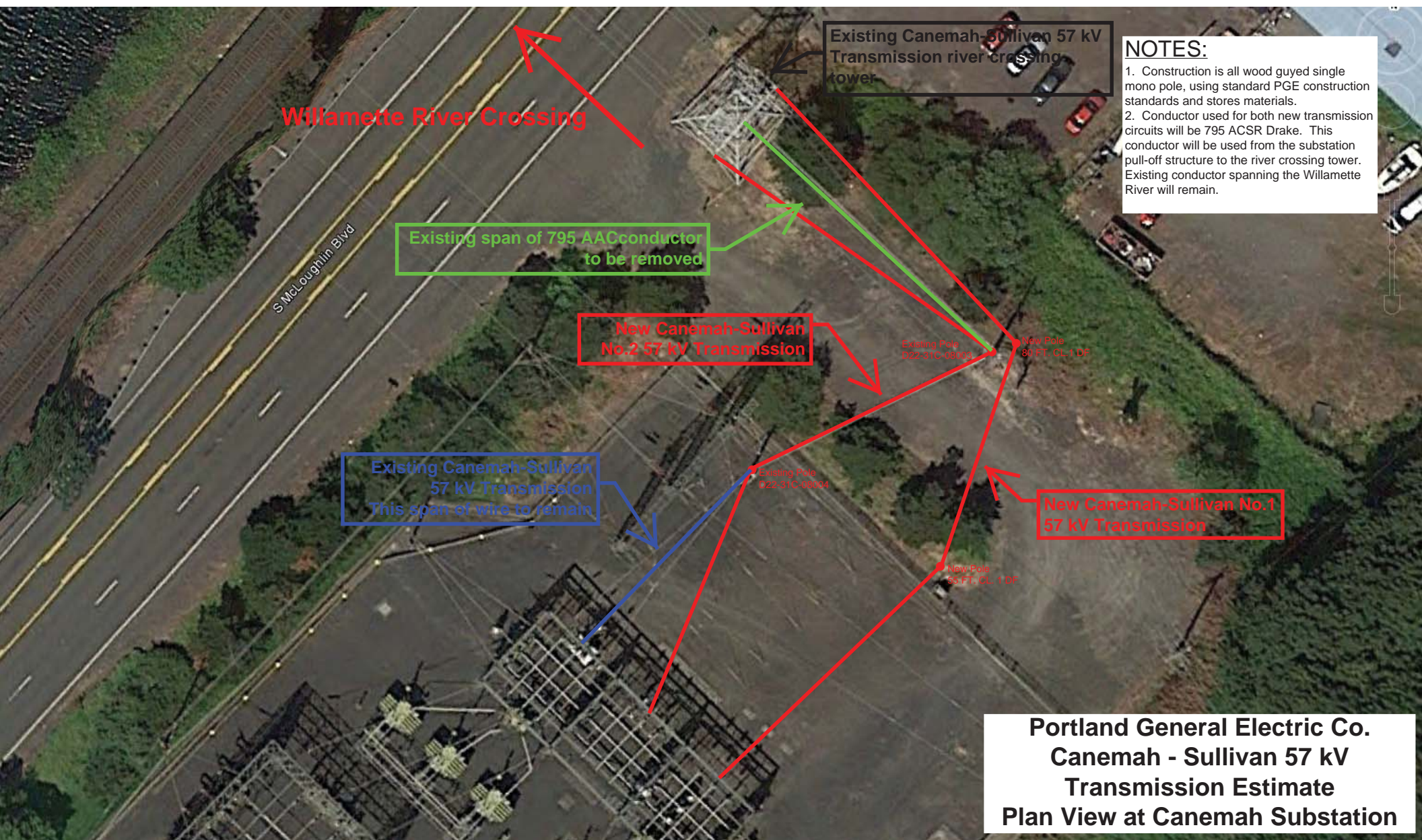
S - Z













Canemah Substation  
Tax Parcel Map



# **Canemah Substation Tax Parcel Map**

SW 1/4 SW 1/4 SEC. 31 T2S. R2E. W1M.  
CLACKAMAS COUNTY  
D. L. C.  
ARCHIBALD F. HEDGES NO. 47 & 49 & 37  
CANCELED  
1"=100'





**Canemah Substation**  
**Tax Parcel – Aerial View**





**Canemah Substation  
Project Area – Aerial View**





**Canemah Substation  
Project Area – Aerial View**





# City of Oregon City Pre-Application Form

File Number PA 16-17

Meeting Date 4/20/2016 Time: 10 A.M. Location: 221 Molalla Avenue, Suite 200, Oregon City  
*Applicants and representatives are expected to present a detailed explanation of their proposal at the conference.*

## Applicant:

Name Portland General Electric Company

Contact Person Jennifer Santhouse

Address 121 SW Salmon St, 3WTC0406  
Portland, OR 97204

Phone 503-464-8121

## Owner(s):

Name Portland General Electric Company

Address 121 SW Salmon St, 3WTC0406  
Portland, OR 97204

Phone 503-464-8121

## Property Description:

Tax Assessor Map Number(s):

T2S R2E 31CC-02790  
T2S R2E 31CC-02770

Address: 152 S. McLoughlin Blvd  
Oregon City, OR 97045

## Proposed Development Action:

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.

Applicant Signature Mike Livingston Date March 24, 2016  
Mike Livingston, Manager, Property Services

*The pre-application conference provides the applicant the necessary information to make an informed decision regarding a land use proposal. Meetings are held on Tuesdays and Wednesdays. Pre-Application Conferences expire six (6) months from the meeting date.*

**Please submit 3 hard copies and 1 electronic copy of the required information.**

## Pre-Application Checklist:

*Failure to submit a complete application may require additional fees and pre-application meetings.*

### Minimum Pre-Application Requirements

- ☒ Pre-Application Fee
- ☒ Narrative: A detailed description of your proposal and any specific questions you have
- ☒ Site/Plot Plan (8½" x 11" or 11" x 17")
  - ☐ Parcel and building setback dimensions
  - ☐ Existing and proposed structures
  - ☐ Location and dimensions of easements and driveway
  - ☐ Location of utilities – storm, sanitary sewers & water (including size of service and street location)
  - ☐ Width of adjacent right of way
- ☒ Property Zoning Report
- ☐ Additional Information / Requirements

### Additional Subdivision / Minor Partition Requirements

- ☐ Slope map (if area exceeds a 24% slope)
- ☐ Significant Tree Locations (all trees with a caliper over 6 inches)
- ☐ Utility layout
- ☐ Proposed detention system with topographic contours
- ☐ Location of on-site water resources
- ☐ Connectivity analysis that includes shadow plats of all adjacent properties demonstrating how they can be developed meeting existing code.

### Additional Site Plan & Design Review Requirements

- ☒ Proposed elevations
- ☐ Parking lot layout
- ☐ Parking space calculations (based on use and square footage of building)

Routing: PubWks ☐; PW Dir. ☐; Bldg ☐; Develop. Serv. ☐; Fire ☐; Finance ☐; Clack Co (E) ☐; Clack Co (P) ☐; ODOT ☐; Schools ☐; Tri-Met ☐; Metro ☐; Police ☐; Other \_\_\_\_\_



City of Oregon City  
Permit Receipt  
RECEIPT NUMBER 00032558

Account Number: 018818

Date: 3/28/2016

Applicant: PORTLAND GEN ELEC CO

Type: check # 965306

Permit Number	Fee Description	Amount
PA-16-0017	4332 Pre-App Fee	1,055.00
Total:		\$1,055.00



# **Canemah Substation Transmission Pole Placement**

## **Project Description**

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.

## **Questions**

Is this Conditional Use Permit and Variance specific to this construction or the entire subject property?

Will the company be required to obtain additional permits for future construction within the substation or pole placement on the property?

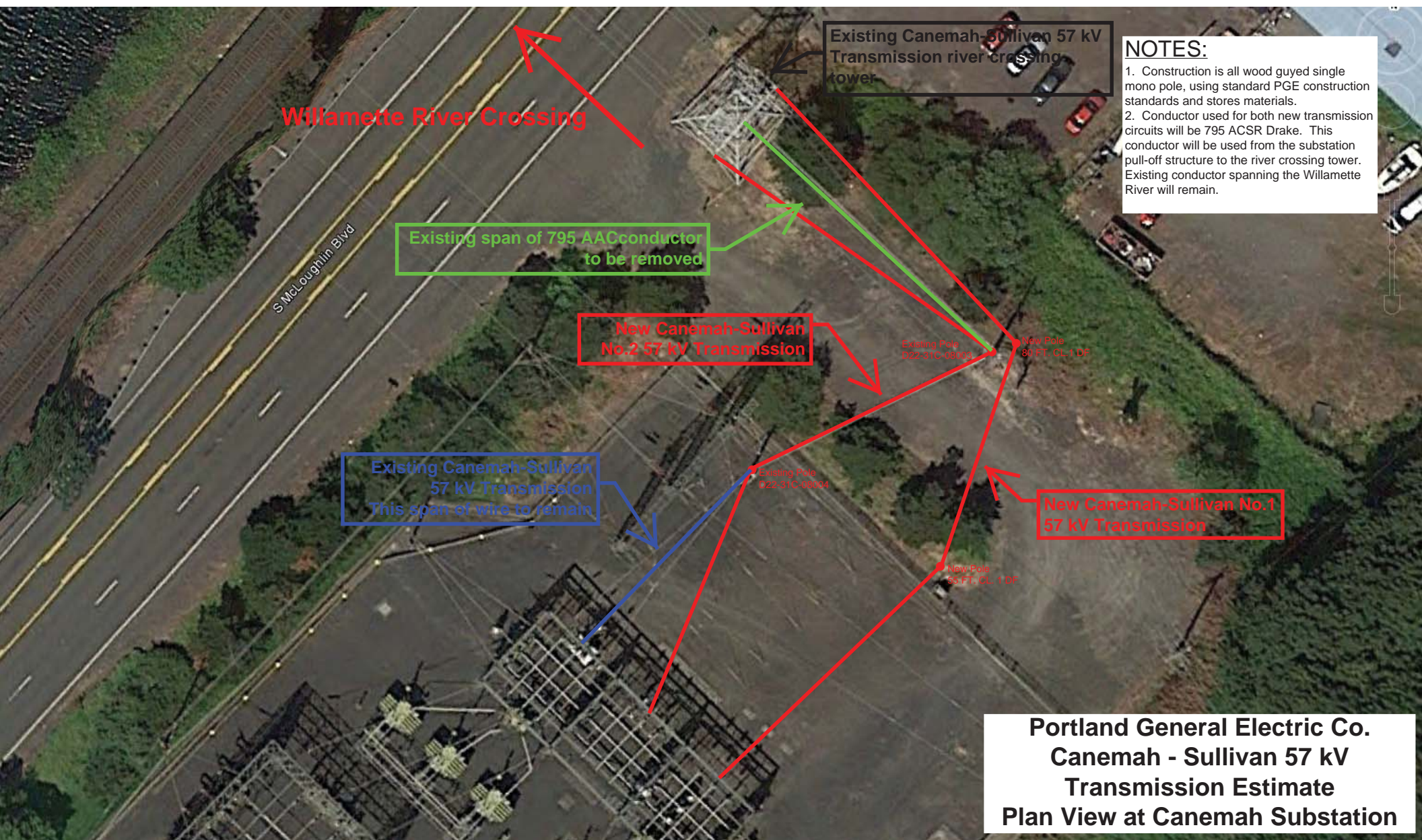
What is the construction threshold to trigger additional permitting requirements?

Once the conditional use permit and variance are approved, is there a date by which project construction must be completed?











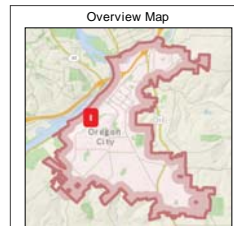
# Canemah Substation



- Legend**
- Taxlots
  - Taxlots (Outside UGB)
  - Unimproved ROW
  - 1996 Flood Inundation
  - FEMA 2008 - 100 yr Floodplain
  - Geologic Hazards - All
  - Slope Categories**
    - 0 - 10%
    - 10 - 25%
    - 25 - 35%
    - > 35%
  - City Limits
  - UGB
  - Basemap

**Notes**

Geologic Hazard Overlay



The City of Oregon City makes no representations, express or implied, as to the accuracy, completeness and timeliness of the information displayed. This map is not suitable for legal, engineering, surveying or navigation purposes. Notification of any errors is appreciated.



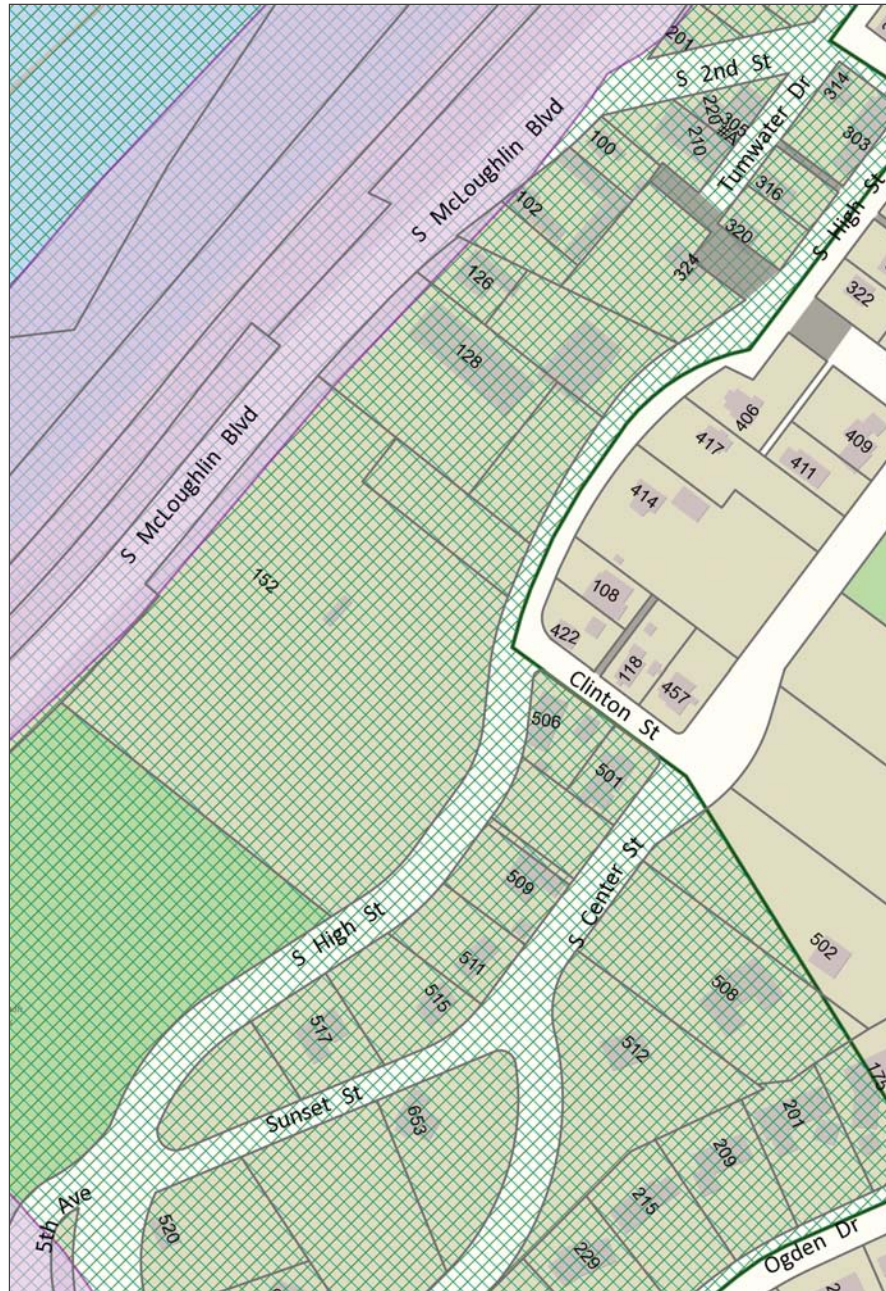
0 200 Feet  
1: 2,399

City of Oregon City  
PO Box 3040  
625 Center St  
Oregon City  
OR 97045  
(503) 657-0891  
www.oregoncity.org





# Canemah Substation

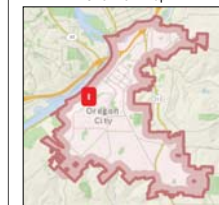


- Legend**
- Taxlots
  - Taxlots (Outside UGB)
  - Unimproved ROW
  - NROD - Natural Resource Overlay
  - Willamette Greenway
  - City Limits
  - UGB
  - Basemap

## Notes

Natural Resource & Willamette Greenway Overlays

## Overview Map



The City of Oregon City makes no representations, express or implied, as to the accuracy, completeness and timeliness of the information displayed. This map is not suitable for legal, engineering, surveying or navigation purposes. Notification of any errors is appreciated.



0 200 Feet  
1: 2,399

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# Canemah Substation

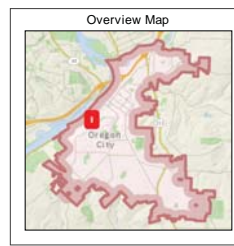


### Legend

- Taxlots
- Taxlots (Outside UGB)
- Unimproved ROW
- TSP - Crossing Solutions
  - Likely to be funded
  - ✱ Not likely to be funded
- TSP - Driving (Int. and Street I)
  - Likely to be funded
  - ✱ Not likely to be funded
- TSP - Driving (Street Extension)
  - Likely to be funded
  - - - Not likely to be funded
- TSP - Driving (Street and Int. E)
  - Likely to be funded
  - - - Not likely to be funded
- TSP - Driving (Int. and Street I)
  - Likely to be funded
  - - - Not likely to be funded
- TSP - Walking Solutions
  - Likely to be funded
  - - - Not likely to be funded
- TSP - Biking Solutions
  - Likely to be funded
  - - - Not likely to be funded
- TSP - Family Friendly Routes
  - Likely to be funded
  - - - Not likely to be funded
- TSP - Shared-Use Path Solution
  - Likely to be funded
  - - - Not likely to be funded
- ★ RTP - Projects (point)
- RTP - Projects (line)
- Not yet assigned a number
- Assigned a number; 10123

### Notes

Transportation Planning Overlay



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0 200 Feet  
1: 2,399





This aerial map of Clackamas County, Oregon, displays property boundaries and various parcels. The map is overlaid with a yellow grid and green lines indicating specific areas of interest. Key features include:

- Water:** A large body of water is visible on the left side of the map.
- Clackamas County:** The central area of the map is labeled "Clackamas County".
- Parcels:** Numerous parcels are identified by numbers, including 22E31BD, 22E31CC, 22E31CA, 2700, 2701, 2702, 2703, 2704, 2705, 2706, 2707, 2708, 2709, 2710, 2711, 2712, 2713, 2714, 2715, 2716, 2717, 2718, 2719, 2720, 2721, 2722, 2723, 2724, 2725, 2726, 2727, 2728, 2729, 2730, 2731, 2732, 2733, 2734, 2735, 2736, 2737, 2738, 2739, 2740, 2741, 2742, 2743, 2744, 2745, 2746, 2747, 2748, 2749, 2750, 2751, 2752, 2753, 2754, 2755, 2756, 2757, 2758, 2759, 2760, 2761, 2762, 2763, 2764, 2765, 2766, 2767, 2768, 2769, 2770, 2771, 2772, 2773, 2774, 2775, 2776, 2777, 2778, 2779, 2780, 2781, 2782, 2783, 2784, 2785, 2786, 2787, 2788, 2789, 2790, 2791, 2792, 2793, 2794, 2795, 2796, 2797, 2798, 2799, 2800, 2801, 2802, 2803, 2804, 2805, 2806, 2807, 2808, 2809, 2810, 2811, 2812, 2813, 2814, 2815, 2816, 2817, 2818, 2819, 2820, 2821, 2822, 2823, 2824, 2825, 2826, 2827, 2828, 2829, 2830, 2831, 2832, 2833, 2834, 2835, 2836, 2837, 2838, 2839, 2840, 2841, 2842, 2843, 2844, 2845, 2846, 2847, 2848, 2849, 2850, 2851, 2852, 2853, 2854, 2855, 2856, 2857, 2858, 2859, 2860, 2861, 2862, 2863, 2864, 2865, 2866, 2867, 2868, 2869, 2870, 2871, 2872, 2873, 2874, 2875, 2876, 2877, 2878, 2879, 2880, 2881, 2882, 2883, 2884, 2885, 2886, 2887, 2888, 2889, 2890, 2891, 2892, 2893, 2894, 2895, 2896, 2897, 2898, 2899, 2900, 2901, 2902, 2903, 2904, 2905, 2906, 2907, 2908, 2909, 2910, 2911, 2912, 2913, 2914, 2915, 2916, 2917, 2918, 2919, 2920, 2921, 2922, 2923, 2924, 2925, 2926, 2927, 2928, 2929, 2930, 2931, 2932, 2933, 2934, 2935, 2936, 2937, 2938, 2939, 2940, 2941, 2942, 2943, 2944, 2945, 2946, 2947, 2948, 2949, 2950, 2951, 2952, 2953, 2954, 2955, 2956, 2957, 2958, 2959, 2960, 2961, 2962, 2963, 2964, 2965, 2966, 2967, 2968, 2969, 2970, 2971, 2972, 2973, 2974, 2975, 2976, 2977, 2978, 2979, 2980, 2981, 2982, 2983, 2984, 2985, 2986, 2987, 2988, 2989, 2990, 2991, 2992, 2993, 2994, 2995, 2996, 2997, 2998, 2999, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 3040, 3041, 3042, 3043, 3044, 3045, 3046, 3047, 3048, 3049, 3050, 3051, 3052, 3053, 3054, 3055, 3056, 3057, 3058, 3059, 3060, 3061, 3062, 3063, 3064, 3065, 3066, 3067, 3068, 3069, 3070, 3071, 3072, 3073, 3074, 3075, 3076, 3077, 3078, 3079, 3080, 3081, 3082, 3083, 3084, 3085, 3086, 3087, 3088, 3089, 3090, 3091, 3092, 3093, 3094, 3095, 3096, 3097, 3098, 3099, 3100, 3101, 3102, 3103, 3104, 3105, 3106, 3107, 3108, 3109, 3110, 3111, 3112, 3113, 3114, 3115, 3116, 3117, 3118, 3119, 3120, 3121, 3122, 3123, 3124, 3125, 3126, 3127, 3128, 3129, 3130, 3131, 3132, 3133, 3134, 3135, 3136, 3137, 3138, 3139, 3140, 3141, 3142, 3143, 3144, 3145, 3146, 3147, 3148, 3149, 3150, 3151, 3152, 3153, 3154, 3155, 3156, 3157, 3158, 3159, 3160, 3161, 3162, 3163, 3164, 3165, 3166, 3167, 3168, 3169, 3170, 3171, 3172, 3173, 3174, 3175, 3176, 3177, 3178, 3179, 3180, 3181, 3182, 3183, 3184, 3185, 3186, 3187, 3188, 3189, 3190, 3191, 3192, 3193, 3194, 3195, 3196, 3197, 3198, 3199, 3200, 3201, 3202, 3203, 3204, 3205, 3206, 3207, 3208, 3209, 3210, 3211, 3212, 3213, 3214, 3215, 3216, 3217, 3218, 3219, 3220, 3221, 3222, 3223, 3224, 3225, 3226, 3227, 3228, 3229, 3230, 3231, 3232, 3233, 3234, 3235, 3236, 3237, 3238, 3239, 3240, 3241, 3242, 3243, 3244, 3245, 3246, 3247, 3248, 3249, 3250, 3251, 3252, 3253, 3254, 3255, 3256, 3257, 3258, 3259, 3260, 3261, 3262, 3263, 3264, 3265, 3266, 3267, 3268, 3269, 3270, 3271, 3272, 3273, 3274, 3275, 3276, 3277, 3278, 3279, 3280, 3281, 3282, 3283, 3284, 3285, 3286, 3287, 3288, 3289, 3290, 3291, 3292, 3293, 3294, 3295, 3296, 3297, 3298, 3299, 3300, 3301, 3302, 3303, 3304, 3305, 3306, 3307, 3308, 3309, 3310, 3311, 3312, 3313, 3314, 3315, 3316, 3317, 3318, 3319, 3320, 3321, 3322, 3323, 3324, 3325, 3326, 3327, 3328, 3329, 3330, 3331, 3332, 3333, 3334, 3335, 3336, 3337, 3338, 3339, 3340, 3341, 3342, 33

# **Canemah Substation Tax Parcel Map**

SW 1/4 SW 1/4 SEC. 31 T2S. R2E. W.M.  
 D. L.C.  
 ASBLOW F. HEDGES NO. 47 & 49 & 37  
 ARCHIBALD McKINLAY NO. 60 & 57  
 CANCELED  
 1"=100'



GREENWAY  
 SEE MAPS 3-5  
 4-5

2 2E 31CC  
 OREGON CITY  
 BOOK 19

2 2E 31CC  
 OREGON CITY

SEE MAP 3 2E 98A

SEE MAP 2 2E 31CC



**Canemah Substation**  
**Tax Parcel – Aerial View**





**Canemah Substation  
Project Area – Aerial View**





**Canemah Substation  
Project Area – Aerial View**



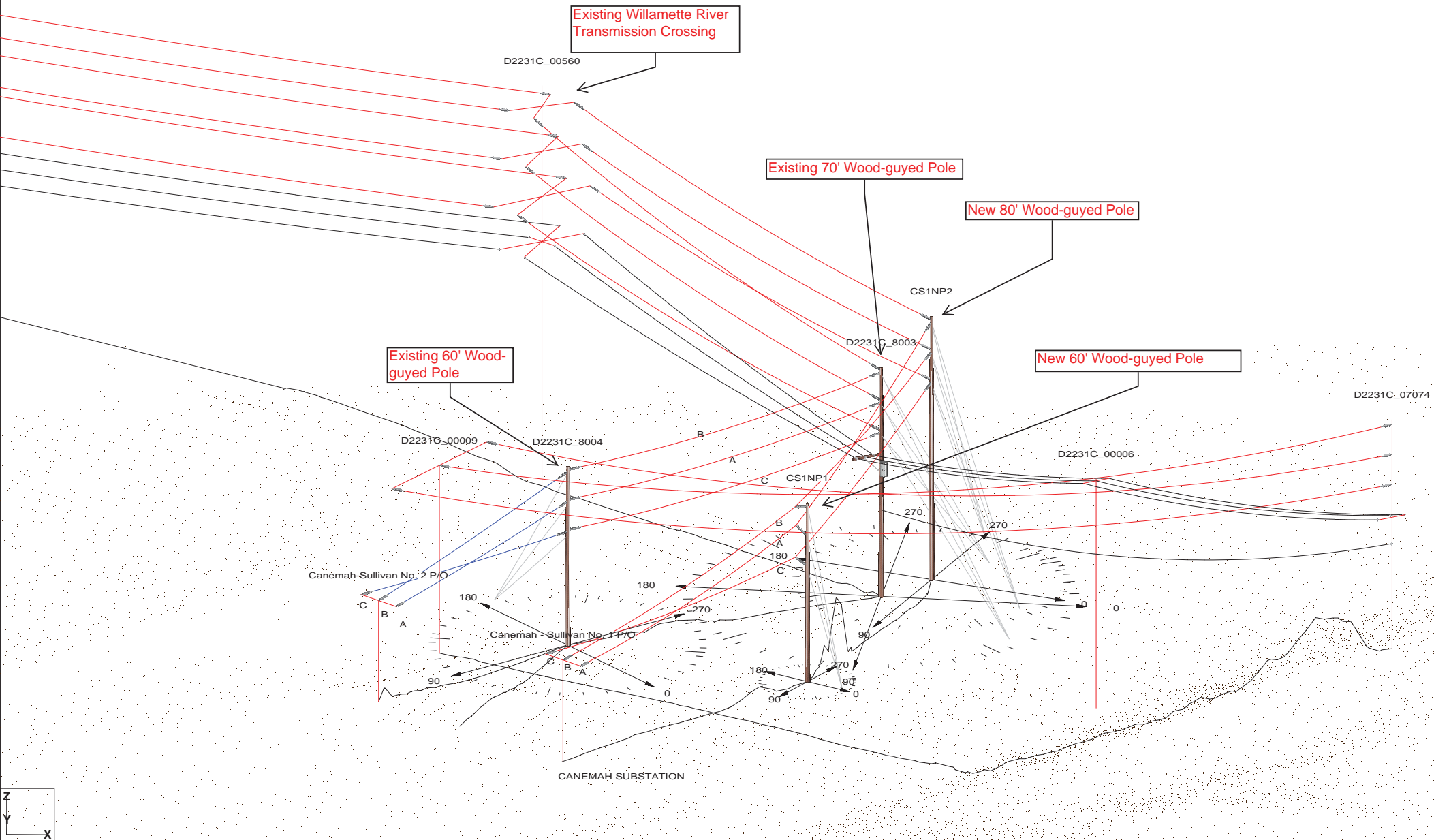


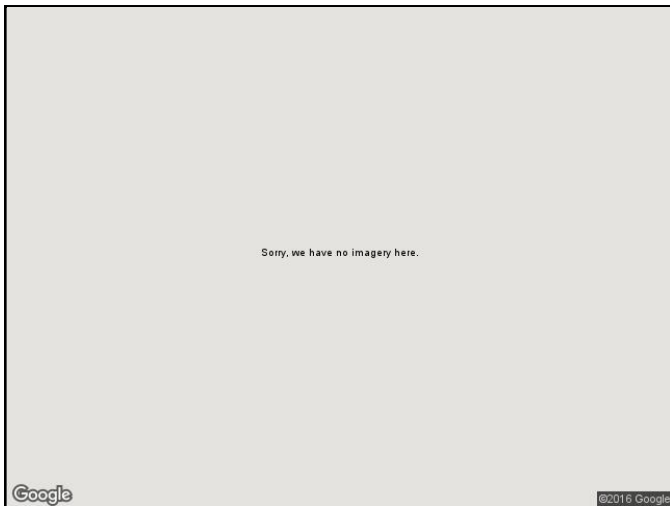
**Canemah Substation  
Improvements – Street View**





## Canemah Substation Elevation View





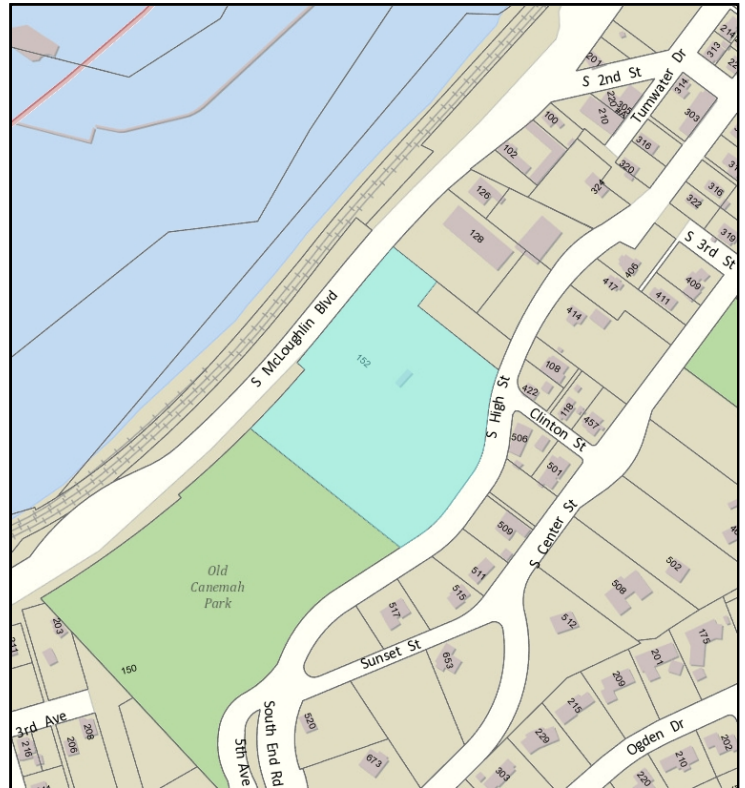
Google Streetview photo locations are approximate

### Taxlot Information

**Parcel Number (APN)** 2-2E-31CC-02790  
**Primary Situs Address** 152 S MCLOUGHLIN BLVD  
OREGON CITY, OR 97045  
**County** CLACKAMAS  
**Section** T2S R2E S31  
**Latitude** 45.349113  
**Longitude** -122.616002  
**Approx. Elevation (ft)** 160  
**R Number (Alt ID)** 00578011  
**Approx. Size (acres)** 5.44  
**USGS Quad Name** Oregon City  
**Within Oregon City Limits?** Y  
**Urban Growth Boundary (UGB)** Inside

### Political Boundaries

**Jurisdiction** Oregon City  
**Voting Precinct** 1  
**US Congressional District** 5  
**Oregon House District** 40  
**Oregon Senate District** 20  
**Metro Council District** 2  
**Metro Councilor** Carlotta Collette  
**Metro Councilor Email** carlotta.collette@oregonmetro.gov



### Assessment & Value Information

**Taxmap** 2S2E31CC  
**Market Values as of** NaN/NaN/NaN  
**Land Value (Mkt)** \$0  
**Building Value (Mkt)** \$0  
**Exempt Amount** \$0  
**Net Value (Mkt)** \$0  
**Assessed Value** \$0  
**Year Built (if known)**  
**Sale Date**  
**Sale Price** Unavailable  
**Document Date**  
**Document Number**  
**State General Prop. Code** 3  
**County Tax Code** 062002

**Land Use and Planning**

<i>Zoning</i>	R6	<i>In Sewer Moratorium Area?</i>	N
<i>Zoning Description</i>	6,000 Single Family Dwelling District	<i>In Thayer Rd Pond Fee Area?</i>	N
<i>Comprehensive Plan</i>	lr	<i>In Beavercreek Rd Access Area?</i>	N
<i>Comprehensive Plan Description</i>	Residential - Low Density	<i>In Willamette River Greenway?</i>	Y
<i>Subdivision</i>	PEOPLE'S TRANSPORTATION CO'S	<i>In Geologic Hazard?</i>	Y
<i>Subdivision Plat Number</i>	10	<i>In High Water Table Area?</i>	N
<i>PUD (if known)</i>		<i>In Nat. Res. Overlay District (NROD)?</i>	Y
<i>Partition Plat Number</i>	0	<i>In 1996/FEMA 2008 100-yr Floodplain?</i>	N
<i>Neighborhood Association</i>	Canemah NA	<i>In Barlow Trail Area?</i>	N
<i>Urban Renewal District</i>	Not in an urban renewal district	<i>Watershed</i>	Abernethy Creek-Willamette River
<i>Historic District</i>	Not in a historic district	<i>Sub-Watershed</i>	Tanner Creek-Willamette River
<i>Historic Designated Struct.?</i>	N	<i>Basin</i>	Willamette
<i>Concept Plan Area</i>	Not in a concept plan area	<i>Sub-Basin</i>	Middle Willamette
<i>Urban/Rural Reserve</i>	Not in a reserve		
<i>Reserve Name</i>	Not in a reserve		

**Service Districts**

<i>Elementary School</i>	Candy Lane/Jennings Lodge
<i>Middle School</i>	Gardiner Middle
<i>High School</i>	Oregon City High
<i>School District</i>	Oregon City
<i>Oregon Dept. of Ed. Dist. ID</i>	1928
<i>Natl. Cntr for Ed. Stats Dist. ID</i>	4109330
<i>Water District</i>	Not in a water district
<i>Park District</i>	Not in a park district
<i>Sewer District</i>	Tri-City Service District
<i>Fire District</i>	Clackamas Fire District #1
<i>Fire Management Zone</i>	6597
<i>Transit District</i>	Tri-County Metropolitan
<i>Garbage Hauler</i>	Oregon City Garbage Co.
<i>Garbage Hauler Phone</i>	(503) 656-8403

**Census Information**

<i>Census Tract</i>	225
<i>Census Block Group</i>	4
<i>Census Block Grp. Pop. (2010)</i>	757

**Overlay Information**

Category	Description	Acres	Percent Coverage
Parcel Statistics for: 2-2E-31CC-02790	Overall Acres	5.44	100.0%
FEMA 100 Yr Floodplain	In Floodplain (100 yr)	0.00	0.0%
Buildings	Built up % (approx)	0.02	0.3%
Geologic Hazards	In Geologic Hazard	3.59	65.9%
Steep Slopes	Slopes >= 25%	2.05	37.7%



## Taxlot Detail Report

**2-2E-31CC-02790**

NROD	In NROD	0.21	3.8%
Willamette Greenway	In Willamette Greenway	5.44	100.0%
Vacant Lands (All)	In Vacant Lands	3.78	69.5%
Vacant Lands (Constrained)	In Vacant Lands (Constrained)	3.28	60.2%
Vacant Lands (Unconstrained)	In Vacant Lands (Unconstrained)	0.50	9.3%

### ***SITUS Addresses***

Address	Latitude	Longitude
152 S MCLOUGHLIN BLVD	45.34940760	-122.61623660

### ***Permits***

None found!									
-------------	--	--	--	--	--	--	--	--	--

### ***Business Licenses***

--	--	--	--	--	--	--	--	--	--





**Taxlot Information**

Parcel Number (APN)	2-2E-31CC-02770
Primary Situs Address	NO SITUS ADDRESS
County	CLACKAMAS
Section	T2S R2E S31
Latitude	45.349668
Longitude	-122.615277
Approx. Elevation (ft)	160
R Number (Alt ID)	00577995
Approx. Size (acres)	0.41
USGS Quad Name	Oregon City
Within Oregon City Limits?	Y
Urban Growth Boundary (UGB)	Inside

**Political Boundaries**

Jurisdiction	Oregon City
Voting Precinct	1
US Congressional District	5
Oregon House District	40
Oregon Senate District	20
Metro Council District	2
Metro Councilor	Carlotta Collette
Metro Councilor Email	carlotta.collette@oregonmetro.gov

**Assessment & Value Information**

Taxmap	2S2E31CC
Market Values as of	NaN/NaN/NaN
Land Value (Mkt)	\$0
Building Value (Mkt)	\$0
Exempt Amount	\$0
Net Value (Mkt)	\$0
Assessed Value	\$0
Year Built (if known)	
Sale Date	
Sale Price	Unavailable
Document Date	
Document Number	
State General Prop. Code	3
County Tax Code	062057

**Land Use and Planning**

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<i>Subdivision</i>	CANEMAH	<i>In Geologic Hazard?</i>	Y
<i>Subdivision Plat Number</i>	6	<i>In High Water Table Area?</i>	N
<i>PUD (if known)</i>		<i>In Nat. Res. Overlay District (NROD)?</i>	N
<i>Partition Plat Number</i>	0	<i>In 1996/FEMA 2008 100-yr Floodplain?</i>	N
<i>Neighborhood Association</i>	Canemah NA	<i>In Barlow Trail Area?</i>	N
<i>Urban Renewal District</i>	Downtown Urban Renewal Area	<i>Watershed</i>	Abernethy Creek-Willamette River
<i>Historic District</i>	Not in a historic district	<i>Sub-Watershed</i>	Tanner Creek-Willamette River
<i>Historic Designated Struct.?</i>	N	<i>Basin</i>	Willamette
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<i>Census Block Grp. Pop. (2010)</i>	757



Portland General Electric Company

*121 SW Salmon Street, 3WTC0406*

*Portland, Oregon 97204-9951*

March 24, 2016

**VIA OVERNIGHT DELIVERY**

City of Oregon City

Planning Department

221 Molalla Avenue, Suite 200

Oregon City, OR 97045

RE: Pre-Application Form for Canemah Substation Transmission Pole Placement

Dear Sir or Madam:

Enclosed please find one original and two copies of the Pre-Application Form and the related exhibits for the placement of two transmission poles at the Canemah Substation owned and operated by Portland General Electric Company. We have also included our check no. 965306 in the amount of \$1,055.00 for the full conference fee.

In addition to the hard copies enclosed, we have submitted the Pre-Application Conference Request Form online and have requested a conference on either April 20, 2016 or April 19, 2016.

Please contact me by phone (503-464-8121) or email ([jennifer.santhouse@pgn.com](mailto:jennifer.santhouse@pgn.com)) if you have any questions.

We appreciate your consideration of our application.

Best regards,

Jennifer Santhouse

Property Services Department

Enclosures

**Jennifer Santhouse**

---

**From:** k.baysinger@comcast.net  
**Sent:** Friday, June 17, 2016 10:37 AM  
**To:** Jennifer Santhouse  
**Subject:** Canemah Neighborhood Association  
**Attachments:** Minutes June 16, 2016.pdf

Jennifer & Jason,

Thank you for your presentation at last night's Canemah Neighborhood Association. I think the information you provided will help create a positive foundation for a good working relationship between Portland General Electric and the CNA. We look forward to future visits.

Ken Baysinger, Secretary  
Canemah Neighborhood Association



# General Membership Meeting Minutes Canemah Neighborhood Association

June 16, 2016  
John Adams Fire Station, 624 7<sup>th</sup> Street, Oregon City

**Call to Order** 7:00 by Rob Lorey

**Additions to the Agenda** Chris Staggs

## **Community Updates**

Oregon City Police Department, Jason Pohl  
Pedestrian enforcement in Oregon City  
National Night Out is August 2  
City-wide crime stats  
Illegal fireworks  
OCPD has purchased Mt Pleasant School

## **Guest Speakers**

Christina Robinson-Gardiner, Oregon City Senior Planner  
Legacy Project Informational Presentation  
Site tours are 2-4 pm Fridays – Neighborhood Assn tours are available  
Will have a booth at the First City Festival in July  
Would like to come back to CNA in November  
Preliminary plan approval expected Spring-Summer 2017  
  
Jennifer Stanthouse & Jason Chv representing PGE  
What's happening at the Canemah substation  
Are installing two utility poles and dividing one circuit into two  
80-foot pole will replace 70-foot pole currently in use  
Result should be improved system reliability

## **Reports**

Treasurer's Report by Karen Blaha  
Approval of Meeting Minutes from April meeting  
CIC Update by Linda Baysinger  
HRB Update by Ken Baysinger

## **Unfinished Business**

Report from Fund Raising Committee by Karen Blaha & Monica Spravzoff  
Committee met on June 11 – Ideas include:  
Dessert Dash at CNA picnic  
Tour of historic homes in Canemah, coupled with arts show  
Report from Bylaws Committee  
Committee was unable to meet – nothing to report  
Report on Neighborhood Cleanup – Sheila Decker  
Oregon City has suspended the adopt-a-street program  
Cleanup on 5<sup>th</sup> Ave (including Miller St to 4<sup>th</sup> Ave) July 16, 10:00 am  
Nothing scheduled for Old Canemah Park  
Discussion Item – What to do about criminal activity in Old Canemah Park  
Jim Riggle – problems with drug activity continues

Security cameras are prohibitively expensive  
City does not have resources to install and operate a locking gate  
Best thing to do is continue to report all suspicious activity

#### **New Business**

- Discussion Items – Liaison to the City regarding Trails Project (Dennis Anderson)  
McLoughlin NA has issued a letter of support for the trails  
Karen Blaha will compose a letter to Kelly Reid asking for CNA to be a stakeholder in the trails study.
- Action Item: Form a nominating committee for Vice-Chair  
Ron Bistline  
Paul Edgar  
Ken Baysinger
- Action Item: Develop a plan for Neighborhood Picnic  
Picnic will be August 13  
Sheila Decker will coordinate

#### **Items or Speakers Added to the Agenda**

Chris Staggs introduced himself and discussed his intentions regarding his property on Miller Street at 5<sup>th</sup> Avenue. Discussion of “small cottage homes” concept. Concerns were expressed regarding the way the property was cleared this week

**Adjourn** 9:18 pm

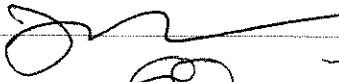
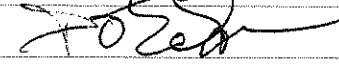

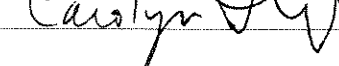


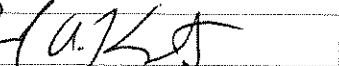
Minutes by Ken Baysinger, Secretary  
Canemah Neighborhood Association  
June 17, 2017

6-16-16

Signature	Last Name	First Name	Address
<i>Dennis Anderson</i>	Anderson	Dennis	804 4th Ave
<i>Ken Baysinger</i>	Baysinger	Ken	516 1st Ave
<i>Linda Baysinger</i>	Baysinger	Linda	516 1st Ave
<i>Mike Belfay</i>	Belfay	Mike	507 4th Ave
<i>Chris Bernard</i>	Bernard	Chris	625 4th Ave
<i>Debbie Bistline</i>	Bistline	Debbie	716 4th Ave
<i>Ron Bistline</i>	Bistline	Ron	716 4th Ave
<i>Karen Blaha</i>	Blaha	Karen	514 4th Ave
<i>Grant Blythe</i>	Blythe	Grant	407 5th Ave
<i>Susan Borger</i>	Borger	Susan	804 4th Ave
	Brainard	Amy	515 S McLoughlin Blvd
	Bronte	Denise	202 5th Ave
	Carey	Maureen	416 4th Ave
	Corbett	Vicki	507 3rd Ave
	Crone	Joyce	903 S McLoughlin Blvd
	Dale	Oliver	310 3rd Ave
	Decker	Laine	215 Miller St
<i>Sheila Decker</i>	Decker	Sheila	215 Miller St
	Delameter	James	900 4th Ave
	Dimms	Amber	405 4th Ave
<i>Darren Dobbins</i>	Dobbins	Darren	708 S McLoughlin Blvd
	Dobbins	Jennifer	708 S McLoughlin Blvd
	Dunlap	Verna	303 S. High St
<i>Joanne Dutra</i>	Dutra	Joanne	106 Miller St
	Dylla	Donna	701 3rd Ave

A - D

6-16-16

Signature	Last Name	First Name	Address	
	Economou	Tory	609 3rd Ave	5
	Edgar	Patricia	211 5th Ave	5
	Edgar	Paul	211 5th Ave	
	Enstad	Terry	316 S Mcclouglin Blvd	5
	Flynn	Carolyn	408 4th Ave	5
	Garcia	Jose Luis	814 4th Ave	5
	Giesler	Oscar	803 5th Ave	5
	Gomez	Anthony	503 3rd Ave	5
	Goodwin	Tori + Clint	502 4th Ave	805
	Headrick	Judy	705 3rd Ave	
	Heinz	Bill		
	Heinz	Johna		
	Heydel	Brent	610 1st Ave	
	Heydel	Kathy	608 1st Ave	
	Houseman	Andy	210 Hedges St	
	Jabin	Laura	202 5th Ave	50
	Jones	Jessica	506 3rd Ave	
	Jones	Ryan	506 3rd Ave	
	Kemple	David	xxx 4th Ave	
	Kemple	Melissa	xxx 4th Ave	
	Koontz	Carl	106 Miller St	50
	Koop	Rosemary	607 S McLoughlin Blvd	
	Kramer	Amber	501 4th Ave	
	Kuhl	Anna	713 4th Ave	31
	Law	Christine	801 3rd Ave #7	

E - L



6-16-16

Signature	Last Name	First Name	Address
Rob Lorey	Lawson	Sandra	349 5th Ave
	Lorey	Robert	702 4th Ave
	McCuen	Dennis	311 Ganong St
	McShannon	Jennifer	702 4th Ave
Greta Michaelis	Medialdea	Dena	707 5th Pl
	Michaelis	Greta	707 4th Ave
	Michels	Gabe	605 4th Ave
	Michels	Jenny	605 4th Ave
	Mieher	Marc	507 3rd Ave
	Mielnik	Linda	714 5th Pl
	Minton	Scott	405 4th Ave
	Morton	Cyndi	608 S McLoughlin Blvd
	Morton	John	608 S McLoughlin Blvd
	Mulder	Garret	716 3rd Ave
H Post J Rambo	Perreira	Robert	502 S Mcloughlin Blvd
	Popma	Brant	510 1st Ave
	Popma	Carolyn	510 1st Ave
	Post	Howard	302 Blanchard St
	Rambo	Laura	203 3rd Ave
	Ramsey	Don	808 5th Pl
	Riggle	Jim	203 3rd Ave
	Roddy	James	709 5th Pl
	Rosthchild	Reid	408 4th Ave
	Scheehean	Ann Marie	209 Apperson St
	Scheehean	Mike	209 Apperson St

L - S

6-16-16

Signature	Last Name	First Name	Address
	Shull	Alan	713 5th Pl
	Shull	Jane	713 5th Pl
	Siewert	Bob	349 5th Ave
	Simon	Carolyn	302 Blanchard St
J Smith	Smith	Jessica	609 3rd Ave
	Smith	Lindy	602 1st Ave
	Smith	Ryan	602 1st Ave
Monica Spravzoff	Spravzoff	Monica	502 5th Pl
	Springer	Kathleen	615 4th Ave
	Springer	Robert	615 4th Ave
Laura Stone	Stone	Laura	716 4th Ave
	Sweet	Chris	514 4th Ave
	Sweet	Rick	514 4th Ave
S. M. Tan	Tacoma	Susanne	814 4th Ave
	Tester	Sandra	715 3rd Ave
	Tinseth	Ken	903 5th Ave
	Tinseth	Wendy	903 5th Ave
	Tjaden	Nick	515 S McLoughlin Blvd
	Van Der Sluis	Mandi	815 5th Ave
	Van Ommen	John	501 4th Ave
	Vermeire	Rod	402 5th Ave
Phil Vermeire	Vermeire	Shirley	402 5th Ave
	Webb	Patty	310 3rd Ave
	Wenkman	Keegan	207 4th Ave
	Wolf	Bruce	905 S McLoughlin Blvd

S - Z





# Chicago Title Company

10135 SE Sunnyside Road, Suite 200  
Clackamas, Oregon 97015  
Phone: 503.786.3940 Fax: 503.653.7833  
E-mail: trios@ctt.com

## METROSCAN PROPERTY PROFILE

Clackamas (OR)

### OWNERSHIP INFORMATION

Owner	: Portland Gen Elec Co	Parcel Number	: 00577995
CoOwner	:	Ref Parcel #	: 22E31CC02770
Site Address	: *no Site Address*	T: 02S	R: 02E S: 31 Q: SW QQ: SW
Mail Address	: 121 SW Salmon St Portland Or 97204		
Telephone	:		

### SALES INFORMATION

Transfer Date	:	Document #	: 223-425
Sale Price	:	Deed Type	:
% Owned	:	Vesting Type	:
Prior Transfer Date	:	Prior Document #	:
Prior Sales Price	:		

### PROPERTY DESCRIPTION

Map Page Grid :  
Census Tract : 225.00 Block: 4  
Neighborhood : Oregon City Older  
Subdivision/Plat :  
Improvement : \*unknown Improvement Code\*  
Land Use : 003 Misc,Centrally Assessed  
Legal : SECTION 31 TOWNSHIP 2S RANGE 2E  
: QUARTER CC TAX LOT 02770  
:

### ASSESSMENT AND TAX INFORMATION

Mkt Land :  
Mkt Structure :  
Mkt Total :  
%Improved :  
AssdTotal :  
Mill Rate : 18.1673  
Levy Code : 062057  
15-16 Taxes :  
Millage Rate : 18.1673

### PROPERTY CHARACTERISTICS

Bedrooms	:	Building SF	:	BldgTotSqFt	:
Bathrooms	:	1st Floor SF	:	Lot Acres	: .42
Full Baths	:	Upper Finished SF	:	Lot SqFt	: 18,146
Half Baths	:	Finished SF	:	Garage SF	:
Fireplace	:	Above Ground SF	:	Year Built	:
Heat Type	:	Upper Total SF	:	School Dist	: 062
Floor Cover	:	UnFinUpperStorySF:	:	Foundation	:
Stories	:	Basement Fin SF	:	Roof Type	:
Int Finish	:	Basement Unfin SF	:	Roof Shape	:
Ext Finsh	:	Basement Total SF	:		

This title information has been furnished, without charge, in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions intermediaries that this service is designed to benefit the ultimate insureds. Indiscriminate use only benefiting intermediaries will not be permitted. Said services may be discontinued. No liability is assumed for any errors in this report. Information is deemed reliable but not guaranteed.



223/425

VOL. 223

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, this the day and year first in this, my certificate, written.

(Seal of Notary)

Wm. Hammond

Notary Public for Oregon

My comm. expires: Jan. 8, 1927

Filed and recorded June 26, 1924 at 11:14 A.M.

E.C. Hackett, County Recorder

RW

#### BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, That PORTLAND GENERAL ELECTRIC COMPANY, an Oregon corporation, in consideration of One Dollar (\$1.00) and other good and valuable considerations to it paid by the STATE OF OREGON, has bargained and sold, and by these presents does grant, bargain, sell and convey unto said State of Oregon certain real property and premises situate, lying and being in the County of Clackamas, State of Oregon, more particularly described as follows:

A parcel of land in the McKinley D.L.C. in the Southwest Quarter of Section 31, T. 2 S.R. 2 E. W.M., said parcel being a portion of that certain piece of property described in a deed to Oregon Water Power and Railway Company as recorded in Book 86 at page 292, Deed Records of Clackamas County, Oregon, said parcel of land being more particularly described as follows:

Beginning at the intersection of the northerly line of Canemah Park with the southeasterly side line of the Pacific Highway as described by deed recorded in Book 186 at page 99 of the deed records of Clackamas County, said point of intersection being N.  $51^{\circ}35\frac{1}{2}'$  W. a distance of 371.8 feet from the most easterly corner of said Canemah Park, said corner being an iron pipe set in the southeasterly side line of the South End Road in Fields Addition to Oregon City, said beginning point being also S.  $51^{\circ}35\frac{1}{2}'$  E. a distance of 18.01 feet from Engineer's Station 123+93.9 of the 1932 relocated center line of the Pacific Highway; thence along said Northerly line of said Canemah Park S.  $51^{\circ}35\frac{1}{2}'$  E. a distance of 22.01 feet to a point which is 40.0 feet southeasterly from (and measured at right angles to) said relocated center line; thence parallel to said center line as follows: S.  $40^{\circ}25\frac{1}{2}'$  W. a distance of 459.6 feet, and thence along a 2586.7 foot radius curve to the right (the long chord of which bears S.  $49^{\circ}50'44''$  W.) a distance of 760.24 feet to the southerly line of the McKinley D.L.C. at a point which is 40.0 feet southeasterly from (and measured at right angles to) the said relocated center line at Engineer's Station 135+99.5; thence N.  $44^{\circ}28\frac{1}{2}'$  W. along said southerly line of The McKinley D.L.C. a distance of 22.18 feet to the southeasterly side line of the Pacific Highway as described in said deed recorded in Book 186 at page 99; thence in a northeasterly direction, tracing the said southeasterly side line of said Highway to the place of beginning, and containing 0.323 acres, more or less.

Approved as to Description

TO HAVE AND TO HOLD the said real property and premises unto the said State of Oregon, its successors and assigns, and all persons claiming and holding the same.

This conveyance is made by the grantor to the grantees upon and subject to the following covenants, conditions and provisions, which when the grantees by the terms hereof, for itself and its successors and assigns, agrees to comply:

223/426

1. The grant, for itself and its successors and assigns, reserves the perpetual right and easement to construct, reconstruct, maintain, operate and use a steel electric transmission line tower and/or transmission line poles or other devices, together with the necessary equipment and appurtenances for the construction, reconstruction, operation, maintenance, and use thereof, upon and within the area now occupied by a steel electric transmission line tower and the foundations thereof within the above described premises, and the grantor, its successors and assigns, shall have the right to enter in and upon and to go upon said premises above described, or any portion thereof, for the purpose of construction, reconstruction, operation, maintenance, and/or use of the said steel tower and/or poles, devices and equipment connected therewith.

2. The grantee, its successors and assigns, will at all times provide and keep a proper drainage system in operation for the purpose of draining water flowing from premises adjoining the property hereinabove described.

3. During the time the grantee is engaged in constructing, building, and maintaining the highway upon and along said premises, the over-break of the slopes made by the grantee in and upon the adjacent property of the grantor shall not extend at any place along the southeasterly side line of the strip of land herein described for a greater distance than five (5) feet for such slope, provided, however, that an easement is hereby granted for the over-break of such slopes along the said southeasterly sideline of the said strip of land herein described as may extend for a greater distance than five (5) feet from the said sideline at the date of the execution of this instrument.

This conveyance and said premises hereinabove described are subject to the rights of the City of Oregon City, a municipality, to place, maintain, use and operate a water pipe line upon, along and across certain property and premises of the grantor as more particularly described in a conveyance from the Portland Electric Power Company to the said City of Oregon City under date of the 12th day of November, 1928.

IN WITNESS WHEREOF, Portland General Electric Company has caused this deed to be executed by its duly authorized officers, as below subscribed, this 29th day of January 1934.

Witnesses:

Adele Quinn

Alma Lewis

(Seal of P.G.E. Co.)

PORTLAND GENERAL ELECTRIC COMPANY

By Franklin T. Griffith, President

Attest: Cassius R. Peck, Secretary

Approved as to form:

GRIFFITH, PECK & COKE

By Cassius R. Peck

Approved:

Geo. J. Kelly, Trust Agt.

State of Oregon } ss  
County of Multnomah }

On this 29th day of January, 1934, before me appeared Franklin T. Griffith and Cassius R. Peck, both to me personally known, and being duly sworn did say that he, the said Franklin T. Griffith, is the President, and he, the said Cassius R. Peck, is the Secretary of Portland General Electric Company, the above named Corporation, and that the seal affixed to said instrument is the corporate seal of said Corporation and that the said instrument was signed and sealed in behalf of said Corporation by authority of its Board of Directors, and said Franklin T. Griffith and Cassius R. Peck acknowledged said instrument to be the free act and deed of said Corporation.



# Chicago Title Company

10135 SE Sunnyside Road, Suite 200  
Clackamas, Oregon 97015  
Phone: 503.786.3940 Fax: 503.653.7833  
E-mail: [trios@ctt.com](mailto:trios@ctt.com)

## METROSCAN PROPERTY PROFILE

Clackamas (OR)

### OWNERSHIP INFORMATION

Owner	: Portland Gen Elec Co	Parcel Number	: 00578011
CoOwner	:	Ref Parcel #	: 22E31CC02790
Site Address	: 152 S McLoughlin Blvd Oregon City 97045	T: 02S	R: 02E S: 31 Q: SW QQ: SW
Mail Address	: 121 SW Salmon St Portland Or 97204		
Telephone	:		

### SALES INFORMATION

Transfer Date	:	Document #	: 209-011
Sale Price	:	Deed Type	:
% Owned	:	Vesting Type	:
Prior Transfer Date	:	Prior Document #	:
Prior Sales Price	:		

### PROPERTY DESCRIPTION

Map Page Grid :  
Census Tract : 225.00 Block: 4  
Neighborhood : Oregon City Older  
Subdivision/Plat: Peoples Transp Co  
Improvement : \*unknown Improvement Code\*  
Land Use : 003 Misc, Centrally Assessed  
Legal : 10 PEOPLES TRANSP CO LTS 5-13 PT LT  
: 14&PT SEC  
:

### ASSESSMENT AND TAX INFORMATION

Mkt Land :  
Mkt Structure :  
Mkt Total :  
%Improved :  
AssdTotal :  
Mill Rate : 18.1673  
Levy Code : 062002  
15-16 Taxes :  
Millage Rate : 18.1673

### PROPERTY CHARACTERISTICS

Bedrooms	:	Building SF	:	BldgTotSqFt	:
Bathrooms	:	1st Floor SF	:	Lot Acres	: 5.44
Full Baths	:	Upper Finished SF	:	Lot SqFt	: 236,864
Half Baths	:	Finished SF	:	Garage SF	:
Fireplace	:	Above Ground SF	:	Year Built	:
Heat Type	:	Upper Total SF	:	School Dist	: 062
Floor Cover	:	UnFinUpperStorySF:	:	Foundation	:
Stories	:	Basement Fin SF	:	Roof Type	:
Int Finish	:	Basement Unfin SF	:	Roof Shape	:
Ext Finsh	:	Basement Total SF	:		

This title information has been furnished, without charge, in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions intermediaries that this service is designed to benefit the ultimate insureds. Indiscriminate use only benefiting intermediaries will not be permitted. Said services may be discontinued. No liability is assumed for any errors in this report. Information is deemed reliable but not guaranteed.

## DEED

X KNOW ALL MEN BY THESE PRESENTS, That the Pacific Northwest Public Service Company, a corporation of Oregon, the corporate name of which was changed from Portland Railway, Light and Power Company to Portland Electric Power Company by the filing of Supplementary Articles of Incorporation with the Corporation Commissioner of the State of Oregon on April 26, 1924, and from Portland Electric Power Company to Pacific Northwest Public Service Company by the filing of Supplementary Articles of Incorporation with said Corporation Commissioner on March 13, 1930, in consideration of good and valuable considerations by it received and hereby acknowledged, from the PORTLAND GENERAL ELECTRIC COMPANY, a corporation of Oregon, has bargained and sold, and does by these presents, sell, grant, convey, assign, transfer and set over unto said PORTLAND GENERAL ELECTRIC COMPANY the following described real, mixed and personal properties: X

1. The term "Light and Power Transmission and Distribution System", as used herein, shall be construed to include all conduits, conductors, wires, insulators, cross-arms, poles, towers, line supports, line carriers, fastenings, connections, transformers and/or sub-stations and converting equipment, sub-station equipment, devices and apparatus as may be used in the conduct of electrical energy to the railway end of the railway feeder lines for the operation of railway lines of the grantor, and as may be used, in whole or in part, in the transformation, conversion and conduct of electrical energy for any and all other purposes. The grantor does hereby effect the separation of its light and power transmission and distribution system in Oregon and Washington from its railway overhead system, and appreciates the difficulty in dividing the overhead system connected with the operation of its railways, and describing definitely the part thereof transferred under this deed, and the part thereof retained by the grantor as a part of the said railway properties; in such division, the grantor makes the connection between the railway feeder lines and the trolley lines as the point of separation of said overhead system, and transfers by this deed to the Portland General Electric Company the said railway feeder lines and all parts of the overhead system used in the transmission of electric energy to said railway feeder lines, and retains, under the term "Railway Overhead System," that part of the railway overhead system from the railway end of said feeder lines solely used in the operation of railway lines; if, however, property such as poles, shall be jointly used in the operation of the "light and power transmission and distribution system" as transferred to said Portland General Electric Company hereunder, and also in the operation of the "railway overhead system" retained by the grantor, then the grantor does hereby transfer such jointly used property to the Portland General Electric Company, and excludes it from the property described herein as "railway overhead system". It is the expectation of the grantor that, by subsequent agreements, it will make such arrangements with the Portland General Electric Company for the use of such jointly used property as may be necessary to enable the grantor to operate said railway lines.

2. The term "Railway Overhead System", as used herein, shall be construed to include trolley wires, span wires, guard wires, trolley poles, such fastenings, connections and apparatus as may be a part of the overhead electrical feeding and operating system from the railway end of the railway feeder lines and solely used in the conduct of electrical energy for the operation of railway lines of the grantor, excluding therefrom any and all wires, poles, devices or apparatus used or intended to be used in the transmission of electric energy to the point of connection between the railway feeder lines and the trolley wires of the railway lines, and used or intended to be used in the transmission of electric energy, in whole or in part, for any and every other purpose.



KNOW ALL MEN BY THESE PRESENTS, That the Pacific Northwest Public Service Company, a corporation of Oregon, the corporate name of which was changed from Portland Railway, Light and Power Company to Portland Electric Power Company by the filing of Supplementary Articles of Incorporation with the Corporation Commissioner of the State of Oregon on April 26, 1924, and from Portland Electric Power Company to Pacific Northwest Public Service Company by the filing of Supplementary Articles of Incorporation with said Corporation Commissioner on March 13, 1930, in consideration of good and valuable consideration by it received and hereby acknowledged, from the PORTLAND GENERAL ELECTRIC COMPANY, a corporation of Oregon, has bargained and sold, and does by these/bargain, sell, grant, convey, assign, transfer and set over unto said PORTLAND GENERAL ELECTRIC COMPANY the following described real, mixed and personal properties: X

1. The term "Light and Power Transmission and Distribution System", as used herein, shall be construed to include all conduits, conductors, wires, insulators, cross-arms, poles, towers, line supports, line carriers, fastenings, connections, transforming and/or sub-stations and converting equipment, sub-station equipment, devices and apparatus as may be used in the conduct of electrical energy to the railway end of the railway feeder lines for the operation of railway lines of the grantor, and as may be used, in whole or in part, in the transformation, conversion and/or conduct of electrical energy for any and all other purposes. The grantor does hereby effect the separation of its light and power transmission and distribution system in Oregon and Washington from its railway overhead system, and appreciates the difficulty in dividing the overhead system connected with the operation of its railways, and describing definitely the part thereof transferred under this deed, and the part thereof retained by the grantor as a part of the said railway properties; in such division, the grantor makes the connection between the railway feeder lines and the trolley lines as the point of separation of said overhead system, and transfers by this deed to the Portland General Electric Company the said railway feeder lines and all parts of the overhead system used in the transmission of electric energy to said railway feeder lines, and retains, under the term "Railway Overhead System," that part of the railway overhead system from the railway end of said feeder lines solely used in the operation of railway lines; if, however, property such as poles, shall be jointly used in the operation of the "light and power transmission and distribution system" as transferred to said Portland General Electric Company hereunder, and also in the operation of the "railway overhead system" retained by the grantor, then the grantor does hereby transfer such jointly used property to the Portland General Electric Company, and excludes it from the property described herein as "railway overhead system". It is the expectation of the grantor that, by subsequent agreements, it will make such arrangements with the Portland General Electric Company for the use of such jointly used property as may be necessary to enable the grantor to operate said railway lines.

2. The term "Railway Overhead System", as used herein, shall be construed to include trolley wires, span wires, guard wires, trolley poles, such fastenings, connections and apparatus as may be a part of the overhead electrical feeding and operating system from the railway end of the railway feeder lines, and solely used in the conduct of electrical energy for the operation of railway lines of the grantor, excluding therefrom any and all wires, poles, devices or apparatus used or intended to be used in the transmission of electric energy to the point of connection between the railway feeder lines and the trolley wires of the railway lines, and used or intended to be used in the transmission of electric energy, in whole or in part, for any and every other purpose.

The term "Railway Lines", as used herein, shall be construed to include rails, ties, cross-ties, girders, bolts, joints, fastenings and connections, switches, switch points, frogs, bonds, roadbeds, drains, ballast and paving, bridges, trestles, culverts, elevated roadways, and all appurtenances in the operation of railway lines of the grantor, right-of-way fences, crossing signs, railway signaling devices and systems, telephone systems actually used in the operation of railways, and all physical property which constitutes a part of the railway tracks, the railway roadbed, the said railway signaling system and/or the said railway telephone system.

4. All of Block Twenty (20), Stephens Addition to East Portland, Multnomah County, Oregon, excepting a strip five (5) feet wide off the North side of Lots One (1) and Two (2) and all land within the lateral extension or widening of Hawthorne Avenue, and excepting a portion of said Block described as follows:

Beginning at the Northeast corner of said Block Twenty (20) as at present established, thence South along the East line of said Block Twenty (20) 195 feet to the Southeast corner of said Block; thence East along the South line of said Block 31.23 feet; thence North parallel with the East line of said Block 104.9 feet; thence on a curve to the left having a radius of 110 feet, the chord to which bears North 27 degrees 29'56" West a distance of 105.59 feet as measured on the arc of said curve to a point in the North line of said Block Twenty (20); thence East tracing the North line of said Block Twenty (20) a distance of 78.13 feet to place of beginning.

5. A certain tract of land in the Southeast Quarter of Section Three (3), T. 1 S. R. 1 E. W. 4 E., within the City of Portland, Multnomah County, Oregon, more particularly described as follows:

Beginning at an iron pipe set in the South line of East Market Street (30 feet in width) 15.39 feet west of the point of intersection of the center line of East Water Street with the said South line of East Market Street; thence South 6 degrees 28'30" East a distance of 561.65 feet to an iron pipe set in a westerly extension of the center line of East Mill Street; thence West along the said extension of center line of East Mill Street a distance of 435.93 feet; more or less, to Harbor line of Willamette River; thence North 15 degrees 04'07" West tracing the Harbor line of the Willamette River a distance of 295.32 feet to the point of intersection of said Harbor line with the said South line of East Market Street; thence East tracing the said South line of East Market Street a distance of 235.12 feet, more or less, to place of beginning, and being a portion of that certain tract of land described in the "First" paragraph of that certain deed from Land Company of Oregon to Oregon Water Power and Railway Company, recorded at page 63 of Book 336, said records of Multnomah County, Oregon.

6. A certain tract of land in the Southeast Quarter of Section Three (3), T. 1 S. R. 1 E. W. 4 E., within the City of Portland, Multnomah County, Oregon, more particularly described as follows:

Beginning at an iron pipe set in a westerly extension of the center line of East Mill Street; thence South 6 degrees 28'30" East and 561.65 feet distant from an iron pipe set in the center line of East Market Street (30 feet in width) 15.39 feet west of the point of intersection of the center line of East Water Street with the said South line of East Market Street; thence South 6 degrees 28'30" East a distance of 561.65 feet to a point in a westerly extension of the center line of Stephens Street; thence West along said extension of Stephens Street a distance of 295.32 feet more or less to the Harbor line of the Willamette River; thence North 15 degrees 04'07" West tracing the said Harbor line a distance of 235.12 feet to the point of intersection of said Harbor line with a westerly

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extension of the center line of East Mill Street; thence East tracing said extension of East Mill Street a distance of 435.96 feet more or less to the place of beginning, being a portion of that certain 4.58 acre tract as described in contract of purchase, recorded at page 572 of Book 72, Deed records of Multnomah County, Oregon, under which seven thousand dollars of the purchase price remains to be paid before deed will be deliverable.

7. A certain tract of land in the Southeast Quarter of Section Three (3), T. 1 S. R. 1 E., W.M., within the City of Portland, Multnomah County, Oregon, more particularly described as:

Beginning at an iron pipe set in a westerly extension of the south line of Stephens Street 508.28 feet west of the Northwest corner of Block Forty-five (45) Stephens Addition to East Portland, now within the City of Portland; thence South 37 degrees 58' East a distance of 621.5 feet to an iron pipe set in the north line of East Lincoln Street (30 feet in width) at a point 98.05 feet west of the intersection of the said North line of East Lincoln Street with the west line of East Third Street (30 feet in width); thence West along the said North line of East Lincoln Street a distance of 110.95 feet; thence on the arc of a curve to the left having a radius of 406 feet, through an angle of 17 degrees 31' 25", the chord to which bears North 75 degrees 58' West a distance as measured on said arc of 124.17 feet; thence West parallel with and 30 feet north of the said north line of East Lincoln Street a distance of 682.08 feet more or less to the Harbor Line of the Willamette River; thence tracing the said Harbor Line North 45 degrees 04' 07" West a distance of 476.38 feet to the point of intersection of the said Harbor Line with a west extension of the south line of Stephens Street; thence East along said extension of south line of Stephens Street 643.7 feet more or less to place of beginning. Being a portion of a certain tract of land conveyed under paragraph "Second" by the Land Company of Oregon to Portland Railway, Light and Power Company by Deed recorded at page 63 of Book 336 and a portion of a tract of land conveyed by Iman-Poulsen Lumber Company to Portland Railway, Light and Power Company by deed recorded at page 373 of Book 474, Deed records of Multnomah County, Oregon.

8. An easement for the construction, maintenance and operation of electric transmission and distribution lines and for the construction, maintenance and operation of steam lines in, under, over, and upon the property hereinafter described in parcels (a) to (e) inclusive, of such width and in such location as may not unreasonably interfere with the use of such lands for railway purposes, and it is understood that the parties, their successors or assigns, may hereafter locate the lands to be affected by said easement by actual survey in the field and may evidence the lands affected by said easement by an instrument to be executed by the parties hereto, their successors or assigns, and to be placed of record; also including in the transfer hereunder the main service steam lines as may now be located in, over, and upon the property hereinafter described in paragraphs (a) to (e) inclusive, together with the "Light and Power transmission and distribution system" as described in paragraph "1" hereof, as may now be located upon said parcels (a) to (e) inclusive, as hereinafter described:

(a) A portion of Block Twenty (20) Stephens Addition to East Portland, Multnomah County, Oregon, more particularly described as: Beginning at the Northeast corner of said Block Twenty (20) as at present established, thence South along the east line of said Block Twenty (20), 195 feet to southeast corner thereof, thence West along the south line of said Block 31.25 feet; thence North parallel with the east line of said Block 104.9 feet; thence on a curve to the left having a radius of 110 feet, the chord to which bears north 27 degrees 29' 56" West a distance of 105.59 feet as measured on the



are of said curve to a point in the north line of said Block Twenty (20), thence East tracing the north line of said Block Twenty (20), a distance of 78.12 feet to place of beginning. Subject to the conditions contained in the deed from Portland Railway, Light and Power Company to Southern Pacific Company, recorded at page 149 of Book 1185 of the deed records of Multnomah County, Oregon.

(5) Block Two (2) and Nineteen (19) of Stephens Addition to East Portland, Multnomah County, Oregon.

(6) A certain tract of land in the Southeast Quarter of Section Three (3), T. 1 S. R. 1 N. W. 4 E., within the City of Portland, Multnomah County, Oregon, more particularly described as follows:

Beginning at an iron pipe set in the South side line of East Market Street (30 feet in width) 13.39 feet west of the point of intersection of the center line of Water Street with the said south side line of East Market Street; thence East tracing the said south side line of East Market Street a distance of 271.55 feet to an iron pipe set in the said south side line of East Market Street 1.84 feet west of the point of intersection of the center line of East First Street with the said south side line of East Market Street, the said pipe being also in the westerly line of Parcel No. 1, as described in the deed from Portland Railway, Light and Power Company to Southern Pacific Company and recorded at page 149 of Book 1185, Deed Records of Multnomah County; thence Tracing the westerly side line of said Parcel No. 1 along the arc of a curve to the left, having a radius of 1447.59 feet, through an angle of 10 degrees 45'02" the chord to which bears South 15 degrees 35'34" East a distance as measured along said arc of 271.57 feet to an iron pipe set in a westerly extension of the center line of East Mill Street; thence west along said extension of said center line a distance of 319.61 feet, to an iron pipe; thence North 5 degrees 25'30" West a distance of 261.65 feet to place of beginning, subject to the conditions contained in the deed from Portland Railway, Light and Power Company to Southern Pacific Company, recorded at page 149 of Book 1185, Deed records of Multnomah County, Oregon. Being a portion of that certain tract of land conveyed under the "First" paragraph of that certain deed from the Land Company of Oregon to Oregon Water Power and Railway Company, recorded in Book 335 at page 65, deed records of Multnomah County.

(7) A certain tract of land in the Southeast Quarter of Section Three (3), T. 1 S. R. 1 N. W. 4 E., within the City of Portland, Multnomah County, Oregon, more particularly described as follows:

Beginning at an iron pipe set in a westerly extension of the center line of East Mill Street, said point being South 5 degrees 25'30" East and 261.65 feet distant from an iron pipe set in the South line of East Market Street (30 feet in width) 13.39 feet west of the point of intersection of the center line of East Water Street with the said south line of East Market Street; thence East along the said extension of center line of East Mill Street a distance of 319.61 feet to an iron pipe set in the westerly line of that certain strip of land conveyed by Rosette Williams and Emmett B. Williams, to Southern Pacific Company, by deed recorded in Book 928 at page 428, Deed Records of Multnomah County, Oregon, thence in a southeasterly direction tracing the said westerly line of the said strip of land on the arc of a curve to the left, having a radius of 1447.47 feet through an angle of 7 degrees 23'15" a distance of 42.05 feet to an iron pipe at point of compound curve, thence continuing southeasterly along the westerly side line of said strip of land on a curve to the left, having a radius of 1324.01 feet through an angle of 7 degrees 23'15" a distance of 261.65 feet to an iron pipe set in a westerly extension of the center line of Stephens Street, thence west tracing the said westerly extension of said center line of Stephens



Street a distance of 420.92 feet to a point; thence North 2 degrees 26'30" West a distance of 261.65 feet to place of beginning. Subject to the conditions contained in the deed from Portland Railway, Light and Power Company to Southern Pacific Company, recorded at page 149 of Book 1165, deed records of Multnomah County, Oregon, being a portion of that certain 4.68 acre tract as described in contract of purchase recorded at page 372 of Book 77, records of Deeds, Multnomah County, Oregon.

(c) A certain tract of land in the Southwest quarter of Section Three (3), T. 1 S. R. 1 E. W.M., within the City of Portland, Multnomah County, Oregon, more particularly described as follows:

Beginning at an iron pipe set in a westerly extension of the South line of Stephens Street 508.22 feet West, of the northwest corner of Block Forty-five (45), Stephens Addition in the City of Portland, thence East tracing said extension of said south line of Stephens Street a distance of 182.90 feet, to an iron pipe set in the westerly line of Parcel No. 2, as described in the deed from Portland Railway, Light and Power Company to Southern Pacific Company, recorded at page 149 of Book 1165, deed Records of Multnomah County; thence tracing the westerly line of said Parcel No. 2 along the arc of a curve having a radius of 1925.08 feet; through an angle of 1 degree 40'10" the chord to which bears South 32 degrees 54'55" East a distance as measured along said arc, of 56.02 feet to an iron pipe at point of compound curve; thence tracing the westerly line of said Parcel No. 2 on a tapered curve to the left, through an angle of 2 degrees 15' the chord to which bears South 35 degrees 10'30" East, a distance as measured along the arc of said tapered curve of 160.6 feet; thence tracing the westerly line of said Parcel No. 2, tangent to said last named curve, South 36 degrees East a distance of 239.7 feet, to an iron pipe, thence tracing westerly line of said Parcel No. 2 on a curve to the right having a radius of 11446.2 feet through an angle of 0 degrees 04'07" a distance of 13.70 feet, to an iron pipe set in the west line of East Third Street (30 feet in width); thence South along the said west line of East Third Street a distance of 74.42 feet to an iron pipe; thence west along the North line of East Lincoln Street (30 feet in width) a distance of 96.05 feet to an iron pipe; thence North 37 degrees 58' West a distance of 621.6 feet to the place of beginning, subject to the conditions contained in the deed from Portland Railway, Light and Power Company to Southern Pacific Company, recorded at page 149 of Book 1165, Deed Records of Multnomah County, Oregon. Being a portion of a tract of land conveyed under paragraph "Second" in that deed from the Lead Company of Oregon to the Oregon Water Power and Railway Company, recorded at page 63 of Book 335, deed Records of Multnomah County, and a portion of a tract of land conveyed by Inman-Poulsen Lumber Company to Portland Railway, Light and Power Company, by deed recorded at page 373 of Book 474, deed Records of Multnomah County.

9. All of Block Thirty-one (31) in Sherlock's Addition to the City of Portland, Multnomah County, Oregon.

10. All of Lots Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), and Twelve (12), in Block Numbered Thirty-two (32) in said Sherlock's Addition to the City of Portland, Multnomah County, Oregon.

11. All of that part of Rock Street formerly situated between said Blocks thirty-one (31) and thirty-two (32) in said Sherlock's Addition to the City of Portland, and which was vacated by an Ordinance of said City of Portland Numbered 13824, entitled: "An Ordinance to vacate all of Rock Street situated between (fractional) Blocks 31 and 32 in Sherlock's Addition to the City of Portland, in Multnomah County, Oregon, said Rock Street running from, to and connecting Front Street and Sherlock Avenue in said Sherlock's Addition to said City of Portland, and being 800 feet in length," and which said Ordinance was

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marked by the Mayor of said City of Portland the nineteenth day of February, 1903.

17. The largest portion of said City of Portland, said property having a frontage of forty (40) feet on Front Street, the Northern boundary thereto being the Northern boundary of Lot thirty-eight (38) in said Block thirty-seven (37) according to the duly recorded maps and plat of said Block. Addition to the City of Portland, and the Southern boundary thereof being a line parallel with said distant forty (40) feet to a Southern direction from said Northern boundary of said Lot thirty-eight (38) and said property extending also from Front Street to the Willamette River, together with all and singular the riparian, water, and shore rights, privileges, and easements connected therewith and belonging to said last aforesaid tract of land, and the same is subject to the conditions and covenants contained in this deed of conveyance thereof from the Western and Western Lumber Company to the Portland General Land Office Company, dated the fifteenth day of December 1903, and recorded at page 388, at sec. 1, of Book 514, Record of Deeds of said County of Multnomah, State of Oregon.

18. A piece or parcel of land containing 3.680 acres more or less situated in Section 30, Township 1 North, Range 1 East, Willamette Meridian, being a portion of that tract marked "A" in a certain decree of partition of the Peter Guld Donatist Land Claim among the heirs of said Peter Guld, deceased, made and rendered in the Circuit Court of the State of Oregon for the County of Multnomah, on the tenth day of February, 1873, and recorded on page 340 of Journal No. 8 of said Court and that portion of the Harbor Area and Shore Line of the Willamette River contiguous thereto, said piece or parcel of land being more particularly described as follows, to-wit:

Beginning at the monument in the center line of Nicolai Street, at the intersection of the southeasterly line of said tract "A" with the southerly line of said Peter Guld Donatist Land Claim; said point also being distant South 42 degrees 01' mins. West 428.7 feet, measured along said southeasterly line of tract "A" (which line is also the original center line of Nicolai Street) from the center line of North Front Street; thence North 42 degrees 01' mins. East along said southeasterly line of tract "A" a distance of 468.7 feet to a point on the easterly line of North Front Street and the true point of beginning of this description; thence southeasterly North 42 degrees 01' mins. East along said southeasterly line and said line produced a distance of 796.06 feet to a point on the Harbor Line of the Willamette River now now established; thence North 39 degrees 50' mins. 40 secs. West along said Harbor Line a distance of 188.67 feet; thence South 42 degrees 15 mins. 40 secs. West a distance of 766.62 feet to a point on the easterly line of North Front Street and the true point of beginning of this description; thence South 42 degrees 41' mins. East along said westerly line of North Front Street and said line produced a distance of 200.0 feet to the true point of beginning of this description; accepting the rights of the State of Oregon, if any, in and to so much of said premises as lies below low water mark of Willamette River, and subject to the location of Front Street, and being the first parcel of land described in said petition filed from the Oregon Railway & Navigation Company to Portland Electric Power Company of record at page 428 of Book 1062, of the Deed records of Multnomah County.

19. All of Lot Five (5), Block Eight (8), City of Portland, Multnomah County, Oregon and the part of Lot Six (6) of said Block described as beginning at the most southerly corner of said Lot Six (6); thence northeasterly 84 feet tracing the southeasterly line of said Lot Six (6) to a point, thence northeasterly on a line parallel with the southeasterly line of said Lot Six (6) to the northeasterly line of said Block; thence south-

westerly tracing the northwesterly line of said block 34 feet to the most westerly corner of said Lot Six (6); thence southeasterly tracing the southwesterly line of said Lot Six (6) to the place of beginning, being the southwesterly 34 feet of said Lot Six (6).

15. Lots Twenty-one (21) of Block twenty-six (26); Lots four (4), five (5), six (6), seven (7), eight (8), nine (9), ten (10), twelve (12), thirteen (13), of Block twenty-seven (27), all in the Flat of Albina, now within the corporate limits of the City of Portland Multnomah County, Oregon.

16. All of Block Thirteen (13), McKinley Park Addition, within Sections Fifteen (15) and Sixteen (16), T. 1 S.R. 2 E. W.M., Multnomah County, Oregon.

17. A triangular tract of land in Section fifteen (15), T. 1 S.R. 2 E. W.M., Multnomah County, Oregon, described as follows: Beginning at a point at the intersection of the east line of Hirsdel Avenue and the north line of the Oregon Water Power and Railway Company's right-of-way; running thence North one hundred eighty-three and 74/100 (183.74) feet; thence south seventy-four (74) degrees and thirty nine (39) minutes east three hundred twenty-seven and 43/100 (327.47) feet to the north line of said Oregon Water Power and Railway Company's right of way; thence South seventy-two (72) degrees and fifty-six (56) minutes west along said north line of the Oregon Water Power and Railway Company's right of way three hundred thirty and 38/100 (330.38) feet to the place of beginning containing .57 of an acre, more or less, in Mentone, Multnomah County, Oregon. Being the same land described in that certain deed from Lash Mosco and husband to Portland Railway, Light and Power Company, of record at page 246 of Book 655 of the Deed Record of Multnomah County, Oregon.

18. That portion of Hirsdel Avenue, in McKinley Park Addition, Multnomah County, Oregon, in Section Fifteen (15), T. 1 S.R. 2 E. W.M., bounded on the north by Foster Road, on the South by 6th Avenue Southeast, as vacated by order of the County Commissioners of Multnomah County, Oregon, dated June 16, 1924, and of record at page 411 of Book 957 of the Deed records of Multnomah County, Oregon.

19. Lots one (1) to nine (9) inclusive, of Block ten (10), Northern Hill, an Addition to Portland, Multnomah County, Oregon, subject to the widening of Lombard Street by resolution of the City Council of the City of Portland, numbered 2234, of Date August 10th, 1910.

20. A portion of Lots Ten (10) and Eleven (11) of Block four (4), Blanchard Park, an Addition, Multnomah County, Oregon, more particularly described as follows: Beginning at the southwest corner of said lot eleven (11), thence northerly tracing the west lines of Lots eleven (11) and ten (10) to the northwest corner of said lot ten (10); thence easterly 60 feet to a point, tracing the north line of said lot ten (10); thence south parallel with the west lines of said lots ten (10), and eleven (11) to the south line of said lot eleven (11), 60 feet east from the southwest corner of said lot eleven (11); thence west tracing the south line of said lot eleven (11) 60 feet, to the place of beginning.

21. All of Lots nineteen (19) and twenty (20) of Block Six (6), Willamette Addition to East Portland, Multnomah County, Oregon, excepting that portion of lot twenty (20), conveyed to the City of Portland for street purposes, under deed dated June 2, 1928, from Portland Electric Power Company to said City of Portland, of record at page 278 of Book 1056 Deed Records of Multnomah County, Oregon.

22. Lot three (3) of Block One (1), Bellwrest, an Addition to the City of Portland, Multnomah County, Oregon.

23. All of Block "Q" Town of Sallwood, now within the City of Portland, Multnomah County, Oregon, excepting lots seven (7), eleven (11) and twelve (12) thereof; also a

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right-of-way for railway and transmission line purposes over Lot Seven (7), of said Block.

24. Three parcels of land in the Southeast Quarter of Section Thirty-one (31), T. 1 N. 2. E. 3. W. 4. within the City of Portland, Multnomah County, Oregon, more particularly described as follows: Beginning at a point eight (8) rods North of the Base Line in the division line between the Elijah B. Davidson D.L.C. and N.D. Gilham land in Section Thirty-one (31), Township One (1) North, Range Two (2) East of the Willamette Meridian; thence North tracing said division line five (5) rods to the Southeast corner of the John P. Sheffield tract; thence West tracing the South line of said tract eight (8) rods; thence South five (5) rods; thence East eight (8) rods to the place of beginning, containing One Quarter (1/4) of an acre, now within the corporate limits of the City of Portland, Oregon, being the same lands described in that deed from Geo. J. Kelly and wife to Portland Railway, Light and Power Company of record at page 34 of Book 520 of the Deed Records of Multnomah County, Oregon; also

Commencing at a point which is thirteen (13) rods north and 10.36 chains west of the southeast corner of Section thirty-one (31) in Township One (1) North of Range two (2) east of the Willamette Meridian, running thence North five (5) rods; thence west eight (8) rods; thence South five (5) rods; thence east eight (8) rods to the place of beginning, in the City of Portland, Oregon, having a frontage of 92 1/2 feet on East 60th Street; being the same land described in that deed from Cascade Real Estate Company to Portland Railway, Light and Power Company, of record at page 113 of Book 797 of the Deed Records of Multnomah County, Oregon; also

Beginning at the intersection of the North side line of East Stark Street with the west side line of East Sixtieth Street, within said City of Portland; thence West along the north side line of East Stark Street a distance of 107 feet to the true point of beginning of the tract to be described; thence west along the north line of East Stark Street a distance of 49.5 feet; thence North parallel with the East line of East Fifty-seventh Street a distance of 267.5 feet; thence east parallel with the north line of East Stark Street a distance of 49.5 feet; thence South parallel with the East line of East Fifty-seventh Street a distance of 267.5 feet to the true point of beginning, being the same lands described in that deed from Mattie Walton Gay to Portland Electric Power Company of record at page 175 of Book 1154 of the Deed records of Multnomah County, Oregon.

25. Lot One (1) of Block One (1), Avenue, now within the City of Portland, Multnomah County, Oregon.

26. All of Lots One (1), Two (2), Three (3), Sixteen (16) and Seventeen (17), Block One (1) Loveleigh, an Addition to the City of Portland, Oregon, except the South 25 feet of Lot Seventeen (17) and the south 50 feet of Lot Sixteen (16), as described in that deed from Strong-Steale Co., to Mount Hood Company, of record at page 115 of Book 543 of the Deed Records of Multnomah County, Oregon, and except a portion of Lot sixteen (16) as more particularly described in that deed from Portland Electric Power Company to Cascade China Company, of record at Page 84 of Book 1106 of the Deed records of Multnomah County, Oregon; also including hereunder the rights-of-way for spur track, transmission line and other purposes over and across Lots 14, 15 and 16 of said block as reserved to the grantor in said deed from the Portland Electric Power Company to the Cascade China Company.

27. Lot Sixteen (16) of Block One (1), York, an Addition within the City of Portland Multnomah County, Oregon.

28. A certain tract of land in the Northeast Quarter of Section Twenty-two (22), T. 1 N. 2. E. 3. W. 4. within the City of Portland, Multnomah County, Oregon, more particularly described as follows:



Beginning at an iron pipe set under the board fence along the westerly side of the property owned by Rosa Rohse and conveyed to her by deed dated Feb. 12, 1904, and recorded at page 21 of Book 318 of the Deed Records of said County and State, where iron pipe is at the intersection of said westerly line of said property with the north line (projected easterly in its present course) of Kleinsorge according to the duly recorded plat thereof, and 239.2 feet distant from the easterly line of Virginia Street measured along said north line of Kleinsorge; running thence northerly from said beginning point along a line which forms an angle looking toward the west of 84 degrees 14' with said north line of Kleinsorge and tracing the board fence on the westerly side of said Rosa Rohse property a distance of 120.6 feet, more or less, to the south line of Nevada Street in said City of Portland, Multnomah County, State of Oregon; thence westerly tracing the south line of Nevada Street a distance of 100 feet to an iron pipe; thence southerly parallel with, westerly of and 100 feet distant from the first line herein described as a line northerly from beginning point, a distance of 121.2 feet, more or less, to an iron pipe set in the north line of Kleinsorge; thence easterly tracing the said north line of Kleinsorge and an easterly extension thereof, a distance of 100 feet to place of beginning, being the same lands described in that certain deed from Henry Legler and wife to Cazadero Real Estate Company of record at page 219 of Book 8 of the photolith records of Deeds of Multnomah County, Oregon.

29. A certain tract of land in Block "A" in Wildwood, in Section Twenty (20) T. 1 S. R. 1 E. W. 2 E., Multnomah County, Oregon, more particularly described, to-wit: Commencing at the southeast corner of Block "A" in Wildwood, in Multnomah County, Oregon, running thence west along the south boundary line of said Block "A" 20.82 feet to a point; running thence north and parallel with the east boundary line of said block to a point in the north boundary line thereof; running thence southeasterly along the northerly boundary line of said block, being also the southerly boundary line of the Oregon Electric Railway Company's right-of-way to the northeast corner of said block; running thence south along the east boundary line of said block to the place of beginning, being the same land described in that deed from Rogers Company to Portland Electric Power Company, of record at page 134 of Book 1088 of the Deed records of Multnomah County, Oregon.

30. Lots five (5), and six (6) of Block 177, City of Portland, Multnomah County, Oregon.

31. All of Lots one (1), two (2), three (3) and four (4), Block fourteen (14), Benedictine Heights, an Addition within the City of Portland, Multnomah County, Oregon, subject to certain building and use restrictions expiring on October 1st, 1935, as more particularly set out in that certain deed from Riverside Homestead Company to Cazadero Real Estate Company, of record at page 269 of Book 554 of the Deed records of Multnomah County, Oregon.

32. All of Lot eighteen (18), Riverside Homestead, an Addition within the City of Portland, Multnomah County, Oregon.

33. Lots A, B, and C, Feurer's Addition to East Portland Extended, now within the City of Portland, Multnomah County, Oregon.

34. All of Lot one (1), Block nine (9), Benedictine Heights, now within the City of Portland, Multnomah County, Oregon, subject to a dedication of a part thereof for street purposes.

35. All of Lots five (5), six (6), eight (8), ten (10), twelve (12), of Block nine (9), and all that portion of Block nine (9), lying north of the north line of Lot six (6) and east of the east line of Lot five (5), also in Bridgeton, an Addition in Section three (3), T. 1 N. R. 1 E. W. 2 E., Multnomah County, Oregon, and all that part of that tract of land

described in a certain deed from O.F. Paxton and wife to Portland Railway Company, of record at page 240 of Book 298 of the Deed records of Multnomah County, Oregon, which lies north of Main Boulevard in the said Plat of Briggston in said Section.

34. Certain parcels of land in Carter's Addition to the City of Portland, Multnomah County, Oregon, were particularly described as follows:

All of Lots numbered seven (7), eight (8), eleven (11), twelve (12) and thirteen (13) in Block numbered fifty-six (56), in Carter's Addition to the City of Portland.

That certain parcel of land bounded by beginning at the point where the easterly line of Lot numbered seven (7) in Block numbered fifty-six (56), in Carter's Addition to the City of Portland, if extended, would intersect the southerly line of Jefferson Street in said City; thence running west along the southerly line of Jefferson Street, one hundred and seventy-five (175) feet; thence southerly at right angles to the southerly line of Jefferson Street, sixty-seven and thirty-three hundredths (67.33) feet to the southerly line of the donation land claim of A.N. King and Melinda King; thence easterly along the southerly line of said King Donation Land Claim to the northeasterly corner of said lot numbered seven (7) in said block numbered fifty-six (56) in said Carter's Addition; thence northerly along the easterly line of said lot numbered seven (7) and a prolongation thereof to the point of beginning;

That certain tract of land bounded by beginning on the south line of the donation land claim of A.N. King and Melinda King, at the northwest corner of Lot numbered eleven (11) in Block numbered fifty-six (56) in Carter's Addition to the City of Portland; thence running easterly along the south line of the said King Donation Land Claim, seventy-five (75) feet; thence northerly at right angles to the south line of said Donation Land Claim, sixty-seven and thirty-three hundredths (67.33) feet, more or less, to the southerly line of Jefferson Street in the City of Portland; thence westerly along the southerly line of said Jefferson Street to a point where the westerly side line of said lot numbered eleven (11), if prolonged northerly, would intersect the same; thence southerly along said westerly line of said lot numbered eleven (11) produced, sixty-three and four hundredths (63.04) feet to the point of beginning; excepting therefrom such rights as may have been conveyed by the Portland Electric Power Company to the City of Portland under that certain deed of record at page 406 of Book 1155 of the Deed records of Multnomah County, Oregon.

35. Lots five (5), six (6), seven (7), eight (8), nine (9), ten (10), eleven (11), twelve (12), fourteen (14), and fifteen (15), Cedarhill, an Addition to the City of Portland Multnomah County, Oregon.

36. All that part of Block Six (6), in Fulton, an Addition in the City of Portland, Multnomah County, Oregon which lies southwesterly of Virginia Street as platted thereon and thereover.

37. All of Lots nine (9), ten (10), and eleven (11), and all that parts of Lots one (1) to eight (8) inclusive which lie north of that certain tract of land conveyed by "Tract 23" of that certain deed from Portland Electric Power Company, to the County of Multnomah, of record at page 1 of Book 1159 of the Deed Records of Multnomah County, Oregon, all in Block nine (9) Mabelville, an Addition now within the City of Portland, Multnomah County, Oregon.

40. A certain tract of land in the Northwest quarter of Section thirty-three (33), T. 1 N. 2. E. W.M., within the said City of Portland, Multnomah County, Oregon, more particularly described as follows: Commencing at a point 1847.52 feet east and 387.2 feet north from the quarter section corner in the west line of Section thirty-three (33), T. 1 N. 2. E. W.M., thence running easterly and parallel with the county road 104.16 feet;

thence north 6 degrees 54' West 551.51 feet; thence west 43.75 feet; thence South 548.52 feet to the place of beginning.

41. All of Blocks numbered seventeen (17), and eighteen (18), in North Mt. Tabor, an Addition now within the City of Portland, Multnomah County, Oregon, excepting a parcel thereof described as beginning at the southeast corner of said block numbered seventeen (17) and running thence north eighty-five and four-tenths (85.4) feet; thence west two hundred and twenty-five (225) feet; thence south eighty-five and four-tenths (85.4) feet; thence east two hundred and twenty-five (225) feet to the place of beginning.

42. A certain tract of land in the northwest Quarter of Section thirty-two (32) T. 1 N. R. 2 E. W. 4., now within the City of Portland, Multnomah County, Oregon, more particularly described as bounded by beginning at a point in an extension of the west line of that certain forty (40) acre tract of land conveyed by F. J. Gilman to K. S. Larsen trustee, on the 27th day of January 1890, by deed recorded at page 198 in Book 152 in the records of deeds of Multnomah County, Oregon, four hundred and twenty-three and five-tenths (423.5) feet south of the Northwest corner of said forty acre tract of land, and running thence south along said extended line, one hundred (100) feet; thence east parallel with the center line of Villa Avenue, one hundred and thirty (130) feet, more or less, to the center of Liberty Street, as shown upon the recorded plat of North Mt. Tabor; thence North six (6) degrees west along the center line of Liberty Street to a point one hundred (100) feet north of the south boundary line of the property here being described; thence west parallel to said center line of Villa Avenue to the place of beginning, subject to any streets or county roads abutting upon or occupying any of the same.

43. A parcel of land in the Northwest quarter of Section thirty-two (32), T. 1 N. R. 2 E. W. 4., now within the City of Portland Multnomah County, Oregon, bounded as follows: on the East by the west line of east line of East 8th Street; on the South by the North line of East Glisan Street; on the Northwesterly side by the southwesterly line of Block ten (10) Parkhurst Addition in said City of Portland, excepting therefrom that tract of land conveyed by the Portland Electric Power Company, to the City of Portland, by deed of record at page 25 of Book 1111 of the Deed records of Multnomah County, Oregon; also a certain tract of land adjacent to the above described tract, being the easterly 24 feet of Lot ten (10) and all of Lot eleven (11) of said Block ten (10), Parkhurst, as conveyed by the City of Portland to Portland Electric Power Company by deed of record at page 112 of Book 1108 of the Deed Records of Multnomah County, Oregon.

44. All of Lot one (1) Portland Heights, an Addition now within the City of Portland Multnomah County, Oregon, which lies northerly of Terrace Road.

45. Lots One (1), Two (2) and Seven (7) and that part of Lot Eight (8), described as follows: Beginning at the most southerly corner of said Lot Eight (8), thence northeasterly tracing the southeasterly line of said Lot Eight (8) to the northeast corner of said Lot Eight (8); thence northwesterly 4.5 feet tracing the northerly line of said Lot Eight (8) to a point; thence southwesterly on a line parallel with the first course in this description to a point in the southwesterly line of said Lot Eight (8) 4.5 feet to the place of beginning, all in Block Twenty-eight (28) Portland, now within the City of Portland, Multnomah County, Oregon.

46. All of Lot twenty-two (22) of Block eight (8), all of lots twenty-two (22) and twenty-three (23) of Block nine (9), all of Lot eighteen (18) of Block ten (10), in Sanford, an Addition within the City of Portland, Multnomah County, Oregon.

47. Lot eight (8) of Block seven (7), town of St. Johns, now within the City of Portland, Multnomah County, Oregon.

46. A certain triangular tract in the West half of Section fourteen (14), T. 1 N. R. 1 E. W.M., within the City of Portland, Multnomah County, Oregon, bounded as follows: on the South by the North line of Dekam Avenue; on the northeasterly side by the southwesterly line of Dekam Avenue; on the northwesterly side by the southeasterly line of Madrona Street, subject to a lease to the City of Portland for fire house purposes, expiring June 2, 1936.

47. A certain tract of land in the Northwest Quarter of Section Seventeen (17), T. 1 S. R. 2 E. W.M., within the City of Portland, Multnomah County, Oregon more particularly described as being all of that part of the West half of the Northeast Quarter of the Northwest Quarter of said Section 17, lying south of Foster Road, excepting a 1.934 acre tract conveyed to William H. Meyer and wife by deed of record at page 375 of Book 471 of the Deed Records of Multnomah County, Oregon, and also excepting a strip of land 18 feet in width on the southerly side of Foster Road as conveyed to William H. Meyer, et al., by deed of record at page 104 of Book 1006 of the Deed records of Multnomah County, Oregon; also excepting a 18 foot strip of land on the southerly side of Foster Road conveyed to J.M. Barber and wife by deed of record at page 8 of Book 938 of the Deed records of Multnomah County, Oregon; and also excepting a strip of land on the westerly side of said tract, taken by the City of Portland, for the widening of East 67th Street.

50. All of Lots five (5), seven (7), and eight (8), of Block "R" in the Town of Sellwood, now within the City of Portland, Multnomah County, Oregon; also a right-of-way for railway and transmission line purposes over lot 6 of said Block.

51. All of Lots three (3) and four (4), of Block "V" in the Town of Sellwood, now within the City of Portland, Multnomah County, Oregon; also a right-of-way for railway purposes over lot 5 of said Block.

52. All of Lots six (6), seven (7), and eight (8), of Block "W" in the Town of Sellwood, now within the City of Portland, Multnomah County, Oregon.

53. A tract of land in Section 29, Township 1 North, Range 1 East of Willamette Meridian, Multnomah County, Oregon, described as: Beginning at a point in the westerly boundary of a tract of land conveyed to the City of Portland by Joseph E. Forestel by deed recorded in Book 945, at page 27 of the deed records of Multnomah County, which point is North 0 degrees 15'45" East 2245.50 feet from the Northwest corner of the William Blackstone D.L.C. in said Section; thence North 88 degrees 22' West along the boundary of a tract of land owned by The John Kiernan Corporation 533.12 feet; thence North 0 degrees 19'45" East 515.29 feet to a boundary of a tract of land formerly owned by J.B. Yoon; thence South 88 degrees 52' East along the boundary of the said Yoon tract 881.35 feet to the Northwest corner of the lands of the City of Portland above referred to; thence South 0 degrees 19'45" West along the westerly boundary of the said lands of the City of Portland 298.60 feet to the point of beginning, containing five acres, being the same lands described in that deed from The Port of Portland to Portland Electric Power Company of record at page 210 of Book 86 of the photographic Deed records of Multnomah County, Oregon.

54. A certain tract of land in the City of Portland, Multnomah County, Oregon particularly described as follows:-

Beginning at the northeast corner of Lot four (4) in Block thirty-eight (38) in Portsmouth (reference being had herein to the duly recorded map and plat of Portsmouth as the same appears in the office of the County Clerk of the County of Multnomah, State of Oregon) and on the south line of MeCook Street; running thence westerly along said south line of MeCook Street one hundred ten and nineteen hundredths (110.19) feet; thence southerly at right angles and on a line parallel with the east line of said lot four (4), two hundred (200)



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feet; thence easterly on a line parallel with said McCosh Street one hundred and fourteen and seventy-five hundredths (114.75) feet; thence southerly on a line parallel with said east line of said Lot four (4) to the Harbor Line, located by the United States Government along the easterly side of the Willamette River; thence easterly along said harbor line up stream to a point which is eighty-nine and eighty-one hundredths (89.91) feet easterly from said east line of Lot four (4) measured on a line at right angles to said east line; thence northerly on a line parallel with and eighty-nine and eighty-one hundredths (89.91) feet easterly from said west line of Lot four (4) to the south line of said McCosh Street; thence westerly along said south line eighty-nine and eighty-one hundredths (89.91) feet to the place of beginning, being parts of Lots three (3), four (4), five (5) of Block 38 of Portsmouth, in Portland, Oregon, excepting therefrom the interest therein of the Oregon Railway and Navigation Company under deeds recorded in Book 282 at Pages 345 and 309, and in Book 285 at Page 243, of the Records of Deeds of said Multnomah County, subject to certain mortgage rights in the Peninsula Lumber Company as more particularly set forth in an agreement between the Portland Railway, Light and Power Company and the Peninsula Lumber Company of date April 25, 1916; together with certain mortgage rights in the river frontage lying down stream for a distance of 110 feet from the tract above described, all as more particularly described in said agreement between the Portland Railway, Light and Power Company and the Peninsula Lumber Company of date April 25, 1916.

55. All of Block one (1), City of Fairview, Multnomah County, Oregon.

56. A certain tract of land in Section thirty-four (34), T. 2 N. R. 1 E. W.M. and in section three (3), T. 1 N. R. 1 E. W.M., Multnomah County, Oregon, more particularly described as follows:

Beginning at the Northwest corner of the John Switzler D.L.C. No. 39 in township one north, range one east of Willamette Meridian; thence var.  $21^{\circ}30'$  E. north 38.00 chs. producing claim line to extreme low water line; thence N.  $80^{\circ}$  E. 6.27 chs. along extreme low water line; thence S.  $65^{\circ}31'$  E. 8.36 chs. along extreme low water line; thence south 38.05 chs. parallel with claim line to a point 92 lks. north and 2.84 chs. west of iron pipe set by D. Fletcher for meander corner, between Secs. 2 & 3, T. 1 N. R. 1 E., said point is also 3.94 chs. west and 18.52 chs. north of  $\frac{1}{4}$  corner between said Secs. 2 & 3; thence N.  $80^{\circ}$  W. 14.00 chs. to place of beginning, where is set iron pipe 2 in. dia. 90 in. long 24 in. in ground, from which a cottonwood 8 in. dia. on north bank of bayou bears S.  $0^{\circ}20'$  W. 4.19 lks. dist., the foregoing tract of land containing 53.09 acres of overflow land, being the same lands described in that certain deed from C.F. Paxton and wife to Portland Railway Company, of record at page 239 of Book 298 of the Deed records of Multnomah County, Oregon, subject to a certain agreement for the sale of 46.85 acres thereof as more particularly described in and as evidenced by an agreement of purchase and sale between Portland Electric Power Company and J.W. Waterhouse of date March 23, 1929, assigned by said J.W. Waterhouse to Waterhouse Securities Corporation under assignment of April 3, 1929, and assigned by Waterhouse Securities Corporation to Columbia Beach Development Corporation under assignment of June 5, 1929.

57. All that portion of Hayden or Shaw's Island in the Columbia river, lying East of the line between Section thirty-three (33) and thirty-four (34), T. 2 N. R. 1 E. W.M., Multnomah County, Oregon, together with all accretions and any island formation that may have accreted to and have become a part of by reason of such accretions of said portion of said Hayden Island hereinbefore described, subject to a certain agreement of sale between Portland Electric Power Company and J.R. Toomey of date February 4, 1927, and assigned by said J.R. Toomey to the Hayden Island Amusement Company by assignment of date December

Lot 1027, also subject to that certain agreement of sale from the Portland Electric Power Company to said Hayden Island Amusement Company of date October 9, 1928; and also subject to that certain agreement of sale from the Portland Electric Power Company et al. to Hayden Island Amusement Company of Date January 14, 1929; excepting therefrom roads and highways, and also reserving therefrom a certain right-of-way for railway purposes over and across a portion of Hayden Island, which right-of-way is particularly described as follows:

Beginning at the meander corner on the South bank of Hayden Island in the line between Sections Thirty-three (33) and Thirty-four (34), said township and range; thence tracing the original meander line of Hayden Island South 69 degrees 41'15" East a distance of 541.12 feet; thence South 61 degrees 33' East on said meander line a distance of 1514.42 feet; thence South 71 degrees 28' East on said meander line a distance of 461.13 feet to an intersection with the center line of the track of the Pacific Northwest Public Service Company and the true point of beginning of the strip of land herein described; thence North 71 degrees 28' West a distance of 76.44 feet; thence North 30 degrees 36'30" West, parallel with and 50 feet westerly of the said center line of said track, a distance of 1773.46 feet to a point in the southerly side line of a certain County Road; thence South 80 degrees 35' East along said southerly side line a distance of 30.77 feet; thence North 80 degrees 36' 50" West a distance of 104.45 feet across the easterly end of said County Road; thence North 80 degrees 36' West along the Northerly side of said County Road a distance of 261.13 feet to the point of intersection of the said Northerly side line of said County Road with the easterly side line of the Interstate Highway; thence North 22 degrees 31'30" East along the easterly side line of said highway a distance of 346.49 feet; thence South 30 degrees 24'50" East a distance of 2548.9 feet to a point in the original meander line of Hayden Island; thence North 71 degrees 28' West along said meander line a distance of 76.44 feet to place of beginning, saving and excepting from the tract herein described that certain easement for roadway to Hayden Amusement Company, said easement being over a strip of land 40 feet in width connecting the above mentioned County Road with an underhead crossing of the Interstate Highway, said underhead crossing being the entrance to Jantzen Park.

58. Lots Three (3), Four (4), Five (5), Six (6), Seven (7), and Eight (8), Block Twenty-three (23), Town of Sellwood, within the City of Portland, Multnomah County, Oregon.

59. A right-of-way for railway and transmission line purposes over and upon that portion of Lot Two (2) in said Block Twenty-three (23), Plat of Sellwood, within the City of Portland, Multnomah County, Oregon, described as follows: Commencing at the northwest corner of said Lot Two (2); thence East on the north boundary of said lot, ten (10) feet to a point; thence in a southeasterly direction on a curve to the left having a radius of 1680.7 feet a distance of 74 feet more or less to a point in the south boundary of said lot, which is 55 feet from the southwest corner thereof; thence West 55 feet to the southwest corner of said lot; thence North 50 feet to the place of beginning, containing 1920 square feet, all in Block Twenty-three (23), Plat of Sellwood, within the City of Portland Multnomah County, Oregon.

60. A right-of-way for railway purposes over and upon and across all of Block Twenty-one (21) Town of Sellwood, within the City of Portland, Multnomah County, Oregon, together with all other right, title or interest of the grantor therein.

61. A right-of-way for railway and transmission line purposes over and upon that portion of Lot Five (5), Block Seven (7), Town of Sellwood, within the City of Portland, Multnomah County, Oregon, described as follows: Beginning at the northwest corner of said Lot Five; thence East on the north line of Lot Five (5), 10 feet; thence South 26'30" East 62 feet more or less to the south line of Lot Five (5) at a point 62 feet west of the south-

east corner thereof; thence West along the south line of said Lot Five (5), 30.8 feet; thence in a northwest direction tracing the easterly side line of Grand Avenue 13.81 feet to the west line of said Lot Five (5); thence North tracing the said west line of Lot Five (5), 36.15 feet to the place of beginning.

62. A right-of-way for railway and transmission line purposes, 100 feet in width, over and across Block "D" of the Town of Sellwood, within the City of Portland, Multnomah County, Oregon, as more particularly described in that certain deed from Fred S. Morris to Oregon Water Power and Railway Company, of record at page 16 of Book 309 of the Deed Records of Multnomah County, Oregon, subject, however, to the terms, conditions and provisions of that certain unrecorded agreement of date September 29, 1925, between Portland Electric Power Company and the County of Multnomah.

63. A right-of-way for railway and transmission line purposes, 100 feet in width, over and across Block "C" of the Town of Sellwood, within the City of Portland, Multnomah County, Oregon, as more particularly described in that certain deed from Fred S. Morris to Oregon Water Power and Railway Company, of record at page 16 of Book 309 of the Deed Records of Multnomah County, Oregon, subject, however, to the terms, conditions and provisions of that certain unrecorded agreement of date September 29, 1925, between Portland Electric Power Company and the County of Multnomah.

64. All that portion of Blocks "A" and "B" in the Town of Sellwood, within the City of Portland, Multnomah County, Oregon, as more particularly described in the Twenty-first paragraph of that certain deed from the Land Company of Oregon to the Oregon Water Power and Railway Company, of record at page 63 of Book 336 of the Deed records of Multnomah County, Oregon.

65. A certain parcel of land in Sections Fourteen (14), Twenty-two (22) and Twenty-three (23) T. 1 S.R. 1 E. W.M., more particularly described as follows: Beginning at a point in the north line of Block "A", Town of Sellwood, within the City of Portland, Multnomah County, Oregon, 170 feet west of the Northeast corner of the said Block "A"; thence north tracing the easterly side line of that certain tract of land conveyed to the City of Portland and now used as a City Park, a distance of 802.68 feet; thence East 100 feet; thence North 177.08 feet; thence North 63°26' East a distance of 217.4 feet; thence North 44°58' East a distance of 131.38 feet; thence East a distance of 32.65 feet; thence North 37°21' East a distance of 208.9 feet; thence North 73°44' East a distance of 93.94 feet to an iron pipe in the westerly side line of East Seventh Street; thence North 76°0'30" East tracing the north line of the Sellwood Boulevard a distance of 945.13 feet; thence North 57°44'30" East a distance of 372.43 feet; thence North 43°44'30" East a distance of 227.27 feet to an iron pipe; thence North 69°56'30" East tracing the North line of Sellwood Boulevard a distance of 73.55 feet to an iron pipe; thence North 70°0'30" West a distance of 99.09 feet along the westerly side of Block 23, City View Park Addition, Plat No. 2, to the northwest corner thereof; thence North 20°29'23" East a distance of 425.34 feet to an iron pipe set in a westerly extension of the South line of Rural Avenue; thence North 68°55'30" East tracing the said westerly extension of said Avenue a distance of 22.8 feet to a point in the westerly side line of East Thirteenth Street; thence North 14°40'30" East tracing the westerly side line of East Thirteenth Street a distance of 160.04 feet; thence tracing the northwesterly side line of East Thirteenth Street, on a curve to the right having a radius of 228.05 feet, through an angle of 28°13'07", a distance of 112.70 feet as measured on the arc of said curve; thence South 86°56'30" West a distance of 162.01 feet; thence North 1°0' West along the westerly side line of the crematorium property a distance of 210.56 feet to an iron pipe; thence North 33° West 61.24 feet to the south



line of Block 22, Tolman Tract; thence South 89°39' West along the south line of said Block 22 a distance of 38.68 feet to the southwest corner thereof; thence North 29°15'53" West tracing the southwesterly side line of said Block 22 and a northwesterly projection thereof, a distance of 349.77 feet; thence North 24°57'07" east a distance of 417.15 feet to an iron pipe set at the northwest corner of Block 14, Tolman Tract; thence North 18°01'09" East a distance of 65.71 feet to an iron pipe set at the southwest corner of Block 13, Tolman Tract; thence West tracing the south line of the P.J. Martin Tract 1044.27 feet more or less to the meander line on the right bank of the Willamette River; thence tracing the meander line of the Willamette River up stream the following courses and distances: South 40°00' West 898.55 feet; south 33° West 477.84 feet; thence South 48° West 456.4 feet; thence South 66° West 714.75 feet; thence South 30°30' West 534.8 feet; thence South 6° West 230.14 feet; thence South 1° East 907.6 feet; thence South 8° East 158.23 feet, to the north line of a tract of land sold to the East Side Mill and Lumber Company; thence East tracing the north line of the said tract of land, 282.68 feet to the northeast corner thereof; thence South 4°58' East, as measured on chord of curve to left, 503.55 feet to the North line of Block "A", Sellwood; thence East tracing the north line of Block "A", Sellwood, 252 feet to the place of beginning, together with all of the rights, title and interest of the grantor in and to the shore lands abutting upon the above described meander line and the riparian rights incident thereto.

36. All of the following described lots and rights-of-way situated in the P.J. Martin Tract, being a subdivision of Section Fourteen (14), T. 1 S.R. 1 E. W.M., and now within the corporate limits of the City of Portland, Multnomah County, Oregon, and shown upon the duly recorded maps and plats of said P.J. Martin Tract, to-wit: All of Block Ten (10); all of Block Thirteen (13); Lots One (1), Two (2), Three (3), Four (4), Five (5), Seven (7) and Eight (8) in Block Fourteen (14); Lots Three (3), Five (5), Six (6), Seven (7), and Eight (8) in Block Fifteen (15); Lots One (1), Two (2), Three (3), Four (4), Five (5) and Six (6) in Block Sixteen (16); an undivided one-half of Lots Seven (7) and Eight (8) in Block Sixteen (16); Lots One (1), Two (2), Three (3), Four (4), Six (6) Seven (7) and Eight (8) in Block Nineteen (19); Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7) and Eight (8) in Block Twenty (20); Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7) and Eight (8) in Block Twenty-one (21); Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7) and Eight (8) in Block Twenty-two (22); Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7) and Eight (8) in Block Twenty-nine (29); Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), and Eight (8) in Block Thirty (30); Lots One (1), Two (2), Four (4), Five (5), Six (6), and Seven (7) in Block Thirty-one (31); Lots One (1), Two (2), Three (3), and Four (4) in Block Thirty-two (32); Lots One (1), Two (2), Three (3), and Four (4) in Block Thirty-four (34); Lots One (1), Two (2), Three (3) and Four (4) in Block Thirty-five (35); Lots One (1), Two (2), Three (3) and Four (4) in Block Thirty-six (36); a right-of-way for railway and transmission line purposes over Lot Three (3) and Lot Eight (8) of Block Thirty-one (31).

37. All of the following described lots in the C.J. Reed Tract, being a subdivision of Section Fourteen (14), T. 1 S.R. 1 E. W.M., as shown upon the duly recorded map and plat of said Tract, recorded at page 1 of Book 57 of the Deed records of Multnomah County, Oregon, to-wit: Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9) and Ten (10), in Block Two (2); all of Block Three (3); all of Fractional Block Four (4), being Lots One (1) and Two (2).



38. All the following bounded and described real property, to-wit: Being a part of the Edward Long D.L.C. in Section 14, T. 1 S.R. 1 E. of the Will. M.R. and bounded as follows, to-wit: Beginning at the Southwest corner of said claim; thence East (reading South line of Claim 13 chains, 25 links to a stake at the Southwest corner of a 6 acre tract sold to Isaac Dillon; thence North 34 deg. East 1 chain; North 31 degrees East 1 chain, 80 links; North 28 deg. East 80 links; North 31 degrees East 1 chain, 46 links; North 27½ degrees East 2 chains, 14 links; North 12½ degrees East 2 chains, 80 links; North 27 degrees East 1 chain 44 links; East 2 chains, 84 links to a point in the center of the East Portland and Milwaukie Road being the Northwest corner of said Dillon tract; thence North along the center line of the said Road 5 chains, 36 links; thence West 14 chains, 51 links to a stake on the East bank of the Willamette River; thence along the meanders of said river as follows: South 9 degrees West 3 chains, 61 links; South 17 degrees West 5 chains, 50 links; South 25 degrees 45 minutes West 5 chains, 60 links to the place of beginning, containing 22-93/100 acres, more or less, being the same land described in the "Seventh" paragraph of that certain deed from the Land Company of Oregon to the Oregon Water Power and Railway Company, of record at page 63 of Book 338 of the Deed records of Multnomah County, Oregon.

39. A portion of the Edward and Martha S. Long Donation Land Claim, in Section Fourteen (14), T. 1 S.R. 1 E. W.M., and more particularly described in that certain deed from The Oregon Railroad and Navigation Company to the Oregon Water Power and Railway Company, of record at page 162 of Book 302 of the Deed records of Multnomah County, Oregon, as follows:

"All that tract of land lying westerly of a line drawn parallel to and fifty (50) feet easterly from and measured at right angles to the center line of The Oregon Water Power and Railway Company's railroad as the same is situated and located over and across the premises of the greater herein, and lying between said fifty (50) foot parallel line and the Willamette river. Said center line intersects the northerly boundary line of the premises of the greater herein, at a point which is definitely located by measuring from the quarter corner between Sections Eleven (11) and Fourteen (14) of aforesaid township and range, along the center of what is known as the Milwaukie Road, on a course bearing South 9°52' East a distance of 788.05 feet to a point in the center of said Milwaukie Road thence along the northerly boundary line of the premises of the greater herein, on a course bearing South 78°33' West a distance of 401 feet to said point of intersection of said center line, which center line at said point of intersection is located on a 4" curve, the tangent to which at said point of intersection with the northerly boundary line of the premises herein conveyed, bears South 35°42' East; thence on a 4" curve to the right a distance of 1248.3 feet to a point in the southerly boundary line of the tract hereby conveyed, which point is 625.14 feet West from the center of said Milwaukie Road."

40. A parcel of land and rights-of-way over lands for railway and transmission line purposes in the Northwest Quarter of Section Fourteen (14), T. 1 S.R. 1 E.W.M., being all of the lands and rights-of-way more particularly described in those certain deeds, from Adrian McCullen, et al. to Oregon Water Power and Railway Company, of record at page 426 of Book 298 of the Deed records of Multnomah County, Oregon, and from the Sheriff of Multnomah County, Oregon, to the Portland Electric Power Company, of record at page 249 of Book 1085 of the Deed records of Multnomah County, Oregon, excepting from said lands so much thereof as may be described in this certain deed from Portland Railway, Light and Power Company to the Southern Pacific Company, of record at page 149 of Book 1155 of the Deed records of Multnomah County, Oregon.

72. A right-of-way for railway and transmission line purposes over a strip of land 60 feet in width in the Northwest Quarter of Section Fourteen (14), T. 1 S.R. 1 E. W.M., being all of the right-of-way more particularly described in that certain deed from Stefano Allegretti and wife to the Oregon Water Power and Railway Company, of record at page 823 of Book 208 of the Deed records of Multnomah County, Oregon.

73. All of Lots Five (5), Six (6), Seven (7) and Eight (8) of Riverside Homestead, an addition in the City of Portland, Multnomah County, Oregon, which lie west of the west line of East Eighth Street in said City of Portland, excepting so much as was conveyed to the Southern Pacific Company by the Portland Railway, Light and Power Company under "Parcel No. 11" of that certain deed of record at page 149 of Book 1165 of the Deed records of Multnomah County, Oregon.

74. All of that portion of Lot No. Four (4) in Riverside Homestead, an addition in the City of Portland, Multnomah County, Oregon, as described in paragraph "Seventeenth" of that deed from The Land Company of Oregon to the Oregon Water Power and Railway Company, of record at page 63 of Book 286 of the Deed records of Multnomah County, Oregon, excepting so much thereof as was conveyed by the Portland Railway, Light and Power Company to the Southern Pacific Company under "Parcel No. 10" of that certain deed of record at page 149 of Book 1165 of the Deed records of Multnomah County, Oregon.

75. All of Lot No. Three (3) of Riverside Homestead, an addition in the City of Portland, Multnomah County, Oregon, which lies West of the west line of East Eighth Street in said City of Portland, and all of Blocks One (1) and Six (6) of subdivision of Lot Two (2) of said Addition of Riverside Homestead, excepting so much thereof as may have been conveyed by the Portland Railway, Light and Power Company to the Southern Pacific Company under "Parcel No. 10" of that certain deed of record at page 149 of Book 1165 of the Deed records of Multnomah County, Oregon.

76. A right-of-way for railway and transmission line purposes upon and over a strip of land 60 feet in width, in Lot One (1) of Riverside Homestead, an Addition in the City of Portland, Multnomah County, Oregon, in Section Eleven (11) T. 1 S.R. 1 E. W.M., as more particularly described in that certain deed from Tyler Woodward and wife to Oregon Water Power and Railway Company, of record at page 477 of Book 302 of the Deed records of Multnomah County, Oregon, excepting therefrom so much thereof, as may have been conveyed by Portland Railway, Light and Power Company to the Southern Pacific Company under "Parcel No. 9" of that certain deed of record at page 149 of Book 1165 of the Deed records of Multnomah County, Oregon.

77. A certain parcel of land in the Northwest Quarter of Section Eleven (11) and the Northwest Quarter of Section Ten (10), T. 1 S.R. 1 E. W.M., more particularly described as follows: Bounded on the North by the north line and the west extension thereof of Lot One (1) of Block Two (2), Villa Heights, platted area, now within the City of Portland, Multnomah County, Oregon; on the West by the Willamette River; on the South by the North line of Woodward's Subdivision of Lot One (1) of Riverside Homestead, an Addition within the City of Portland, Multnomah County, Oregon; and on the East by a line more particularly described as follows: Beginning at a point in the north line of said Lot One (1) of Block Two (2) of Villa Heights, 25 feet west of the intersection with said Lot line with the common center line, at Station 97+65.9, as said common center line is more particularly described in that certain deed from Portland Railway, Light and Power Company to the Southern Pacific Company, of record at page 149 of Book 1165 of the Deed Records of Multnomah County, Oregon; thence Southerly in a straight line to a point located 15 feet westerly of said common center line and measured at right angles to Station 99+70 of

said common center line, thence South  $11^{\circ}05'$  East in a straight line parallel with and 15 feet distant westerly from said common center line to a point opposite Station 109-40 thence continuing said course to the northerly boundary line of said Woodward's subdivision at a point which is North  $89^{\circ}00'$  West 100.01 feet distant from the southerly corner of Block "E" of Manhattan Heights, an Addition in the City of Portland, Multnomah County, Oregon.

77. A certain parcel of land in Sections Ten (10) and Eleven (11), T. 1 N.R. 1 E. W. M., within the City of Portland, Multnomah County, Oregon, bounded as follows: On the North by the south line of Woodward Avenue; on the East by the Willamette River; on the South by the north line and the extension thereof, of Lot One (1) of Block Two (2), Villa Heights, an Addition in the City of Portland, Multnomah County, Oregon; on the East by a line described as follows: Beginning at a point on the south line of Woodward Avenue 44 feet east of the intersection of said south line of Woodward Avenue with the common center line at Station 95-21.2, as said common center line is described in that certain deed from Portland Railway, Light and Power Company to the Southern Pacific Company, of record at page 149 of Book 1165 of the Deed Records of Multnomah County, Oregon; thence southerly to a point in the north line of Brooklyn Street which is 47 feet west of the intersection of said common center line with the said north line of Brooklyn Street; thence East and South, tracing the said north line of Brooklyn Street and the West line of Brooklyn Street to the said north line of Lot One (1) of Block Two (2) of said Villa Heights, subject to all of the terms and conditions of a certain right-of-way agreement between the Portland Railway, Light and Power Company and Multnomah County, Oregon, of date December 28, 1926 in and to a right-of-way thereon and there over for the Rose Island Bridge.

78. A right-of-way for railway and transmission line purposes over and upon certain lands in Blocks "M" and "L" of Kern's Addition to the City of East Portland, now within the City of Portland, Multnomah County, Oregon, being all of the rights-of-way, more particularly described in that certain deed from the Hawthorne Estate to Portland Railway Light and Power Company, of record at page 90 of Book 698 of the Deed Records of Multnomah County, Oregon.

79. A right-of-way for railway purposes over and upon a part of Block "H" in Kern's Addition to the City of East Portland, now within the limits of the City of Portland, Multnomah County, Oregon, described as follows: Beginning at the Northwest corner of Block "I", said Kern's Addition, thence South 80 feet, thence West 100 feet, thence North to the south line of Block "G", said Addition; thence East to the Southeast corner of said Block "G"; thence Southeasterly on a curve to the left to the point of beginning, said blocks and curve being shown on the recorded plat of said Kern's Addition, subject to the use of the same for street purposes as provided in Resolution of the City Council of the City of Portland, No. 8411, of date January 13, 1915.

80. The East half of Lots Five (5) and Six (6) and all of Lots Seven (7) and Eight (8) of Block "G", Kern's Addition to East Portland, now within the City of Portland, Multnomah County, Oregon.

81. That portion of Block 49, Stephens Addition to East Portland, now within the City of Portland, Multnomah County, Oregon, described as follows:

Beginning at the northeast corner of said Block 49, thence Westerly tracing the north line of said Block, 45 feet to a point, thence Southeasterly on a curve to the right, having a radius of 1265 feet, to a point in the West line of said Block, 140 feet south of the northeast corner thereof; thence North tracing the East line of said Block to the point of beginning.

84. That portion of Block 49, Stephens Addition to East Portland, now within the City of Portland, Multnomah County, Oregon, described as follows:

Commencing at the Southeast corner of Block Forty-eight (48) in said Stephens Addition thence West following the South boundary of said Block Sixty-six (66) feet; thence North on a curve to the left of a Twelve-hundred Sixty-five (1265) feet radius to a point on the North boundary of said Block, One-hundred Sixty-four (164) feet West of the Northwest corner thereof; thence following the North boundary of said Block One-hundred Sixty-four feet East to the Northeast corner thereof; thence South following the East boundary of said Block to the point of beginning, excepting therefrom that land described in "Parcel No. 5" of the deed from the Portland Railway, Light and Power Company to the Southern Pacific Company, of record at page 149 of Book 1165 of the Deed records of Multnomah County, Oregon.

85. All of Block 47, in Stephens Addition to the City of East Portland, now within the City of Portland, Multnomah County, Oregon, excepting that portion thereof described in "Parcel No. 4" of that certain deed from Portland Railway, Light and Power Company to the Southern Pacific Company, of record at page 149 of Book 1165 of the Deed records of Multnomah County, Oregon.

86. That portion of Block Thirty-four (34), Stephens Addition to East Portland, now within the City of Portland, Multnomah County, Oregon, described as follows: Commencing on the East boundary line of Block Thirty-four (34) in said Stephens Addition, Seventy feet North of the Southeast corner thereof; thence Northwesterly on a curve to the left of Four-hundred-Six (406) feet radius to a point on the North boundary line of said Block Thirty-four (34), One Hundred-thirty (130) feet West of the Northeast corner thereof; thence East following the North boundary of said Block One-Hundred-thirty (130) feet to said Northeast corner; thence South following the East boundary line of said Block, One-Hundred-thirty (130) feet to the point of beginning.

85. All of Block Fourteen (14), Stephens Addition to East Portland, now within the City of Portland, Multnomah County, Oregon.

86. All the riparian rights incident to the ownership of the lands described in parcels 89 to 95 inclusive, together with any and all rights of every kind and character which may be specified in any conveyance to the grantor, its predecessors in name, title or interest, conveying the said lands and/or rights-of-way, and subject to any and all conditions, limitations and restrictions expressed in such conveyances.

87. Provided, however, that the grantor reserves a perpetual easement over, under, upon, and across the real property and rights-of-way heretofore described under paragraphs 88 to 95 inclusive, for the construction, maintenance and operation of "railway lines", as the same are defined in paragraph 3 hereof, and for the construction, maintenance and operation of a "railway overhead system", as the same is now defined in paragraph 2 hereof and as the same are now constructed thereon and thereover, said easement to be of such width as to enable the grantor to reasonably maintain and operate said "railway lines" and "railway overhead system," and it is understood by the parties hereto that an actual description of such rights-of-way covered by this easement may be prepared from a survey in the field and that by further instrument, to be executed by the parties hereto and to be subsequently recorded, the lands subjected to said easement may be definitely described and located; but it is understood that said easement for the construction, maintenance and operation of "railway lines" and "railway overhead systems" shall not be deemed to exclude the construction, maintenance and/or operation by the grantor, its successors or assigns, upon the lands covered by said easement of a



"light and power transmission and distribution system", as defined in paragraph 1 hereof, which may not unreasonably interfere with the construction, maintenance and/or operation of "railway lines" and/or "railway overhead systems" under said reserved easement.

88. And also the grantor reserves from said lands and rights-of-way hereinbefore described under parcels 88 to 89 inclusive; the "railway overhead system" and "railway lines" as described in paragraphs "2" and "3" hereof, and any and all other improvements located upon said parcels of property; solely used in the construction, maintenance and operation of said "railway lines" and/or "railway overhead system"; but it is expressly understood that the "light and power transmission and distribution system" as defined in paragraph "1" hereof, as located upon the parcels of land described in paragraphs hereof 88 to 89 inclusive; shall be transferred to the grantee hereunder.

89. The foregoing shore and other lands and rights-of-way, described in parcels 88 to 89 inclusive, are subject in part to the terms and conditions of the following described deeds, leases, contracts and agreements:

(a) That certain deed from the Portland Railway, Light and Power Company to the Southern Pacific Company, of record at page 149 of Book 1185 of the Deed Records of Multnomah County, Oregon.

(b) That agreement of lease between the Portland Railway, Light and Power Company and the Willamette Hasting Company, dated September 11, 1919.

(c) A certain agreement between the Portland Electric Power Company and the Bear Creek Logging Company, dated November 16, 1925.

(d) A certain agreement between the Portland Electric Power Company and the Eastern and Western Lumber Company, of date September 27, 1925.

(e) A certain easement agreement between the Portland Electric Power Company and the Northwestern Electric Company, of date September 25, 1925.

(f) A certain easement agreement between the Portland Electric Power Company and the Northwestern Electric Company, of date September 14, 1928.

(g) A certain agreement between the Portland Electric Power Company, the Union Lumber Company and the LaDoe Logging Company, of date November 3, 1926.

(h) An agreement between the Innan-Poulson Lumber Company with the Portland Electric Power Company, of date November 1st, 1927.

90. Any and all property, easements, rights, water rights, riparian rights of the Grantor in Section Thirty-one (31), T. 2 S. R. 2 E. W.M. and in Sections Thirty-four (34) Thirty-five (35) and Thirty-six (36), T. 2 S. R. 1 E. W.M., and in Sections One (1), Two (2) and Three (3) T. 3 S. R. 1 E. W.M., all in Clackamas County, Oregon, excepting and reserving therefrom a perpetual easement for a right-of-way for the construction, maintenance and operation of "railway lines" and "railway overhead system", of such width on either side of the center line of the main line of railway as now constructed, located and in operation from the northeasterly boundary of the Mill Reserve, Oregon City, Clackamas County, Oregon, southwesterly to the northeasterly line of Block Twenty-one (21), Town of Canemah, Clackamas County, Oregon, as may enable the Grantor herein, its successors or assigns, to reasonably use the same for the purposes thereof, and it is agreed by the parties hereto that an accurate description of the lands embraced in said easement shall be prepared from a survey in the field and that, by further instrument to be executed by the parties hereto and to be subsequently recorded, the lands embraced within said easement shall be definitely described and located; and reserving unto the Grantor the right to operate the "railway lines" and "railway overhead system" under existing franchises from the City of Oregon City, Oregon, over the streets of Oregon City, in said

Section thirty-one (31), and reserving the "lines of railway" and the "railway overhead system" as now constructed and in operation from the north line of said Section Thirty-one (31) southeasterly upon the Main Street of Oregon City and over the lands described in said section to the northeasterly line of Block Twenty-one (21), Town of Canemah, now within the corporate limits of Oregon City, Clackamas County, Oregon.

Included within the foregoing blanket description of paragraph "90", but not excluding any rights and/or properties covered by said blanket description, are the properties described in the following paragraphs 91 to 100 inclusive:

91. That tract of land situate in said County of Clackamas, State of Oregon, being a part of what is known as the "Mill Reserve", and more particularly described as follows: to-wit: Beginning at a point in Oregon City, in said county and state, on the Willamette River where the northerly boundary line of the mill reserve in said town intersects said Willamette river at low water mark, running thence easterly along said boundary line about three hundred and twenty-five (325) feet to the east line of Main Street in said Oregon City; thence southerly along said east line of Main Street, one hundred and seventy-five (175) feet; thence easterly at right angles with said east line to a point fifteen (15) feet distant westerly from the center line of the present main track of the Oregon & California Railroad Company, now operated by the Southern Pacific Company; thence northerly parallel with said center line, and distant fifteen (15) feet westerly therefrom, about one hundred and seventy-five (175) feet to the northerly boundary line of the mill reserve; thence easterly on said northerly boundary of said mill reserve five (5) feet to a point distant ten (10) feet westerly from the center line of the present main track of the Oregon & California railroad; thence southerly parallel with said center line and distant ten (10) feet westerly therefrom, about one thousand (1000) feet to the southerly boundary of said mill reserve; thence westerly along said southerly boundary line to the Willamette river at low water mark; thence northerly along said river, following the meanders thereof to the place of beginning.

Saving and excepting from the operation of this indenture the following mentioned and described tracts of land sold and conveyed out of said "Mill Reserve", to-wit:

(a) The tract of land conveyed by deed of Daniel Harvey and wife to George LaRoque, dated July 7, 1884, and recorded at page 861, of Book "B", said record of deeds of said County of Clackamas. Said last mentioned tract of land being bounded and described as follows: to-wit:

Beginning at a point four (4) feet South of the Southeast corner of the grist mill erected by said Daniel Harvey; thence North ninety (90) feet; thence West eight-six (86) feet on a line parallel with said mill; thence South ninety (90) feet; thence east eighty-six (86) feet to the starting point with the grist mill thereon standing. Together with the water rights conveyed by said last mentioned deed.

(b) Also the tract of land conveyed by the deed of the People's Transportation Company to Savier, LaRoque & Company, dated October 8, 1870, and recorded at page 263 of Book "H" said record of deeds of said County of Clackamas. Said last mentioned tract of land being bounded and described as follows: to-wit:

Beginning at the Northwest corner of the Flouring Mills formerly owned by Savier, LaRoque & Company in said Oregon City, and running thence easterly upon an extension of the line of the North side of said Flouring Mill to the East line of the county road or main street in said City, a distance of about eighteen (18) feet; thence running southerly upon the east line of said main street a distance of about fifty (50) feet to a point four (4) feet South of the South line of said mill; thence westerly a distance of about eighteen



(18) feet to a point four (4) feet south of the South line of said mill; thence Northerly along the east line of said mill to the place of beginning.

It being expressly agreed in said last mentioned deed that four (4) feet of the south end of said last described land shall be kept open and unobstructed for the use of both parties to said deed, and their assigns.

(c) Also excepting so much of the property described in that certain deed from Daniel Harvey and wife to Oregon City Manufacturing Company of record at page 617 of Volume "D" of the Deed records of Clackamas County, Oregon, as may lie south of the north line of said Mill Reserve.

(d) Also excepting a thirty-five (35) foot right-of-way for railway purposes, as more particularly described in that deed from the Portland Electric Power Company to the Oregon and California Railroad Company, of record at page 210 of Book 186 of the Deed records of Clackamas County, Oregon.

92. The tract of land situated in said County of Clackamas, State of Oregon, and more particularly described as follows, to-wit:

Beginning on the Northerly boundary of the mill reserve above described at a point ten (10) feet Easterly from the center line of the present main track of the Oregon & California Railroad Company, now operated by the Southern Pacific Company, running thence Easterly along said boundary line about one hundred (100) feet to the upper edge of the bluff in front of block seventy-three (73) in said Oregon City; thence Southerly along the edge of said bluff about eleven hundred (1100) feet to the Southerly boundary line of said mill reserve; thence westerly along said boundary line about thirty (30) feet to a point distant ten (10) feet easterly from the center line of said main track of the Oregon & California Railroad Company; thence Northerly parallel with said center line, and distant ten (10) feet therefrom, about eleven hundred (1100) feet to the place of beginning.

Saving and excepting from the operation of this Indenture such rights-of-way from the foregoing described tract as may be more particularly described in "Parcel 1" of that deed from Portland Electric Power Company to the County of Clackamas, State of Oregon, of record at page 99 of Book 186 of the Deed records of Clackamas County, Oregon.

93. Any and all right, title or interest acquired by the grantee under that deed from the Oregon & California Railroad Company to Portland Electric Power Company, of record at page 158 of Book 186 of the Deed records of Clackamas County, Oregon.

94. The following described tract of land in the Archibald and Sarah J. McKinley Donation Land Claim, in Section thirty-one (31) T. 2 S.R. 2 E. W.M., Clackamas County, Oregon, more particularly described as follows, to-wit:

Commencing at a point in the north line of the Archibald and Sarah J. McKinley Donation Land Claim in Section thirty-one (31), township two (2) south of range two (2) east of the Willamette Meridian, which point is south 39°55' west 377 feet from a stone monument set in the westerly side line of block seventy-five (75), Oregon City, thence south 69°55' west along the northerly boundary line of said Donation Land Claim 287 feet, more or less, to the northwesterly corner of said McKinley Donation Land Claim; thence south 43°30' west 348.08 feet, more or less, to the southerly line of that certain tract conveyed by Archibald McKinley and Sarah J. McKinley to David McLoughlin by deed dated May 14th, 1858, and recorded on May 29th, 1858, in Book C. at page 25 of the Records of Deeds for Clackamas County, Oregon, thence southerly along the southerly line of said tract conveyed by Archibald and Sarah J. McKinley to David McLoughlin 237.68 feet to an iron pipe set in said southerly line; thence north 38°34' east 449.07 feet more or less, to the place of beginning, together with all overflowed lands adjoining, adjacent to or bordering upon said described premises on the westerly side thereof, including all land between high and low water marks, and also together with all riparian rights, and rights

water rights, power site rights and other appurtenances belonging to or appurtenant to said described premises and said overflowed lands, being the lands specifically described in that deed from Daniel F. Lehigh to Portland Railway, Light & Power Company, of record at page 540 of Book 148 of the Deed Records of Clackamas County, Oregon, and excepting therefrom so much of the railway right-of-way thereon and thereover as may be described in that certain deed from Portland Electric Power Company to the Oregon & California Railroad Company, of record at page 210 of Book 186 of the Deed records of Clackamas County, Oregon; and also excepting therefrom a right-of-way for highway purposes as described in "Parcel II" of that certain deed from Portland Electric Power Company to County of Clackamas, State of Oregon, of record at page 99 of Book 186 of the Deed records of Clackamas County, Oregon.

95. That tract of land situated in said County of Clackamas, State of Oregon, particularly described as follows, to-wit:

Beginning at the Northwest corner of the Archibald McKinley donation land claim, the same being known on the maps and plats of the United States surveys as notification number seven hundred and twenty (720) claim number sixty (60), in township two (2) south, of range two (2) east, of the Willamette Meridian; running thence westerly along the northerly boundary of said claim to the point of intersection of a line drawn parallel with, and twenty (20) feet distant westerly from, the center line of the present main track of the Oregon & California Railroad Company; thence southerly parallel with, and distant twenty (20) feet westerly from, said center line about nineteen hundred (1900) feet to the point of intersection of said line with the westerly boundary of said McKinley claim; thence northerly along said westerly boundary line to the place of beginning (and for which Archibald McKinley donation land claim United States patent, dated the fifth day of May, 1873, has been duly issued).

96. That part of the Archibald McKinley donation land claim which lies north of the township line dividing townships two (2) and three (3) on the south, and the Powell property on the north, and between the Willamette river on the west and line of the center of the "Lawton Hill" county road on the east. If the Powell property does not run the full length of the said north line between the Willamette River and the said county road, the said north line is to be an extension of the south line of said Powell property between the said river and the said county road. All being in township two (2) south of range two (2) east, of the Willamette Meridian. Being the same premises described in deed recorded in book eighty-six (86) page two hundred and ninety-three (293), record of deeds of said Clackamas County.

Excepting therefrom a right-of-way as conveyed under "Parcel III" of that deed from Portland Electric Power Company to the County of Clackamas, Oregon, of record at page 99 of Book 186 of the Deed records of Clackamas County, Oregon, and excepting therefrom so much of the railway right-of-way thereon and thereover as may be described in that certain deed from Portland Electric Power Company to Oregon & California Railroad Company, of record at page 210 of Book 186 of the Deed records of Clackamas County, Oregon.

Also excepting therefrom that certain property described in that certain deed from Portland Railway, Light and Power Company to R.O. Canong, of record at page 498 of Book 186 of the Deed records of Clackamas County, Oregon;

And subject to an easement to the City of Oregon City for the construction, maintenance and operation of a water pipe line;

Also subject to the relocation of the said Lawton Hill County Road.

97. All that part of lots Three (3) and Four (4) Block "A" Town of Canemah, now within the corporate limits of Oregon City, which lies northerly of the northerly side line



of the right-of-way of the Oregon & California Railroad Company.

98. The following described tracts or parcels of land lying and being in the Town of Canemah, County of Clackamas, State of Oregon, according to the plat of said town made by Hedges & Barlow and on file in the office of said recorder of conveyances for Clackamas County, Oregon, to-wit:

Fractional lots one (1), two (2), three (3) and four (4) in block not numbered, and lot one (1) in block twenty-six (26). Also that portion of said town of Canemah lying between the east side of First Street, the north side of Water Street and the Willamette river.

99. All that certain piece or parcel of land in Township two (2) south of range one (1) East of the Willamette Meridian, and in township two (2) south of range two (2) east of the Willamette Meridian, adjoining the Oregon City claim and known as "Abernethy Island", and situated in the County of Clackamas, State of Oregon. Said Abernethy Island being more particularly described as follows, to-wit:

Lot number five (5), in section thirty-six (36) in township two (2) south of range one (1) East of the Willamette Meridian, containing seven and sixty-three hundredths (7.63) acres; lot number eleven (11), in section thirty-one (31) in township two (2) south of range two (2) east of the said Willamette Meridian, containing sixteen and twenty-seven hundredths (16.27) acres; lot number eight (8), in section thirty-one (31), in township two (2) south of range two (2) east of the Willamette Meridian, containing one and thirty-six hundredths (1.36) acres; also all that particular tract or rocky strip lying between and connecting the aforesaid lots number eight (8) and eleven (11) in section thirty-one (31) of township two (2) South of range two (2) East of said Willamette Meridian, which said tract is not described by area on the plats of survey, but formed a part of said Abernethy Island at the date of confirmation by the United States to the Willamette Milling and Trading Companies, and which tract is visible and exposed at low water (and for which Abernethy Island United States patent, dated the tenth day of August, 1893, has been duly issued to the Portland General Electric Company).

100. Donation land claim of Robert Moore, known on the maps and plats of the United States surveys as notification number six hundred and eighty (680) claim number seventy-one (71), being parts of sections thirty-five (35) and thirty-six (36) in township two (2) south, of range one (1) east of the Willamette Meridian; claim number fifty-four (54), being parts of sections one (1) and two (2) in township three (3) south of range one (1) east, of said meridian, and claim number sixty-seven (67), being part of section thirty-one (31) in township two (2) south of range two (2) east, of said meridian, containing three hundred and twenty and twelve one-hundredths (320 12/100) acres. (And for which Robert Moore donation land claim United States patent, dated the fifteenth day of October, 1873, has been duly issued to the heirs of said Robert Moore.)

Said Robert Moore donation land claim being described in said patent as follows, to-wit:

Beginning at a point seven (7) chains and seventy (70) links South of the Northwest corner of said Section thirty-six (36) in Township two (2) South Range one (1) East and running thence South eighty-nine degrees (89°) fifteen minutes (15') East five (5) chains and seventy-five (75) links, thence South eighty-nine degrees (89°) East seven (7) chains and sixty-one (61) links; thence South forty-three degrees (43°) fifteen minutes (15') East eighteen (18) chains; thence South seventeen degrees (17°) twenty-five minutes (25') West two (2) chains and fifty (50) links; thence South sixty-two degrees (62°) and thirty minutes (30') West eight (8) chains and thirteen (13) links; thence South thirty-one

degrees (31°) West four (4) chains and seventeen (17) links; thence South thirty-five degrees (35°) West five (5) chains and ninety-three (93) links; thence South fifty-five degrees (55°) West one (1) chain and twenty (20) links; thence South five (5) chains and thirty-eight (38) links; thence South twenty-six degrees (26°) forty-five minutes (45') West ninety-three (93) links; thence South forty-seven degrees (47°) West four (4) chains and twenty-eight (28) links; thence South seventy-six degrees (76°) West three (3) chains and eighteen (18) links; thence West eight (8) chains and forty-two (42) links; thence South fifty-four degrees (54°) West three (3) chains and fifty (50) links; thence South fifty-eight degrees (58°) forty-five minutes (45') West one (1) chain and fifty-four (54) links; thence West four (4) chains and forty-two (42) links; thence South thirty-two degrees (32°) West two (2) chains and fifty-two (52) links; thence South forty-two degrees (42°) thirty minutes (30') West ten (10) chains; thence South fifty-four degrees (54°) thirty minutes (30') West sixteen (16) chains and fifty (50) links; thence South sixty-five degrees (65°) West six (6) chains and thirty-two (32) links; thence West One (1) chain and eighty-six (86) links; thence South sixty-three degrees (63°) forty-five minutes (45') West six (6) chains and four (4) links; thence South fifty-seven degrees (57°) West eleven (11) chains and forty-two (42) links; thence South fifty-three degrees (53°) thirty minutes (30') West twenty-five (25) chains and seventy (70) links; thence North thirty-seven degrees (37°) thirty minutes (30') West eighteen (18) chains and eighty-six (86) links; thence North sixty-two degrees (62°) thirty minutes (30') East two (2) chains and forty (40) links; thence North fifty-four degrees (54°) thirty minutes (30') East seven (7) chains and fifty (50) links; thence North fifty-two degrees (52°) thirty minutes (30') East nineteen (19) chains and nine (9) links; thence North forty-five degrees (45°) East forty-five (45) chains and sixty-six (66) links; thence South sixty-five degrees (65°) East one (1) chain and sixty (60) links; thence North forty-two degrees (42°) East thirty-two (32) chains and thence South eighty-nine degrees (89°) fifteen minutes (15') East ten (10) chains and thirty-five (35) links to the place of beginning, containing three hundred and twenty and twelve one-hundredths (320.12) acres.

Having and excepting from the operation of this Indenture the following mentioned and described tracts of land heretofore sold and conveyed out of the above mentioned and described Robert Moore donation land claim:

(1) The tract of land conveyed by deed of Robert Moore and wife to Ambrose Fields, dated April 23, 1856, and recorded at page 269 of Book "B", record of deeds of said County of Clackamas. Said last mentioned tract of land being bounded and described as follows, to-wit: Beginning at a stake on said Robert Moore Donation land claim forty (40) feet from the bank of the Willamette river, at a spring branch, and running thence North forty-one degrees (41°) West up said spring branch eighteen (18) rods to a stake; thence South forty-nine degrees (49°) West eighteen (18) rods; thence South forty-one degrees (41°) East eighteen (18) rods to a stake forty (40) feet from the bank of said river, and thence North forty-nine degrees (49°) East eighteen (18) rods to the place of beginning. The forty (40) feet upon the bank of said river in front of said eighteen (18) perch square being reserved for a road or public highway.

(2) Also the tract of land conveyed by deed of Robert Moore and wife to Eliza F. Thompson, dated June 24, 1856, and recorded at page 304, of Book "B", said record of deeds of said County of Clackamas. Said last mentioned tract of land being bounded and described as follows, to-wit:

Beginning at a post at the Northwest corner of said Moore's claim, thence running East along the line between said Moore's claim and the claim of Hugh Burns, thirty (30)

rod and thirteen (13) feet to a stake, thence South forty-one degrees (41°) West Seventy-nine (79) rods to the center of a brook; thence up the meanders of said brook to the line dividing the Claim of said Moore from the Claim of Felix Hatheway; thence along said line North forty-one degrees (41°) East fifty-eight (58) rods; to the place of beginning, containing ten (10) acres and fourteen (14) rods, being same surveyed by T.A. Ream on February 4, 1848. Said deed reserving to said Robert Moore and to his heirs all ferry rights and privileges connected with said land.

(c) Also the tract of land conveyed by deed of George A. Pense as administrator de bonis non of the estate of Robert Moore, deceased, to Alonzo Vickers, dated July 7, 1865 and recorded at page 299 of Book "E" said records <sup>of deeds</sup> of said County of Clackamas. Said last mentioned tract of land being bounded and described as follows, to-wit:

Being lots eleven (11), twelve (12) and thirteen (13), as known and designated upon a certain plat made by R.V. Short, surveyor, dated June 8, 1866, now on file with papers in said estate of said Robert Moore, deceased, each of said lots being one hundred (100) feet front, on Willamette River, and in depth as follows:

Lot eleven (11) on North side two hundred and thirty-two (232) feet, on South side two hundred and fifty-two (252) feet; Lot twelve (12) on North side three hundred and twenty (320) feet, on South side three hundred (300) feet; Lot thirteen (13) three hundred (300) feet on each side (the down river side being termed North side in the foregoing description, and up river side South).

(d) Also the tract of land conveyed by deed of the Willamette Transportation and Locks Company to J.J. Cooke, dated April 23, 1893, and recorded at page 453 of Book "45" of said records of deeds of said County of Clackamas. Said last mentioned tract of land being bounded and described as follows, to-wit:

Beginning at a point on the Range line at a stone seven and seventy one-hundredths (7.70) chains South of the Northeast corner of Section thirty-six (36) in Township two (2) South Range one (1) East of the Willamette Meridian, running thence South eighty-nine degrees (89°) fifteen minutes (15') East thirteen and thirty one-hundredths (13.30) chains thence South ten and sixty one-hundredths (10.60) chains; thence West thirteen and sixty-five one-hundredths (13.65) chains; then e South forty-one degrees (41°) West three and eighteen one-hundredths (3.18) chains; thence West eleven and seven hundred and thirty-four one-thousandths (11.734) chains; thence North forty-one degrees (41°) East seventeen and fifty one-hundredths (17.50) chains; thence South eighty-nine degrees (89°) fifteen minutes (15') East two and sixty-six one-hundredths (2.66) chains to the place of beginning, containing twenty-five (25) acres.

(e) Also, that part of the said Robert Moore Donation Land Claim platted as Willamette & Tualatin Tracts, of record in the plat and deed records of Clackamas County, Oregon.

(f) Also except the land and subject to the rights and privileges reserved and the obligations imposed as described in that certain deed from the Portland Railway, Light and Power Company to The United States of America, of record at page 32 of Book 140 of the Deed records of Clackamas County, Oregon.

(g) A right-of-way for the construction, maintenance and operation of a sewer by the City of West Linn, Clackamas County, Oregon.

101. All that tract of land, containing 10.4 acres, in the Southeast corner of the William Blend Donation Land Claim, in Section Thirty-six (36), T. 2 S.R. 1 E. W.M., conveyed by M.R. Jones and Ira Jones, her husband, to Willamette Falls Company, of record in Book of Deeds 72 at page 268, Deed records of Clackamas County, Oregon;

Excepting therefrom a right-of-way for highway purposes as decided by Willamette Falls Company to Clackamas County by deed of record at page 446 of Book 128 of the Deed records of Clackamas County, Oregon.

192. Lot 14 of Tract numbered Two (2) in Willamette & Tualatin Tracts, Clackamas County, Oregon.

193. All that part of the Ambrose Fields and Ann Fields, his wife's Donation Land Claim Number Fifty-two (52) in Sections Two (2) and Three (3) Township Three (3) South, Range One (1) East of the Willamette Meridian, lying between the Willamette and Tualatin Tracts as plotted and on record in the office of the County Recorder of Clackamas County, Oregon, and the meander line of the north bank of the Willamette River and the center line of the Tualatin River. Said tract of land being more particularly described as follows:

Beginning at a point which is south fifty-three degrees (53°) forty-five minutes (45') west three hundred and six and nine-tenths (306.9) feet distant from the southeast corner of the said Ambrose Fields Donation Land Claim, thence north thirty-nine degrees (39°) west two hundred (200) feet to the southeast corner of Tract Number Fifteen (15) of the Willamette and Tualatin Tracts; thence along the southeasterly side line and a continuation of said southeasterly side line of Tract Number Fifteen (15) south fifty-four degrees (54°) twenty-three minutes (23') west four hundred and fifteen (415) feet to a point, thence south thirty-five degrees (35°) seven minutes (7') east two hundred and three (203) feet to a point; thence south fifty-three degrees (53°) forty-five minutes (45') west three hundred and thirty (330) feet to a point; thence north thirty-five degrees (35°) seven minutes (7') west two hundred and eight (208) feet to a point, said point being also the southeast corner of Tract Number Sixteen (16) of the Willamette and Tualatin Tracts, thence tracing the southerly side line of Tracts Sixteen (16), Nineteen (19), Twenty (20), and Twenty-three (23) of the Willamette and Tualatin Tracts, south fifty-four degrees (54°) twenty-three minutes (23') west a distance of fifteen hundred and seventy-six (1576) feet to a point; thence tracing the southerly side line of Tracts Twenty-three (23) and Twenty-four (24) of the Willamette and Tualatin Tracts, south eighty-two degrees (82°) twenty-one minutes (21') west five hundred and eighty-seven (587) feet to a point, thence south seventy-two degrees (72°) eight minutes (8') west across Twelfth Street and along the southerly side line of Tract Number Thirty-five (35) of the Willamette and Tualatin Tracts, four hundred and thirty-nine (439) feet to a point, thence north forty-five degrees (45°) thirty-eight minutes (38') west along the westerly side line of Tract Number Thirty-five (35) and across the right-of-way of the Pacific Northwest Public Service Company's transmission line and along the southwesterly side line of Tract Number Thirty-six (36) of the Willamette and Tualatin Tracts to a point in the County Road, a distance of four hundred and fifty-nine (459) feet, thence north seventy-seven degrees (77°) twenty-five minutes (25') west along the southerly side line of Tracts Forty-four (44), forty-five (45), forty-eight (48), fifty (50) and fifty-one (51) all in Willamette and Tualatin Tracts, a distance of two thousand three hundred and twenty-eight (2328) feet to a point, thence south seventy-two degrees (72°) thirty-five minutes (35') west tracing the southerly side line of Tracts fifty-one (51) and fifty-four (54) of the Willamette and Tualatin Tracts three hundred and fifteen (315) feet to a point, thence north fifty-one degrees (51°) forty minutes (40') west tracing the southwesterly side line of Tracts fifty-four (54), fifty-five (55) and fifty-seven (57) to a point in the southwesterly side line of Tract Number fifty-seven (57) where the said southwesterly side line of said tract intersects the line between the Jos. A. Fields and Ambrose Fields Donation Land Claims, thence west along the line between the Jos. A. Fields and Ambrose Fields Donation Land Claims to the center line of the Tualatin River,

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thence tracing the center line of the Tualatin River in a general southeasterly direction to a point where the center line of the Tualatin River intersects the meander line of the north bank of the Willamette River, thence in a northeasterly direction tracing the said meander line of the north bank of the Willamette River, to the place of beginning. The said tract of land as above described containing twenty-nine (29) acres more or less, including all reversion rights incident thereto. Being the lands described in paragraph "3" of that deed from Willamette Falls Company to Portland Railway, Light and Power Company of record at page 134 of Book 124 of the Deed records of Clackamas County, Oregon.

104. All that part of the Jos. A. Fields' Donation Land Claim Number 67 and 61 in Sections Thirty-four (34) and Thirty-five (35) Township Two (2) South Range One (1) East, Willamette Meridian, and Section Three (3), Township Three (3) South Range One (1) East, Willamette Meridian, lying between the Willamette and Tualatin Tracts, the right-of-way of the Willamette Falls Railway and the 1st Addition to the Willamette Falls Acreage Tracts as platted and on record in the office of the County Recorder of Clackamas County, Oregon, and the center line of the Tualatin River. Said tract of land being more particularly described as follows:

Beginning at a point in the southerly side of the said Jos. A. Fields' Donation Land Claim where the said southerly side line intersects the southwesterly boundary line of Tract Number Fifty-seven (57) of the Willamette and Tualatin Tracts, thence tracing the said southwesterly side line of Tract Number Fifty-seven (57) north fifty-one degrees (51°) forty minutes (40') west to the southwest corner of said tract number fifty-seven (57) thence tracing the southwesterly side line of Tract Number fifty-eight (58) north forty-two degrees (42°) forty minutes (40') west six hundred and eighty-eight (688) feet to the southwest corner of Tract Number fifty-eight (58) of the Willamette and Tualatin Tracts, thence north tracing the westerly side line of said tract three hundred and seven (307) feet to the northwest corner of said Tract Number fifty-eight (58); the said northwest corner being in the southerly side line of the right-of-way of the Willamette Falls Railway, thence in a northwesterly direction tracing the southerly side line of said right-of-way, which right-of-way lies along the southwest boundary line of Tracts "Q", "R" and "S" of the 1st Addition to the Willamette Falls Acreage Tracts, to a point in the said southwesterly right-of-way where the southwesterly side line of the right-of-way intersects the most easterly corner of a certain six and two-tenths (6.2) acre tract conveyed to Henry Opperman, by deed recorded in Book 116, Page 572, County Records of Clackamas County Oregon thence south seventy-five degrees (75°) fifty-two minutes (52') west tracing the southerly line of this six and two-tenths (6.2) acre tract two hundred and fifty-two (252) feet to a point, thence south sixty-seven degrees (67°) fifty-two minutes (52') west three hundred and forty-five (345) feet to a point, thence north twenty-eight degrees (28°) eight minutes (8') west two hundred and fifty-five (255) feet to a point, thence north five degrees (5°) twenty-three minutes (23') west two hundred and eighty-two (282) feet to a point, thence north eighteen degrees (18°) seven minutes (7') east two hundred and sixty-eight (268) feet to a point, said point being also located in the southerly side line of the Willamette Falls Railway right-of-way previously referred to. Thence North seventy-six degrees (76°) twenty-four minutes (24') east one hundred and fifteen (115) feet to the southwest corner of Tract "X" of the 1st Addition to the Willamette Falls Acreage Tract, thence north eleven degrees (11°) fifty-three minutes (53') east one hundred and thirty-one (131) feet to the northwest corner of Tract "X", thence continuing on the same course north eleven degrees (11°) fifty-three minutes (53') east across the County Road sixty and sixty-four one hundredths (60.64) feet to the southwest corner of an eight and two-tenths

(8.8) acre tract of land conveyed to J.A. Benson, by the Willamette Falls Company recorded in Book of Deeds Number 124, Page 686, Record of Deeds of Clackamas County, Oregon, thence tracing the westerly and northerly side lines of the said eight and two-tenths (8.2) acre tract, as follows: North thirty-nine degrees (39°) forty-five minutes (45') east 295 feet to a point, thence north twenty-seven degrees (27°) twenty-five minutes (25') east three hundred and seventy-eight (378) feet to a point, thence north sixty-two degrees (62°) twenty-five minutes (25') east one hundred and fifteen (115) feet to a point, thence north eighty-four degrees (84°) twenty-five minutes (25') east two hundred and eighteen (218) feet to a point, thence south seventy-six degrees (76°) thirty minutes (30') east two hundred and thirty-five (235) feet to a point, said point being the northeast corner of the said eight and two-tenths (8.2) acre tract, thence north to the center of the Tualatin River thence in a westerly, southwesterly, southerly and southeasterly direction, tracing the center line of the Tualatin River to a point where the said center line of the Tualatin River intersects the southerly side line of Jos. A. Fields' Donation Land Claim, thence east tracing the said southerly side line of Jos. A. Fields' Donation Land Claim, to the place of beginning, the above described tract containing seven (7) acres, more or less, including all riparian rights incident thereto. Being the lands described in paragraph "4" of that deed from Willamette Falls Company to Portland Railway, Light and Power Company of record at page 134 of Book 124 of the Deed records of Clackamas County, Oregon.

105. All of those tower sites and transmission line rights-of-way in Section Thirty-one (31), T. 3 S.R. 2 E. W.M., as more particularly described in those certain deeds from Clackamas Abstract & Trust Co. to Portland Railway, Light and Power Company, of record at page 414 of Book 159 of the Deed records of Clackamas County, Oregon, and from Moody Investment Company to Portland Railway, Light and Power Company, of record at page 212 of Book 160 of the Deed records of Clackamas County, Oregon.

106. Notwithstanding anything hereinbefore set forth or contained, this Indenture and the respective real properties hereinbefore described, in paragraphs 90 to 105 inclusive, and herein conveyed, are subject to all of the terms, conditions of the following described conveyances, to-wit:

(a) From Willamette Transportation and Lacks Company to Willamette Pulp and Paper Company, dated September 7, 1888, and of record at page 66 of Book "35", of the Deed Records of Clackamas County, Oregon.

(b) From Willamette Transportation and Lacks Company to Willamette Pulp and Paper Company, dated April 27, 1889, of record at page 178 of Book "35" of the Deed records of said County of Clackamas.

(c) From Willamette Transportation and Lacks Company to Willamette Pulp and Paper Company, dated June 19, 1889, and of record at page 139 of Book "34" of the Deed Records of said Clackamas County.

(d) From Willamette Transportation and Lacks Company to Willamette Pulp and Paper Company, dated August 1, 1889, and of record at page 315 of Book "34" of the Deed Records of said Clackamas County.

(e) From Willamette Transportation and Lacks Company to Willamette Pulp and Paper Company, dated September 2, 1888, and of record at page 61 of Book "33" of the Deed records of said Clackamas County.

(f) From Portland General Electric Company to Willamette Pulp and Paper Company, dated December 18, 1893, and of record at page 1 of Book "37" of the Deed records of said Clackamas County.

(g) From Portland General Electric Company to Willamette Pulp and Paper Company, dated December 20, 1893, and of record at page 21 of Book "57" of the Deed records of said Clackamas County.

(h) From Daniel Harvey and Eloise M. Harvey, his wife, to Oregon City Manufacturing Company, dated January 30, 1864, and of record at page 375 of Volume "D" of the Deed records of said Clackamas County.

(i) From Daniel Harvey and Eloise M. Harvey, his wife, to Oregon City Manufacturing Company, dated May 20, 1864, and of record at page 517 of Volume "D" of the Deed records of said Clackamas County.

(j) From Daniel Harvey and Eloise M. Harvey, his wife, to George LaRoque, dated December 23, 1864, and of record at page 551 of Volume "D" of the Deed records of said Clackamas County.

(k) From Daniel Harvey and Eloise M. Harvey, his wife, to George LaRoque, dated July 7, 1864, and of record at page 541, of Volume "D" of the Deed records of said Clackamas County.

(l) From Daniel Harvey and Eloise M. Harvey, his wife, to John H. Moore, George Marshall, Samuel L. Stevens and Joseph Sweitzer, dated August 9, 1864, and of record at page 572 of Volume "D" of the Deed records of said Clackamas County.

(m) From Willamette Transportation Company to Ben Holladay Jr., dated December 28, 1871, and of record at page 317 of Volume "I", said Deed records of said Clackamas County.

(n) From Willamette Transportation and Locomotive Company to Oregon City, Oregon, dated April 6, 1891, recorded at page 99 of Book "47", of the Deed records of said Clackamas County, and as extended by lease agreement of September 1st, 1908, between Portland, Railway, Light and Power Company and Oregon City, recorded at page 27 of Book 2 of the Lease records of Clackamas County, Oregon.

(o) From Willamette Transportation and Locomotive Company to Crown Paper Company, dated November 2, 1889, and of record at page 277 of Book "35" of the Deed records of said Clackamas County.

(p) From Portland General Electric Company to said Crown Paper Company, dated January 25, 1895, and of record at page 25 of Book One (1), of the Record of Leases of said Clackamas County.

(q) From Portland General Electric Company to State of Oregon, dated February 24, 1904.

(r) From Portland General Electric Company to said Crown Paper Company, dated May 25, 1904, of record at page 250 of Book One (1), of the Record of Leases of said Clackamas County.

(s) From Portland General Electric Company to Willamette Pulp and Paper Company, dated May 27, 1904, and of record at page 268 of Book One (1), of the Record of Leases of said Clackamas County.

(t) From Portland General Electric Company to Willamette Pulp and Paper Company, dated May 27, 1904, not recorded, as modified by supplementary agreement of June 10, 1920, between Portland Railway, Light and Power Company and Crown Willamette Paper Company.

(u) From Portland General Electric Company to Willamette Pulp and Paper Company, dated May 31, 1904, and of record at page 298 of Book One (1), of the Record of Leases, of said Clackamas County.

(v) From Portland General Electric Company to Willamette Pulp and Paper Company, dated April 18, 1907, and of record at page 323, of Book One (1), of the Record of Leases, of said Clackamas County.

(u) From Portland General Electric Company to Crown-Columbia Pulp and Paper Company dated March 18, 1908, and of record at page 441 of Book One (1), of said Record of Leases of said Clackamas County.

(v) From Portland General Electric Company and Portland Railway, Light and Power Company to Crown-Columbia Pulp and Paper Company, dated March 13, 1908, and of record at page 1 of Book Two (2) of the Record of Leases of said Clackamas County.

(w) From Portland General Electric Company and Portland Railway, Light and Power Company to Crown-Columbia Pulp and Paper Company, dated March 13, 1908, and of record at page 576 of Book Two (2) of the Miscellaneous Records of said Clackamas County.

(x) From Portland Railway, Light and Power Company to Hawley Pulp & Paper Company dated December 31, 1908, and of record at page 43 of Book Two (2) of the Record of Leases of said Clackamas County.

(aa) From Portland Railway, Light and Power Company to Portland, Eugene & Eastern Railway Company, conveying a railroad right-of-way, of date January 31, 1913, and of record at page 441 of Book 130 of the Deed records of said Clackamas County.

(bb) From Portland Railway, Light and Power Company to Hawley Pulp and Paper Company dated December 30, 1916, and of record at page 340 of Book Two (2) of the Record of Leases of said Clackamas County.

(cc) From Portland Railway, Light and Power Company to Crown Willamette Paper Company, dated January 31, 1917, and of record at page 253 of Book 2 of the Record of Leases of said Clackamas County.

(dd) From Portland Railway, Light and Power Company to Hawley Pulp and Paper Company dated November 1st, 1919, and of record at page 56 of Book 3, of the Record of Leases of said Clackamas County.

(ee) From Portland Railway, Light and Power Company to Crown Willamette Paper Company dated June 10, 1920, and of record at page 1 of Book 3, of the Record of Leases of said Clackamas County.

(ff) From Portland Railway, Light and Power Company to Crown Willamette Paper Company dated June 11, 1920.

(gg) From Portland Railway, Light and Power Company to Crown Willamette Paper Company dated June 12, 1920.

(hh) From Portland Railway, Light and Power Company to Crown Willamette Paper Company dated June 13, 1920.

(ii) From Portland Electric Power Company to Hawley Pulp and Paper Company, dated August 1, 1924, and of record at page 151 of Book 3, of the Record of Leases of said Clackamas County.

(jj) From Portland Electric Power Company to Crown Willamette Paper Company, dated December 17, 1924.

(kk) From Portland Electric Power Company to Crown Willamette Paper Company, dated October 28, 1925, and of record at page 244 of Book 3, of the Record of Leases of said Clackamas County.

(ll) From Portland Railway, Light and Power Company to Crown Willamette Paper Company, dated November 28, 1919, as extended to expire January 1st, 1932.

(mm) License on navigable waters, project No. 38, Oregon, issued by the Federal Power Commission by F.K. Bonney, its Executive Secretary, January 8, 1930, to Portland Electric Power Company, and the Crown Willamette Paper Company.

(nn) License No. 138 Oregon, as granted by the Federal Power Commission to the Portland Railway, Light and Power Company, as of September 27, 1932, together with



Amendment No. 1 of said license granted by the Federal Power Commission to the Portland Electric Power Company, as of May 7, 1939, together with all of the right, title, and interest thereunder of the Grantor herein and particularly all improvements, rights, title, and/or interests of the Grantor herein upon and/or in the Government lands described in said license or the amendment thereof.

The lands, rights-of-way and properties situate in Clackamas County, Oregon, and more particularly described in the following paragraphs 108 to 194 inclusive:

108. The Southeast quarter (SE $\frac{1}{4}$ ) of Section Thirty-three (33), T. 3 S. of R. 4 E. W.M.

109. The Southwest quarter (SW $\frac{1}{4}$ ) of Section Thirty-four (34), T. 3 S. of R. 4 E. W.M., reserving therefrom a right-of-way for the construction, maintenance and operation of "railway lines" and "railway overhead system" and also reserving the "railway lines" and "railway overhead system" as now constructed upon, under and over a strip of land 100 feet in width, being 50 feet in width on either side of a center line described as follows: Beginning at R.R. Engineers Station 1914+34.9 a point in the North line of the Southwest quarter (SW $\frac{1}{4}$ ) of Section 34, Township 3 South Range 4 E. of the W.M. North 29 degrees 47' East and 1361.85 feet distant from the quarter corner on the west line of said Section 34; thence on a 2 degree 30' curve to the right, the initial tangent to which bears South 53 degrees 02' East, through an angle of 6 degrees 24' a distance of 255.87 feet to Engineers Station 1916+90.77; thence tangent to said curve South 46 degrees 38' East a distance of 59.23 feet to Engineers Station 1917+50 at the beginning point of the Oak Grove Project boundary.

110. The Southeast quarter (SE $\frac{1}{4}$ ) of Section Thirty-four (34) T. 3 S. of R. 4 E. W.M.

111. The East half (E $\frac{1}{2}$ ) of Section Three (3) T. 4 S. of R. 4 E. W.M., also the East half of the Southwest quarter (SE $\frac{1}{4}$  of S.W $\frac{1}{4}$ ) of said Section Three (3), T. 4 S. of R. 4 E. W.M.

112. All of the overflow and riparian rights upon the North half of the Northwest quarter (NW $\frac{1}{4}$  of NE $\frac{1}{4}$ ) and the Northeast quarter of the Northwest quarter (NE $\frac{1}{4}$  of NW $\frac{1}{4}$ ) of Section Ten (10); T. 4 S. of R. 4 E. W.M., as more particularly described in that certain Dead Record Book 259 at page 52 Dead Records of Clackamas County, Oregon.

113. The South half of the South half of the South half (S $\frac{1}{2}$  of S $\frac{1}{2}$  of S $\frac{1}{2}$ ) of Section Two (2), T. 4 S. of R. 4 E. W.M.

114. A part of Section Two (2), Township Four (4), South, Range Four (4) East of the Willamette Meridian, more particularly described as follows:

Beginning at a corner of Sections Two (2), Three (3), Ten (10) and Eleven (11) of said Township and Range, and running thence North 0 degrees 5' West along line between sections Two (2) and Three (3), a distance of 660.00 feet to an iron pipe set for the Northwest corner of a tract of land owned by the Pacific Northwest Public Service Company, and which iron pipe is at the true beginning point of tract herein conveyed; thence North 0 degrees 05' west, along line between said Sections Two (2) and Three (3) 1779.3 feet to an iron pipe; thence South 22 degrees 38' East 990.4 feet to an iron pipe; thence South 37 degrees 25' East 661.0 feet to an iron pipe; thence South 69 degrees 00' East 847.5 feet to an iron pipe set in the Northerly line of that certain tract of land owned by the Pacific Northwest Public Service Company; thence South 88 degrees 43' West 1572.7 feet to the true beginning point of tract conveyed and containing 20.05 acres, more or less, as more particularly described in that certain deed of record at page 43 of Book 171, Dead records of Clackamas County, Oregon.

115. The North half of the North half ( $N\frac{1}{2}$  of  $N\frac{1}{2}$ ); the Southeast quarter of the North half quarter ( $SE\frac{1}{4}$  of  $N\frac{1}{2}$ ); and the South half of the Southeast quarter ( $S\frac{1}{2}$  of  $SE\frac{1}{4}$ ) of Section Eleven (11), T. 4 S. of R. 4 E. W.M.

116. The Northwest quarter of the Northeast quarter ( $NW\frac{1}{4}$  of  $NE\frac{1}{4}$ ); the West half of the Southeast quarter of the Northeast quarter ( $W\frac{1}{2}$  of  $SE\frac{1}{4}$  of  $NE\frac{1}{4}$ ); the Northwest quarter ( $NW\frac{1}{4}$ ); the Southeast quarter ( $SE\frac{1}{4}$ ) and the Southeast quarter of Section Twelve (12), T. 4 S. of R. 4 E. W.M.

117. Also, certain lands situate in said Section 12, containing approximately 4.11 acres, more particularly described in that deed from Southern Pacific Company to Portland Railway, Light and Power Company, of record at page 143 of Book 122 of the Deed Records of Clackamas County, Oregon.

118. The Southwest quarter ( $SW\frac{1}{4}$ ) of the Northeast quarter ( $NE\frac{1}{4}$ ); Northwest quarter ( $NW\frac{1}{4}$ ) of the Southeast quarter ( $SE\frac{1}{4}$ ); South half ( $S\frac{1}{2}$ ) of the Southeast quarter ( $SE\frac{1}{4}$ ); and the West half ( $W\frac{1}{2}$ ) of Section Eighteen (18), T. 4 S. of R. 5 E. W.M.

119. An easement or right-of-way twenty (20) feet on each side of a center line described as follows, to-wit: Beginning at a point on the West line of Section Twenty (20) in Township Four (4), South of Range Five (5) East of Willamette Meridian, which point is Nine Hundred Ninety-four (994) feet South of the Northwest corner of said Section; thence South Sixty (60°) degrees Forty-two (42') minutes East Six Hundred Thirty-three (633) feet; thence South Fifty-one (51°) degrees forty-nine (49') minutes East One Hundred Seventy-eight (178) feet; thence South Thirty-seven (37°) degrees, Twenty-three (23') minutes East One Hundred Twelve (112) feet; thence South Seventeen (17°) degrees Forty-six (46') minutes East Fifty-nine (59) feet; thence South Twenty-nine (29°) degrees Thirteen (13') minutes East One Hundred Twenty-nine (129) feet; thence South Thirty-four (34°) degrees Three (3°) minutes East Eighty-four (84) feet; thence South Forty-six (46°) degrees Four (4°) minutes East One Hundred (100) feet; thence South Twenty-seven (27°) degrees Forty-three (43') minutes East Two Hundred Two (202) feet; thence South Seventeen (17°) degrees Twenty (20') minutes East Four Hundred Ninety (490) feet; thence South Two (2°) degrees Eleven (11') minutes East Two Hundred Sixty-three (263) feet; thence South Seven (7°) degrees Thirty-seven (37') minutes East Eleven Hundred Twenty-three (1123) feet; thence South Six (6°) degrees Thirty-seven (37') minutes East Seven Hundred Four (704) feet; thence South Fifteen (15°) degrees Four (4°) minutes East Five hundred Thirty-five (535) feet, more or less to a point in the South line of said Section Twenty (20), which is Twelve Hundred Eighty-one (1201) feet approximately East of the Southwest corner of said Section and which land conveyed contains Four and 2/10 (4.2) acres, more or less being the lands described in that certain deed of record at page 144 of Book 122, Deed Records of Clackamas County, Oregon.

120. All of the lands and rights in Sections twenty (20) and Twenty-nine (29) T. 4 S. of R. 5 E. W.M. as more particularly described in that certain deed from Union Lumber Company Ltd. to Portland Railway, Light and Power Company of record at page 597 of Book 168 of the Deed records of Clackamas County, Oregon.

121. All of the rights of the grantor acquired in Sections Twenty (20), Twenty-seven (27), Twenty-eight (28) and Twenty-nine (29), T. 4 S. of R. 5 E. W.M. and as described in that certain agreement between the Weyerhaeuser Timber Company, and the Portland Railway, Light and Power Company of date June 9, 1922, of record at page 58 of Book 208 of the Deed records of Clackamas County, Oregon, and under that certain agreement between the Weyerhaeuser Timber Company and the Portland Electric Power Company of date November 30, 1927, of record at page 55 of Book 208 of the Deed records of Clackamas County, Oregon.

122. All of the lands and rights reserved to the Portland Railway, Light and Power Company in Sections twenty-six (26) and twenty-nine (29), T. 4 S. of R. 6 E. W.M. and in Section Twenty (20), T. 4 S. of R. 6 E. W.M., as reserved to the Portland Railway, Light and Power Company in that certain deed from the Portland Railway, Light and Power Company to W.H. Morehouse Investment Company of date June 9, 1910, and recorded at page 154 of Volume 116 of the Deed records of Clackamas County, Oregon.

123. Certain lands in Section Twenty-six (26), T. 4 S. of R. 5 E. W.M., more particularly described as:

A part of the Southwest one-quarter of Section 26, Township 4 South of Range 5 East of Willamette Meridian situated in Clackamas County, Oregon, more particularly described as follows: All of that portion of the Southwest one-quarter of the Southwest one-quarter of the Southwest one-quarter of said Section 26, lying between the westerly boundary line of the said Section 26 and that certain tract of land ceded, excepted, and reserved by the Portland Railway, Light and Power Company and referred to as "Tributary lands" in an indenture made and entered into on the 9th day of June, 1910, by and between Portland Railway, Light and Power Company and W.H. Morehouse Investment Company, and recorded on July 25th, 1910, in book 116, at page 154, Records of Deeds, Clackamas County, Oregon, and containing five-tenths (0.5) acres, more or less, being the same lands described in that certain deed of record at page 634 of Book 178, Deed Records of Clackamas County, Oregon.

124. All of the lands in Sections twenty-six (26), twenty-seven (27), thirty-four (34) and thirty-five (35), T. 5 S. of R. 6 E. W.M. containing approximately 52.50 acres, more particularly described as:

The Southwest quarter (SW $\frac{1}{4}$ ) of the Southwest quarter (SW $\frac{1}{4}$ ) of the Southwest quarter (SW $\frac{1}{4}$ ) of Section Numbered twenty-six (26); the Southeast quarter (SE $\frac{1}{4}$ ) of the Southeast quarter (SE $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) and the South half (S $\frac{1}{2}$ ) of the Southwest quarter (SW $\frac{1}{4}$ ) of the Southeast quarter (SE $\frac{1}{4}$ ) of the Southeast quarter (SE $\frac{1}{4}$ ) of Section numbered twenty-seven (27); the Northeast quarter (NE $\frac{1}{4}$ ) of the Northeast quarter (NE $\frac{1}{4}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ), the North half (N $\frac{1}{2}$ ) of the Northwest quarter (NW $\frac{1}{4}$ ) of the Northeast quarter (NE $\frac{1}{4}$ ) of the Northeast quarter (NE $\frac{1}{4}$ ) and the Southeast quarter (SE $\frac{1}{4}$ ) of the Northwest quarter (NW $\frac{1}{4}$ ) of the Northwest quarter (NW $\frac{1}{4}$ ) of the Northeast quarter (NE $\frac{1}{4}$ ) of Section numbered thirty-four (34) and the Northwest quarter (NW $\frac{1}{4}$ ) of the Northwest quarter (NW $\frac{1}{4}$ ) of the Northwest quarter (NW $\frac{1}{4}$ ) of Section Thirty-five (35) in Township Five (5) South, of Range Six (6) East of the Willamette Meridian, containing 52.50 acres, more or less, being the same lands described in that certain deed of record at page 481 of Book 168 of the Deed Records of Clackamas County, Oregon.

125. All the rights, titles and interests acquired by the Portland Railway, Light and Power Company under that certain deed from the Southern Pacific Company of record at page 144 of Book 122 of the Deed Records of Clackamas County, Oregon.

126. The above described lands in the said Oak Grove Project, paragraphs 107, to 125 inclusive, are subject in part to the terms and conditions of certain easement agreements for pipe line and telephone lines between the Portland Railway, Light and Power Company, and the City of Oregon City, of record at page 441 of Book 141 of deed records of Clackamas County, Oregon, and in that supplemental agreement between the Portland Electric Power Company and the City of Oregon City, of date August 5, 1925; and further subject to the terms and conditions of that certain agreement of date November 3, 1928; by and between the Portland Electric Power Company, the Union Lumber Company, and the LaDoe Logging Company, and that certain agreement of October 9, 1926, and that certain supple-



mental agreement of date April 6, 1929, between the Portland Electric Power Company and the Labeo Logging Company, and that certain lease from the Portland Electric Power Company to the Bronson Lumber Company of date September 16, 1929, and the supplemental agreement between said parties of date November 1, 1929.

127. A certain tract of land in the Northwest Quarter (NW $\frac{1}{4}$ ) of Section thirty-four (34), T. 3 S. R. 4 E. W.M., more particularly described as: Beginning at the Southwest corner of the said Northwest Quarter (NW $\frac{1}{4}$ ) running thence North 0°48' West along the West line of said Section thirty-four (34) 1823.7 feet; thence South 7°12' East 290 feet; thence South 70°12' East 791.2 feet; thence South 57°53' East 528.7 feet; thence South 44°45' East 801.7 feet to a point in the South line of the said Northwest Quarter (NW $\frac{1}{4}$ ); thence South 89°47' West, tracing the said South line of the said Northwest Quarter (NW $\frac{1}{4}$ ), a distance of 2078.7 feet to the place of beginning, and containing 48.84 acres, more or less. Reserving therefrom a right-of-way for the construction, maintenance and operation of "railway lines" and "railway overhead system", and also reserving the "railway lines" and "railway overhead system" as now constructed upon, under, and over a strip of land 100 feet in width, being 50 feet in width on either side of a center line described as follows:

Beginning at a point in the West line of Section thirty-four (34), T. 3 S. R. 4 E. of the W.M. at R.R. Engineers Station 1899+46, which point bears North 0°48' West a distance of 521.6 feet from the Quarter Section corner between Sections thirty-three (33) and thirty-four (34); thence South 21°54' East a distance of 309.7 feet to R.R. engineers station 1902+57.7; thence on a 3°00' curve to the right, consuming an angle of 22°15', a distance of 741.91 feet to engineers station 1909+99.61; thence on a 1°14' curve to the left, consuming an angle of 1°28', a distance of 113 feet to engineers station 1911+12.61; thence tangent to said curve South 61°01' East a distance of 2.16 feet to engineers station 1911+14.77; thence on a 2°30' curve to the right, consuming an angle of 8°00' a distance of 380.15 feet to engineers station 1914+34.9, which point is in the South line of the Northwest Quarter (NW $\frac{1}{4}$ ) of Section thirty-four (34) and bears North 89°47' East a distance of 1361.85 feet from the Quarter Section corner between Sections thirty-three (33) and thirty-four (34).

128. The South half (S $\frac{1}{2}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) of Section thirty-three (33), all that portion of the Northwest Quarter (NW $\frac{1}{4}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) of Section thirty-three (33) lying westerly of a line described as beginning at the Southeast corner of the said Northwest Quarter (NW $\frac{1}{4}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) and running thence North 89°13' West 780.01 feet; thence North 16°56' West 711.81 feet to a point in the North line of the said Northwest Quarter (NW $\frac{1}{4}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ), which point is North 89°58' West and 634.92 feet distant from the Northeast corner of the said Northeast Quarter (NW $\frac{1}{4}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ); Lot two (2) and Lot three (3) of Section thirty-three (33), all in T. 3 S. R. 4 E. W.M., reserving therefrom a right-of-way for the construction, maintenance and operation of "railway lines" and "railway overhead system", and also reserving the "railway lines", and "railway overhead system" as now constructed upon, under, and over a strip of land described as follows:

A strip of land situated in the Northeast Quarter (NE $\frac{1}{4}$ ) of Section thirty-three (33), T. 3 S. R. 4 E. W.M. and extending from the north line of said Section thirty-three (33) to the east line of said Section thirty-three (33) the southwesterly side line of said strip of land being parallel with, southwesterly of, and 80 feet distant from the center line of the main line track of the Pacific Northwest Public Service Company as constructed over and across the said Northeast Quarter (NE $\frac{1}{4}$ ) of Section thirty-three (33).



(33), the said center line being more particularly described as follows: Beginning at a point in the north line of Section thirty-three (33), T. 3 S.R. 4 E. W.M. at R.R. engineers station 1867+53, which point bears north 89°52' West a distance of 2084.2 feet from the Northeast corner of Section thirty-three (33); thence South 17°46' East a distance of 582 feet to engineers station 1073+55; thence on a 2°45' curve to the left, consuming an angle of 32°02' a distance of 1165 feet to a point of compound curve at engineers station 1885+00; thence on a 1°00' curve to the left, consuming an angle of 6°00', a distance of 600 feet to a point of compound curve at engineers station 1891+00; thence on a 4°00' curve to the left, consuming an angle of 25°06', a distance of 652.5 feet to engineers station 1897+52.5; thence, tangent to said curve South 81°54' East a distance of 195.3 feet to a point in the east line of Section thirty-three (33) at engineers station 1899+48, which point bears North 0°48' West a distance of 581.8 feet from the Quarter Section corner between said Section thirty-three (33) and Section thirty-four (34), said township and range. And the northeasterly side line of said strip being described as follows: Beginning at a point in the east line of said Section thirty-three (33), which point bears North 0°48' West a distance of 572.21 feet from the Quarter Section corner between said Section thirty-three (33) and Section thirty-four (34); thence North 81°54' West a distance of 187.67 feet, being parallel with, northeasterly of, and 50 feet distant from the said center line of said main line track; thence North 57°21' West a distance of 1361.01 feet to an iron pipe; thence North 33°15' West a distance of 780.01 feet to an iron pipe; thence North 16°36' West a distance of 711.91 feet to an iron pipe set in the north line of said Section thirty-three, which iron pipe bears North 89°52' West a distance of 534.9 feet from the Northeast corner of the Northwest Quarter (NW $\frac{1}{4}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) of said Section thirty-three (33), and also being South 89°52' East and 107.3 feet distant from the beginning point first described at Engineers Station 1867+53.

129. This transfer of the above and foregoing lands, described in paragraphs "127" and "128" is subject to the terms and conditions of that certain agreement of October 9, 1928, and that certain supplemental agreement dated April 6, 1929, between Portland Electric Power Company and the LaDee Logging Company, and that certain lease from the Portland Electric Power Company to the Bronson Lumber Company of date September 15, 1928, and the supplemental agreement between said last mentioned parties of date November 1st, 1929, and the agreement of November 3, 1926, by and between the Portland Electric Power Company, the Union Lumber Company and the LaDee Logging Company.

130. All of the flod and other rights on the lands in the South half (S $\frac{1}{2}$ ) of Section twenty-eight (28), T. 3 S.R. 4 E. W.M., as described in those certain deeds of record at page 384 of Book 111 and at page 563 of Book 110, of the Deed records of Clackamas County, Oregon.

131. A certain tract of land in the North half (N $\frac{1}{2}$ ) of Section twenty-eight (28), T. 3 S.R. 4 E. W.M., more particularly described as follows:

Commencing at a point where the South line of the Franklin Pierce D.L.C. intersects the line between Sections Twenty-eight (28) and Twenty-nine (29); Township Three (3) South Range Four (4) East of the Willamette Meridian; thence West 350 feet, to a point which is 50 feet Northerly from, measured at right angles to, the center line of the railroad of the Pacific Northwest Public Service Company, as the same is located and established; thence Southeasterly on a 16° curve to the left, parallel with and 50 feet from said center line of railroad 30 feet; thence North 59° East, 50 feet from and parallel with said center line 1506.6 feet; thence South 69° East 620.8 feet more or less, to the East and West center line of said Section 28; thence West on said center line 1020 feet, more or less, to a

Point 10 feet westerly from the top of the first bank of the Clackamas River, on Southwest side of said River, said point being 1105 feet, more or less, East of the  $\frac{1}{4}$  corner between sections 28 and 29; thence down the left bank of said River, parallel with and at a distance of 10 feet westerly from the top of said bank, tracing the meanders of said River, to intersection with West line of said Sec. 28, at a point 480 feet, more or less, South of the place of beginning; thence North to place of beginning; and containing twenty-three and six tenths acres (23.6) more or less, being the same property described in that certain deed of record at page 188 of Book 87 and at page 110 of Book 88 of the Deed records of Clackamas County, Oregon. Excepting therefrom a certain portion thereof as included in that deed from Portland Electric Power Company to Mathew Jonep, of record at page 1 of Book 196 of the Deed records of Clackamas County, Oregon, said portion being described as beginning at the northwest corner of Lot 4 of said Section twenty-eight (28); thence South 0°11' East 228.05 feet; thence South 43°12' East 164.12 feet; thence North 28°23' East 107.0 feet; thence North 23 degrees 31' West 274.50 feet; thence North 89°51' West 51.23 feet to the place of beginning, and containing 0.71 acres, more or less. Also reserving therefrom a right-of-way for the construction, maintenance and operation of "railway lines" and "railway overhead system", and also reserving the "railway lines" and "railway overhead system" as now constructed, upon, under, and over a strip of land 100 feet in width lying 50 feet on each side of the center line of the Pacific Northwest Public Service Company's said line track as now constructed over and across said lots 3 and 4, said center line being particularly described as follows: Beginning at a point in the north line of said Lot 4, South 69°51' East 207.3 feet from the northwest corner thereof, thence in a southeasterly direction on a 15° curve to the left, the tangent to said curve at the initial point bearing South 29°02' East, a distance of 182.5 feet; thence tangent to said curve South 68°14' East 1594.7 feet; thence on a 20° curve to the right, consuming an angle of 20°43' a distance of 153.5 feet; thence tangent to said curve South 27°32' East 96 feet; thence on a 20° curve to the left, consuming an angle of 25°24', a distance of 132.1 feet; thence tangent to said curve South 53°55' East 52 feet to a point in the south line of the North half (N $\frac{1}{2}$ ) of Section twenty-eight (28) at engineers station 1837+15.4 North 89°54' East 1990.8 feet from the  $\frac{1}{4}$  corner between sections twenty-eight (28) and twenty-nine (29) containing 4.82 acres, more or less.

132. Lots 1, 2 and 3 in Section twenty-nine (29), T. 3 S.R. 4 N. W.M.

133. Certain lands described as: Beginning at a point where the South boundary of the Franklin Pierce Donation Land Claim No. Thirty-eight (38), in Township Three (3) South Range Four (4), East, Willamette Meridian, crosses the center line of Pacific Northwest Public Service Company's track, as the same is now located and constructed; thence West Six hundred Ninety and Fifty hundredths (690.50) feet along said South boundary to the angular corner of said Donation Land Claim; thence North Two hundred Eighty-one and Five hundredths (281.05) feet along the West boundary to re-entrant corner of said Donation Land Claim; thence West Five hundred Ninety-one and Ninety hundredths (591.90) feet along the South boundary to angular corner; thence North Two hundred Sixty-three and Ninety hundredths (263.90) feet along the West boundary to re-entrant corner of said Donation Land Claim; thence West Seven hundred Twenty-four and Ninety hundredths (724.90) feet along the South boundary to the Southwest corner of said Donation Land Claim; thence North Nine hundred twenty-one and twenty-six hundredths (921.26) feet along the West boundary to a point where said West boundary crosses the center line of said railway track, as the same is now located and constructed; thence South fifty-nine (59) degrees Three (3) minutes East

two thousand sixty-five and seventy-four hundredths (2065.74) feet along said center line to Station 1811+92, as designated upon the plat of the located line of said railway, said station being the beginning point of a Ten (10) degree curve to the right; thence South-easterly along the center line of said Ten (10) degree curve to Station 1815+29.7, being end of said curve; thence tangent to said curve along said center line of railway Ninety-two and Fifteenths (92.5) feet to the beginning point of a Sixteen (16) degree curve to the left, said beginning point being Station 1816+22.2; thence along the center line of said Sixteen (16) degree curve to the place of beginning, containing Twenty-three (23) acres, more or less; together with a right-of-way for railway and transmission line purposes conveyed by C.W. Morrow, et al. to Oregon Water Power and Railway Company, of record at page 142, of Book 89 of the Deed records of Clackamas County, Oregon; being the same lands described in the "Fifth" paragraph of that certain deed from The Land Company of Oregon to The Oregon Water Power and Railway Company, of record at page 443 of Book 88 of the Deed records of Clackamas County, Oregon.

134. Certain lands described as: Beginning in the center of the Clackamas River, Eleven and Sixty Four-Hundredths (11.64) chains North of the Quarter (1) corner between Sections Twenty-eight (28) and Twenty-nine (29), Township Three (3), South Range Four (4) East of the Willamette Meridian; thence North Five and Fifty-Hundredths (5.50) chains along Section line; thence North 66°08' West Two and Forty-three-Hundredths (2.43) chains to South boundary of Franklin Pierce Donation Land Claim Number Thirty-eight (38); thence West five and thirteen-hundredths (5.13) chains along said Claim line; thence North one and eighty-eight hundredths (1.88) chains along West boundary of said claim; to North boundary of Lot Four (4), Section Twenty-nine (29), Township Three (3), South Range Four (4) East, Willamette Meridian; thence West Eleven and Fifteen Hundredths (11.15) chains to center of the Clackamas River; thence South Forty-seven degrees and Nine minutes (47°9') East Eight and Forty-Eight-Hundredths (8.48) chains; thence South 78° East Twelve and Fifty-Hundredths (12.50) chains to place of beginning, containing Eight and Six-Tenths (8.6) acres, more or less, including all riparian rights incident thereto, and being the same lands described in deed from E.C. Hunt to the Cazadero Real Estate Company, of record at page 225, of Book 105, of the Deed records of Clackamas County, Oregon.

135. A tract of land particularly described as follows: Beginning at a stone at the Quarter Section corner between Sections Twenty and Twenty-nine (20 and 29) in Township Three (3) South of Range Four (4) East, Willamette Meridian; thence on the line between said Sections Twenty and Twenty-nine (20 and 29), South Eighty-nine degree Thirty-three minutes (89°33') West Seven Hundred Thirty-one and Six-tenths (731.6) feet to an iron pipe marked P.R.L. & P. Co., #1; thence North Eighteen degrees Two minutes (18°2') West Three hundred Forty-one (341) feet to an iron pipe marked P.R.L. & P. Co., #2; thence North Eight degrees Nineteen minutes (8°19') East Two Hundred Ninety-nine and Four-tenths (299.4) feet to an iron pipe marked P.R.L. & P. Co., #3; thence North Three degrees Nineteen minutes (3°19') East Three Hundred Eighty (380) feet to an iron pipe marked P.R.L. & P. Co., #4; thence North Twenty-eight degrees Twenty-three minutes (28°23') East Two Hundred (200) feet to an iron pipe marked P.R.L. & P. Co., #5; thence North Six degrees Forty-one minutes (6°41') East Three Hundred Fifty-five and Three-tenths (355.3) feet to an iron pipe marked P.R.L. & P. Co., #6; thence North Eleven degrees Eighteen minutes (11°18') West Three Hundred Twenty and Two-tenths (320.2) feet to an iron pipe marked P.R.L. & P. Co., #7; thence North Thirty degrees Forty-three minutes (30°43') West One Hundred Sixty-five and One-tenth (165.1) feet to an iron pipe marked P.R.L. & P. Co., #8; thence North Forty-nine degrees Forty-six minutes (49°46') West Three Hundred Twenty and Four-tenths



(280.4) feet to an iron pipe marked P.R.L. & P. Co. #9; thence North Fifty-seven degrees Sixteen minutes (57°16') West One Hundred Sixty (160) feet to an iron pipe marked P.R. & P. Co. #10; thence North Forty-six degrees Forty-five minutes (46°45') West Two Hundred Eighty-five and Four-tenths (285.4) feet to an iron pipe marked P.R.L. & P. Co. #11; thence North Thirty-seven degrees Ten minutes (37°10') West One Hundred Forty and Four-tenths (140.4) feet to an iron pipe marked P.R.L. & P. Co. #12; thence North Sixty-eight degrees Twelve minutes (68 degrees 12') West One Hundred Ninety-four and Nine-tenths (194.9) feet to an iron pipe marked P.R.L. & P. Co. #13; thence North Forty-three degrees Thirteen minutes (43 degrees 33') West One Hundred Eighty and Three-tenths (180.3) feet to an iron pipe marked P.R.L. & P. Co., #14; thence North Six degrees Fifteen minutes (6 degrees 15') West One Hundred Seventy-five and Three-tenths (175.3) feet to an iron pipe marked P.R.L. & P. Co., #15; thence North Thirty-two degrees no minutes (32 degrees 00') East Eighty-nine and Two-tenths (89.2) feet to an iron pipe marked P.R.L. & P. Co. #16; thence North Forty-six degrees Fifty minutes (46 degrees 50') West Twelve Hundred Twenty-two and Four-tenths (1222.4) feet to an iron pipe marked P.R.L. & P. Co. #19; on the line between the corner common to Sections Seventeen (17), Eighteen (18), Nineteen (19) and Twenty (20), and the corner common to Sections Nineteen (19), Twenty (20), Twenty-nine (29) and Thirty (30); thence South Fifty-nine degrees Fifty-nine minutes (59 degrees 59') West Thirty-two hundred nineteen and sixty-three hundredths (3219.63) feet to an iron pipe marked #20; thence East Eight hundred Fifty-two (852) feet, more or less, to the line between the husband's half and the wife's of the Frederick Helms Donation Land Claim No. 60; thence on said dividing line of said D.L.C. North Forty-one degrees Thirty-one minutes (41 degrees 31') West Seventy-two (72) feet more or less to the Northwesterly boundary line of said D.L.C.; thence on the said Northwesterly boundary line South Forty-eight (48 degrees) degrees Forty-five (45) minutes West Seventy-two (72) feet more or less, to a point; thence West Fourteen Hundred Sixty-seven (1467) feet, more or less, to an iron pipe marked #25 on the line between Sections Nineteen (19) and Twenty-four (24), Township Three (3) South, Range Three (3) and Four (4) East, Willamette Meridian, South no degrees Six minutes (6 degrees 06') West three Hundred Sixty-three and Fifty-four Hundredths (363.54) feet from the Quarter Section corner; thence on said Range line North no degrees Six minutes (6 degrees 06') East Fifty-two and Twenty-five Hundredths (52.25) feet to an iron pipe marked #27; thence West Eighteen Hundred Forty and Six Hundredths (1840.06) feet to an iron pipe on the center of the County Road leading from Oregon City to Springwater; said pipe being witnessed by an iron pipe marked P.R.L. & P. Co. #42; on the easterly side of said road, East Thirty-four and Seventy-one Hundredths (34.71) feet therefrom, thence on center line of County Road North Thirty degrees Twelve minutes (30 degrees 12') West Three Hundred Forty-seven and Eleven Hundredths (347.11) feet to a point; said point being witnessed by an iron pipe marked P.R.L. & P. Co. #43, on the easterly side line of said road, East Thirty-four and Seventy-one Hundredths (34.71) feet from said point; thence East Fifteen Hundred Seventy-nine and Ninety-two Hundredths (1579.92) feet to an iron pipe marked P.R.L. & P. Co. #49 on the line between Sections Nineteen (19) and Twenty-four (24), Township Three (3) South, Range Three (3) and Four (4) East, North no degrees Four minutes (4 degrees 04') East Twenty-eight and Seventy-one Hundredths (28.71) feet from the Quarter Section corner; thence on said Range line, North no degrees Four minutes (4 degrees 04') East Twenty-five Hundred Ninety-eight and Thirty-seven Hundredths (2598.37) feet to a stone at the Northwest corner of said Section Nineteen (19); thence North Forty-four degrees Forty-seven minutes (44 degrees 47') West Thirty-seven Hundred Twenty-two



This map was prepared for  
assessment purposes only.

SW 1/4 SW 1/4 SEC. 31 T.2S. R.2E. W.M.  
CLACKAMAS COUNTY  
D.L.C.  
ABSALOW F. HEDGES NO. 47 & 40 & 37  
ARCHIBALD MCKINLAY NO. 60 & 57  
CANCELLED  
2701  
2702  
1102  
1101  
2001

2 2E 31CC  
OREGON CITY

WILLAMETTE  
RIVER

62-02

62-57UR

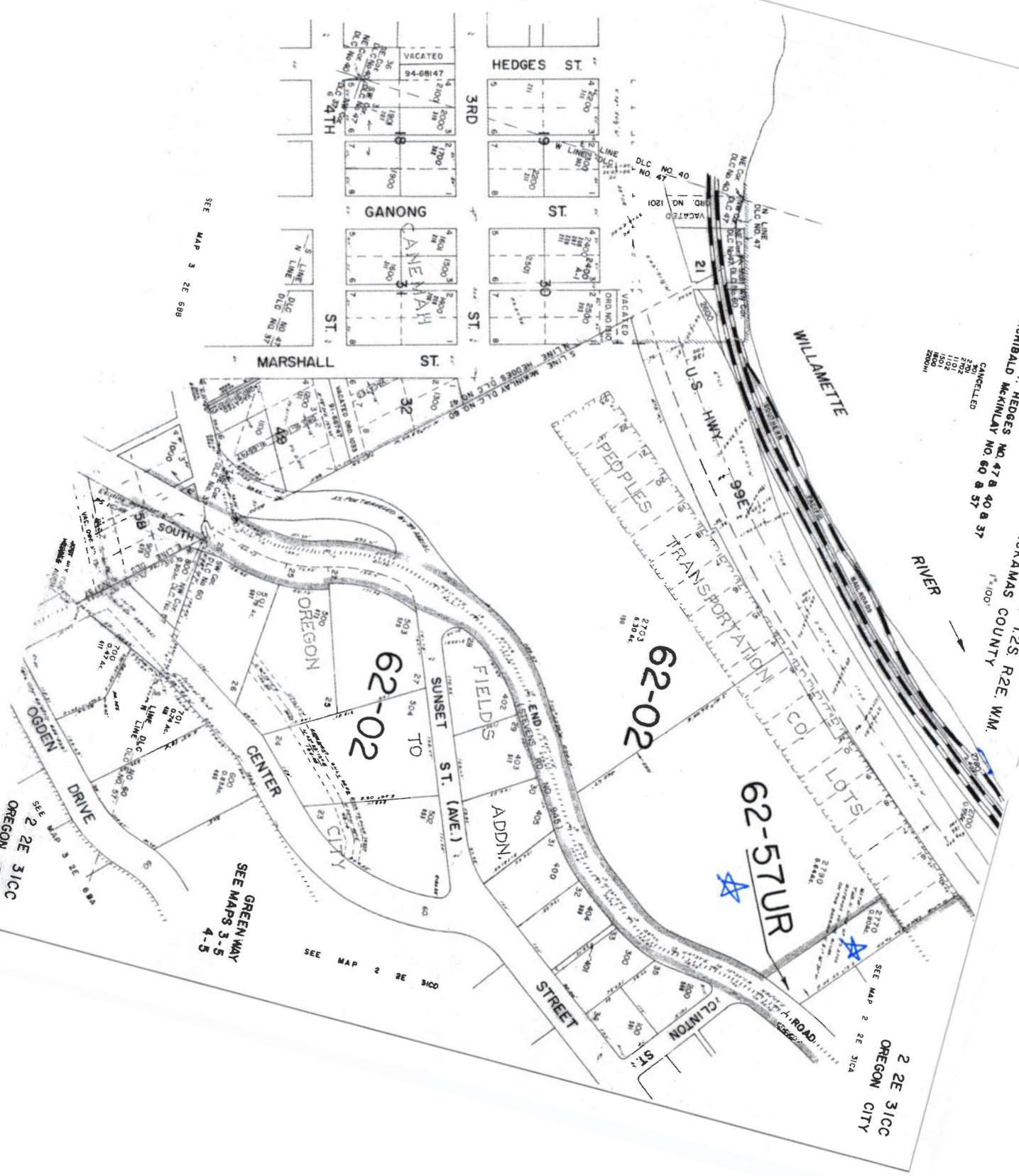
SEE GREENWAY  
MAPS 3-5  
4-5

2 2E 31CC  
OREGON CITY  
BOOK 19

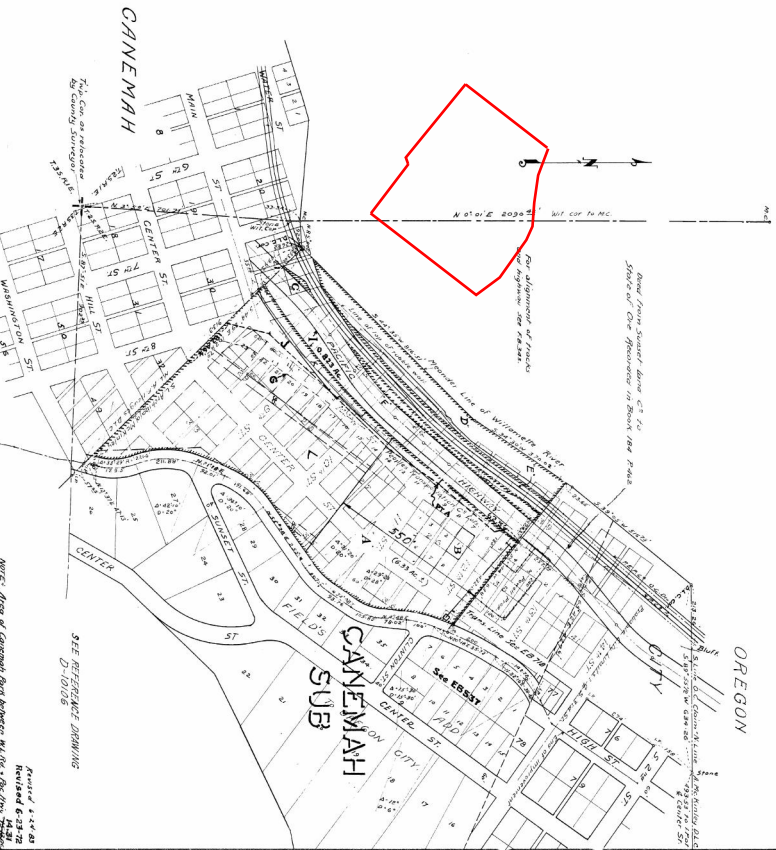
SEE MAP 2 2E 31CO

SEE MAP 3 2E 68B

SEE MAP 2 1E 36DD



# Canemah Substation Township 2 South Range 2 East Section 33



Checked (Plat) *W. H. Johnson* Date *5/18-17*

Checked (Docs.) *W. H. Johnson* Date *11/17*

SECTION	TOWNSHIP	RANGE	EASTING	DATE	QUANTITY	QUANTITY	TITLE	DATE	NAME AND NUMBER	CONNECTIONS, ETC.	REMARKS
A	2	2	33	1917	1.00	1.00	W. D.	1917	W. D.	1.00	W. D.
B	2	2	33	1917	1.00	1.00	W. D.	1917	W. D.	1.00	W. D.
C	2	2	33	1917	1.00	1.00	W. D.	1917	W. D.	1.00	W. D.
D	2	2	33	1917	1.00	1.00	W. D.	1917	W. D.	1.00	W. D.
E	2	2	33	1917	1.00	1.00	W. D.	1917	W. D.	1.00	W. D.
F	2	2	33	1917	1.00	1.00	W. D.	1917	W. D.	1.00	W. D.
G	2	2	33	1917	1.00	1.00	W. D.	1917	W. D.	1.00	W. D.
H	2	2	33	1917	1.00	1.00	W. D.	1917	W. D.	1.00	W. D.
I	2	2	33	1917	1.00	1.00	W. D.	1917	W. D.	1.00	W. D.
J	2	2	33	1917	1.00	1.00	W. D.	1917	W. D.	1.00	W. D.
K	2	2	33	1917	1.00	1.00	W. D.	1917	W. D.	1.00	W. D.
L	2	2	33	1917	1.00	1.00	W. D.	1917	W. D.	1.00	W. D.
M	2	2	33	1917	1.00	1.00	W. D.	1917	W. D.	1.00	W. D.

This plat is signed from the

Printed 4-24-83  
Revised 6-14-81  
10-10-80



City of Oregon City  
Permit Receipt  
RECEIPT NUMBER 00033489

Account Number: 018818

Date: 7/11/2016

Applicant: PORTLAND GEN ELEC CO

Type: check # 977406

Permit Number	Fee Description	Amount
CU-16-0001	4332 Conditional Use Fee	3,746.00
SP-16-0008	4332 SP & DR/Detailed M Plan	817.00
SP-16-0008	4138 Mailing Labels	15.00
VR-16-0002	4332 Variance/Sign Fee	2,467.00
Total:		\$7,045.00

**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@orccity.org](mailto:Iterway@orccity.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@orccity.org](mailto:mpalmer@orccity.org).

#### **Building Division:**

Your application was transmitted to our Building Official. You may contact Mike Roberts, Building Official, at 503.496.1517 or [mroberts@orccity.org](mailto:mroberts@orccity.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



## DEVELOPMENT SERVICES

### PRE-APPLICATION MEETING NOTES

Date: 4-20-2016

**Planning Project Number:** PA 16-17  
**Address:** 152 S McLoughlin Blvd., Oregon City, OR 97045  
**Map Number(s):** 2-2E-31CC  
**Tax Lot(s):** 2770 and 2790  
**Project Name:** PGE Canemah Transmission Poles  
**Meeting Date:** April 20, 2016  
**Reviewer(s):** Matthew Palmer, EIT

---

#### Streets

1. The proposed development includes frontage on McLoughlin Boulevard (also named State Highway 99 East), which is under the jurisdiction of the State of Oregon. Public improvements may be required by

#### Stormwater

1. The proposed work on the subject property is limited in scope and will not create any new (or replace any existing) impervious surfaces, therefore the City's Stormwater and Grading Design Standards do not apply.
2. If work on the subject property is expected to disturb more than 1,000 square feet, the applicant must obtain an Erosion Prevention and Sediment Control (EPSC) Permit through the City of Oregon City Public Works Department prior to beginning work.

#### Water

1. There is an existing 8-inch water main which runs across tax lot 2790. Applicant shall provide evidence of an existing water utility easement. If this cannot be provided, the applicant shall generate and provide to the City a 15-foot-wide water utility easement centered over the existing water main alignment.
2. There is an existing fire hydrant located to the southwest of the fenced substation. Any new fire hydrants shall be located per the requirements of Clackamas Fire District No. 1.

#### Other

1. The proposed work on the subject property resides out of the Geologic Hazard area, therefore the project is not subject to OCMC Chapter 17.44 "US-Geologic Hazards".

# Clackamas Fire District #1

## Fire Prevention Office



**To:** Oregon City Planning

**From:** Mike Boumann, Deputy Fire Marshal, Clackamas County Fire District #1

**Date:** 4/20/2016

**Re:** PGE Canemah Substation, 152 S McLoughlin Blvd, Oregon City

---

This review is based upon the current version of the Oregon Fire Code (OFC), as adopted by the Oregon State Fire Marshal's Office. The scope of review is typically limited to fire apparatus access and water supply, although the applicant must comply with all applicable OFC requirements. The following items should be addressed by the applicant:

- 1) Clackamas Fire District #1 has no comments for this proposal.





# City of Oregon City

625 Center Street  
Oregon City, OR 97045  
503-657-0891

## Staff Report

File Number: PC 16-094

**Agenda Date:** 9/26/2016

**Status:** Agenda Ready

**To:** Planning Commission

**Agenda #:** 4a.

**From:** Community Development Director Laura Terway

**File Type:** Planning

**SUBJECT:**

Concept Plan Overview: Park Place, Beavercreek and South End

**RECOMMENDED ACTION (Motion):**

**BACKGROUND:**

**BUDGET IMPACT:**

Amount:

FY(s):

Funding Source:

# CONCEPT PLANS

Park Place

Beaver Road

End

# Park Place

## South End

# Beavercreek Road





IAN SANE IMAGES  
2014-2017

Photo credit: Ian Sane CC license

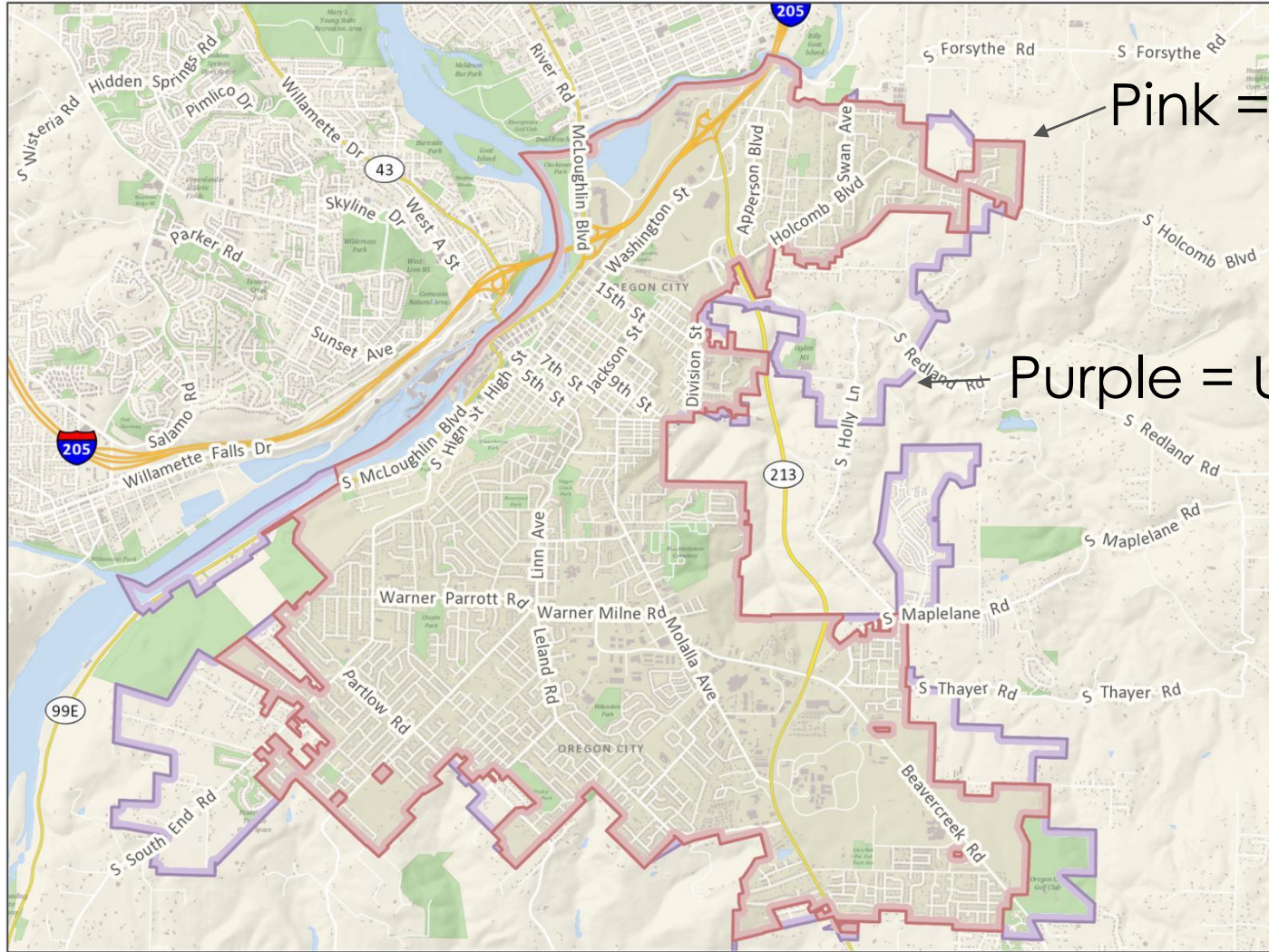
# OREGON CITY CONCEPT PLANS

Laura Terway, AICP, Community Development Director





## Oregon City GIS Map



Pink = City Limits

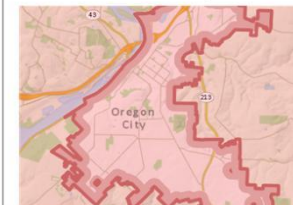
Purple = UGB

### Legend

- City Limits
- UGB
- Basemap

### Notes

### Overview Map



The City of Oregon City makes no representations, express or implied, as to the accuracy, completeness and timeliness of the information displayed. This map is not suitable for legal, engineering, surveying or navigation purposes. Notification of any errors is appreciated.



0 4,368 8,735 Feet

1: 52,412

Map created 9/3/2015

City of Oregon City  
PO Box 3040  
625 Center St  
Oregon City  
OR 97045  
(503) 657-0891  
[www.orcity.org](http://www.orcity.org)

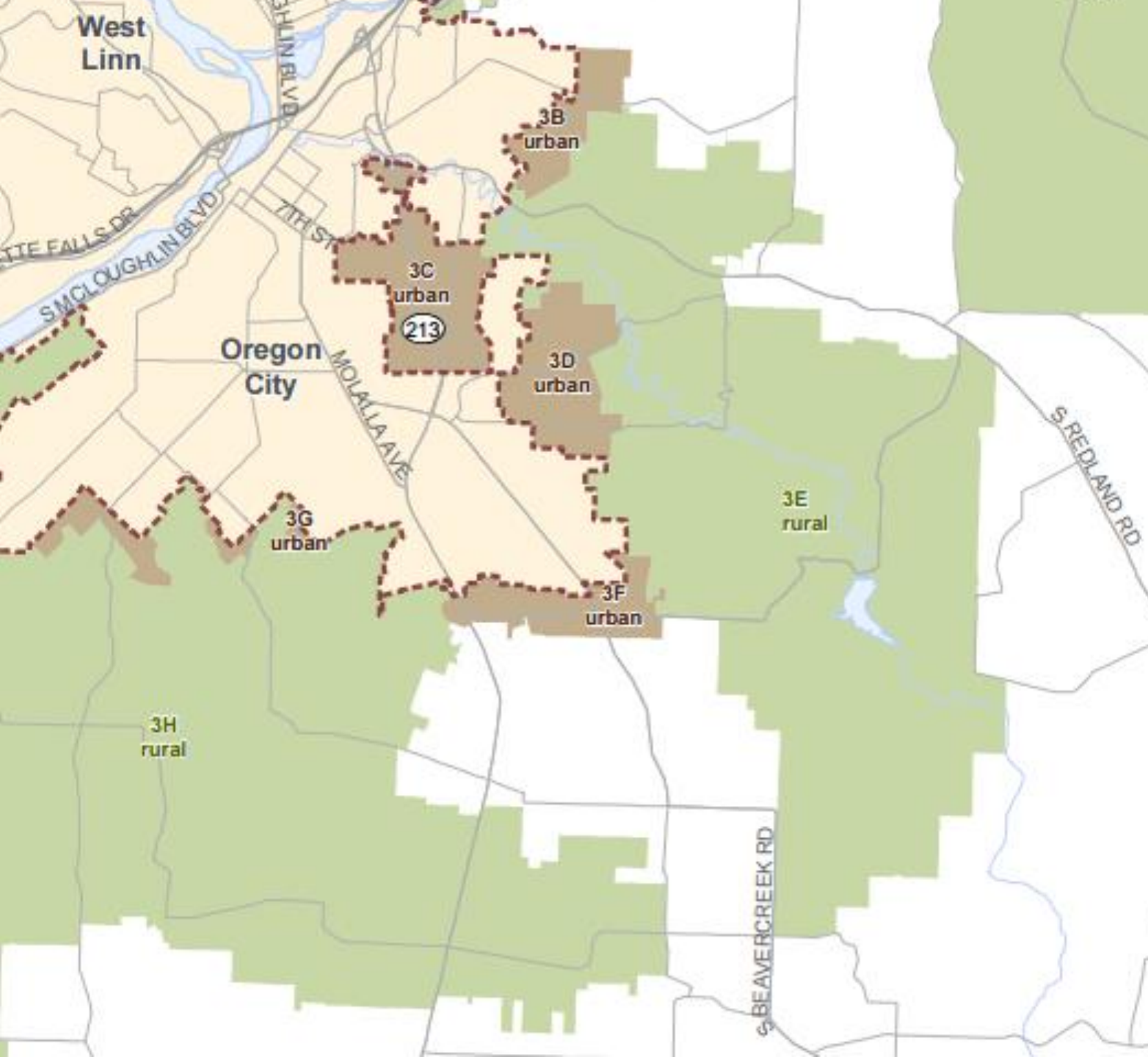


# THE URBAN GROWTH BOUNDARY:

## Where is it?

## And why do we have one?








# URBAN AND RURAL RESERVES

Urban Reserves: Suitable for Development

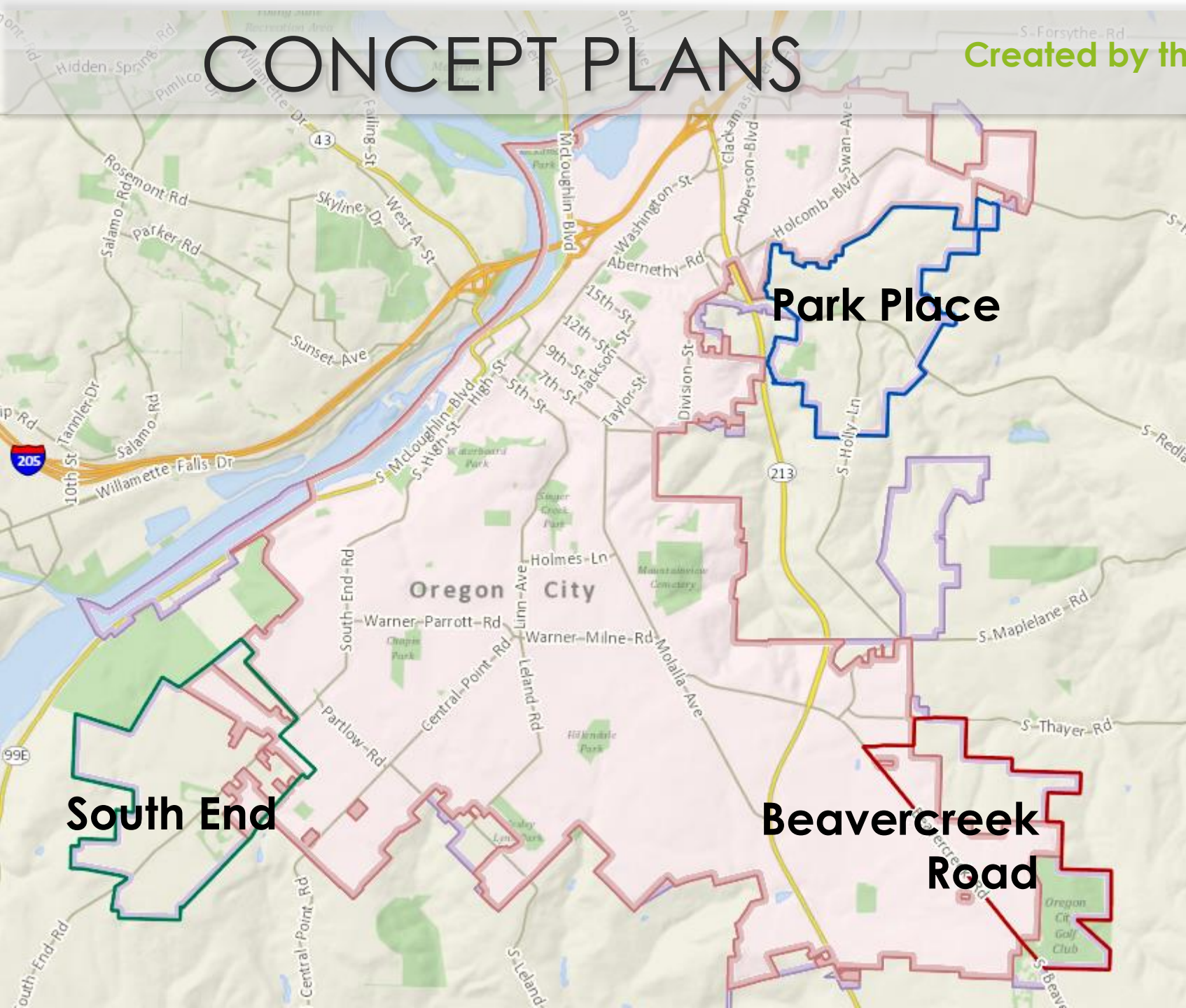
Rural Reserves: Farm and Forest Land

Undesignated: Lower priority for Expansion

-  Rural Reserve
-  Urban Reserve
-  Urban growth boundary

# CONCEPT PLANS

Created by the Community



Guide future growth in accordance with the Comprehensive Plan and Metro's Urban Growth Management Functional Plan

- Zoning
- Natural features and hazards
- Coordination with school district, police, fire and emergency services
- Open space, parks and trails
- Transportation
- Public Utilities Infrastructure





March 12, 2008  
Version 1.4

500 I

# OVERVIEW

Size: 480 acres

Brought into UGB:

1980's: 180 acres

2002: 300 acres

Dwelling Units: 1,459

Low Density Residential: 203 acres

Medium/High Density Residential: 57 acres

Commercial/Retail: 11.6 acres

Civic: 28.7 acres

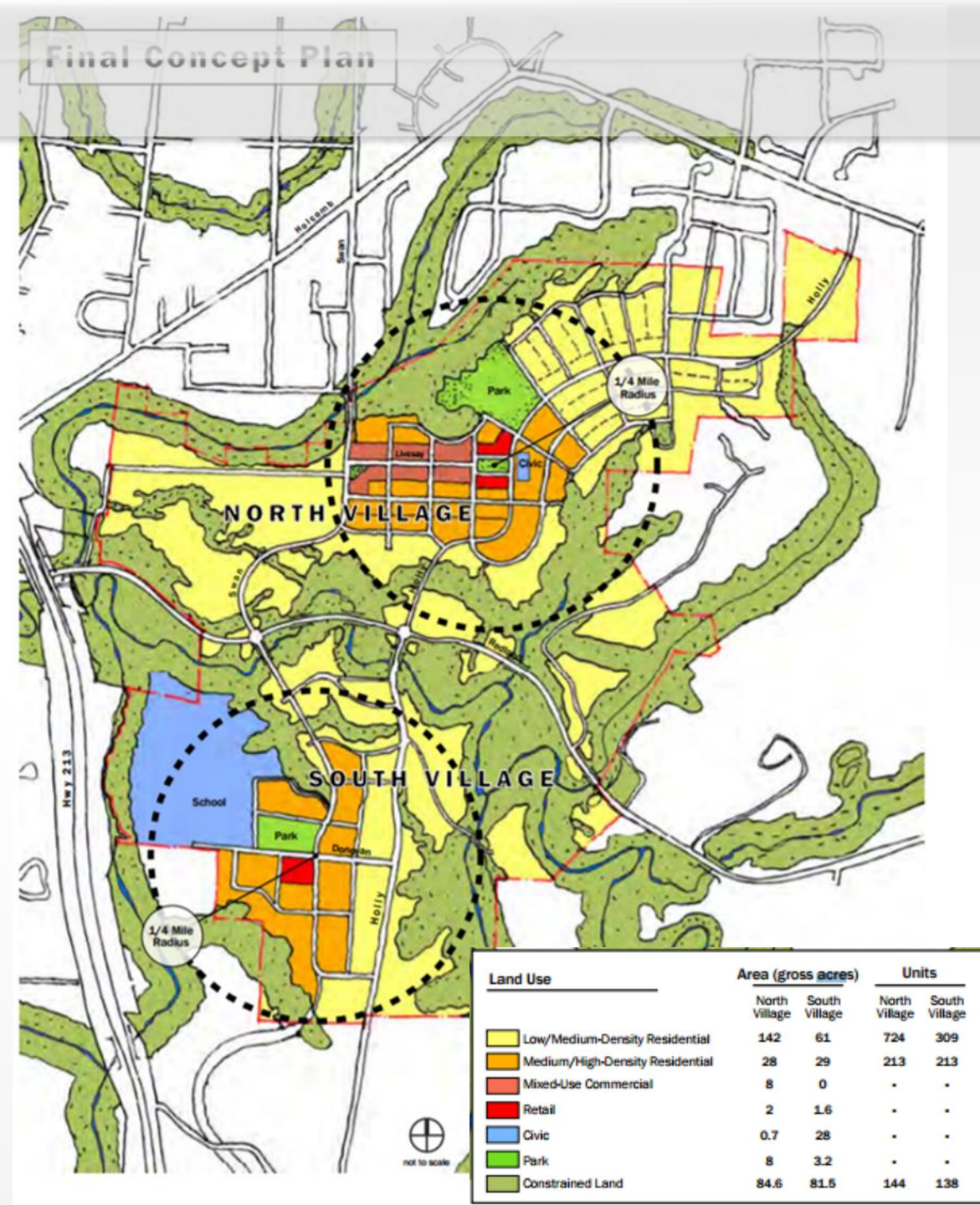
Park: 11.2 acres

Constrained Land: 166.1 acres

Year Initiated: 2006

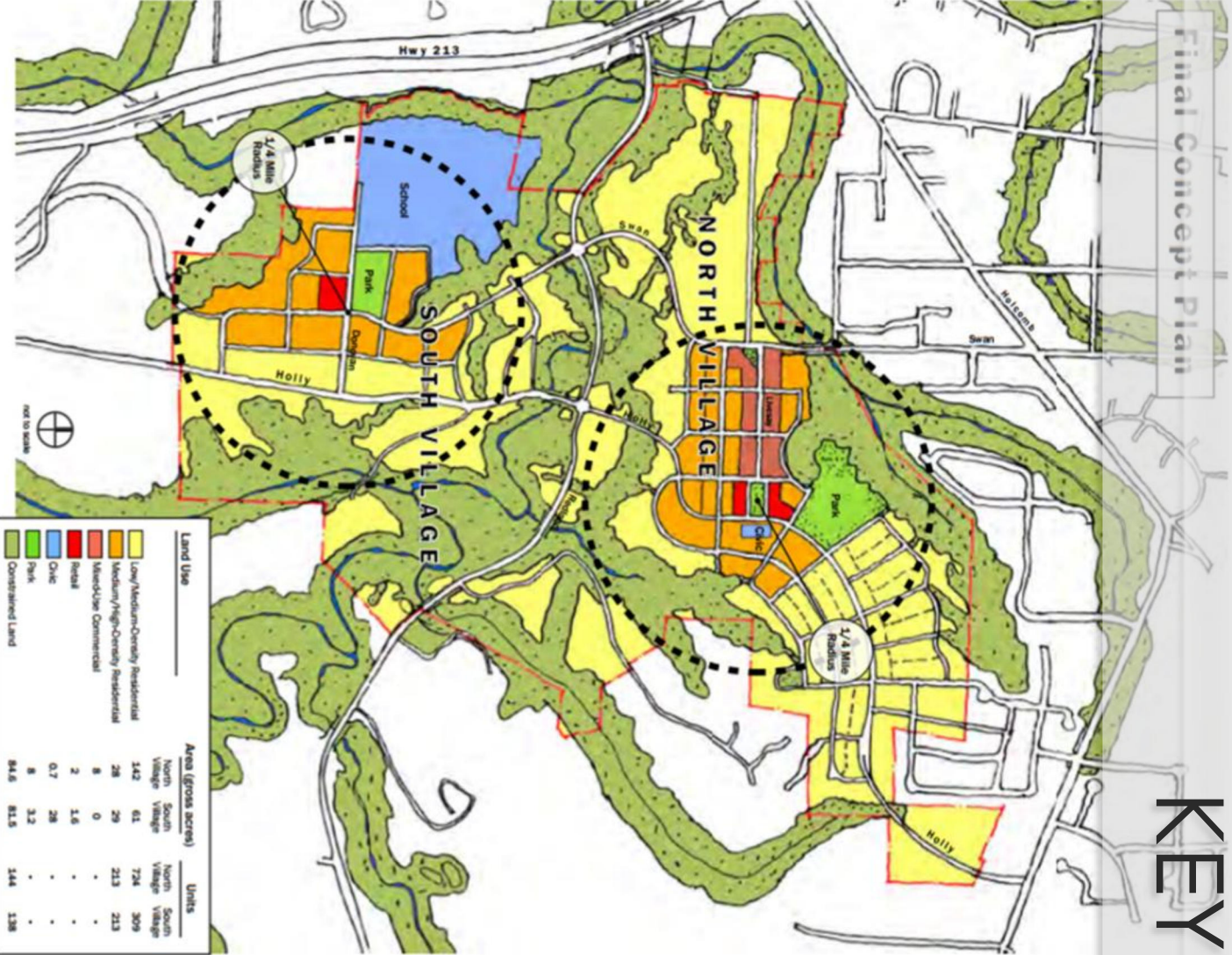
Year Completed: 2008

Date Adopted: 2008





# KEY ELEMENTS



- Two distinct mixed-use neighborhoods (1,459 new dwelling units)
- Neighborhood-oriented commercial nodes that integrate commercial land uses, residential land uses, and public open space
- An area for a new civic institution
- An 8-10 acre community park and a 3-5 acre neighborhood park
- A mix of housing types and ranges of affordability
- Off-street and on-street trails and pedestrian/bicycle connections
- Innovative, green on-site stormwater treatment
- Protected sensitive areas (drainages and steep slopes)
- Streets and buildings oriented for solar access
- Green edges to define neighborhoods and buffer
- Integration of parks and open spaces

# CORE VALUES

## Environment

- We value natural resources in our neighborhood, including streams, aquifers, wetlands, woods, mature trees, viewsheds, hillsides and wildlife habitat, including migratory corridors for wildlife. Such features should be incorporated in the design of neighborhoods and specific developments.
- We value distinguishing between developed and natural areas with buffers.
- We value an interconnected system of neighborhood and community parks, recreation areas, open spaces and pathways that provide recreational opportunities and allow residents to feel connected to the natural environment.
- We value connections among community-oriented facilities and other destinations.
- We value a sustainable approach to planning and development that minimizes negative impacts on the natural environment and property owners, including impacts associated with runoff, flooding, landslides, steep slopes, geologic hazards, erosion, street lighting, traffic and other factors.

## Community Design

- We value the rural character of the Park Place Concept Plan area and a planning approach that will allow us to maintain this rural feeling as the area develops and grows.
- We value a choice of housing types, densities and price ranges, including housing that is affordable to existing and future residents of all ages and incomes, and that complements existing landscapes, environments and architectural styles.
- We value our history and seek to preserve and incorporate historical and artistic elements in the design and development of our community.
- We value high quality design that makes efficient use of land, provides transitions between urban and rural areas and incorporates sustainable/"green" design principles and practices.
- We value having the civic and retail services that provide for the community's basic day-to-day needs located within the community.

## Transportation/Traffic

- We value a safe, interconnected system of roads and other transportation facilities that allows people to move freely within the neighborhood and connects them to other parts of the city and region.
- We value a system of roads, trails and pathways that allow people to travel by a full range of transportation modes - bicycle, horse, walking, automobile and transit.
- We value a transportation system that safely connects residents to shopping, parks and other community facilities within the Park Place neighborhood.
- We value a transportation system that limits congestion without overbuilding roads and provides adequate facilities to address traffic conditions (intersection improvements, adequate road capacity, etc.).
- We value the use of traffic calming tools such as traffic islands, roundabouts, curvilinear streets, curb extensions and other methods.

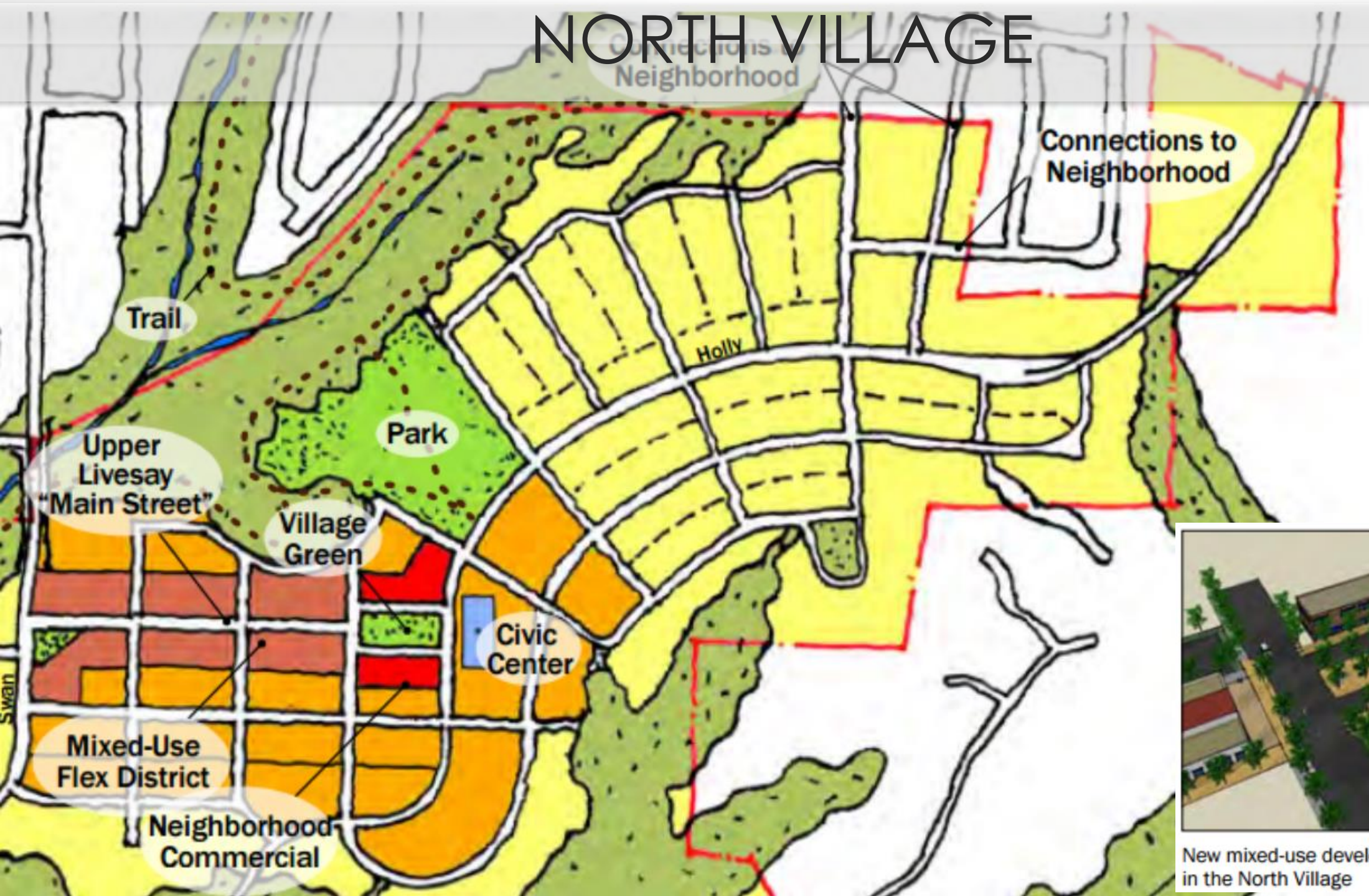
## Other Core Values

- We value local shops (e.g., Steve's Market) and other employment opportunities.
- We value, clear, complete, timely and open communication, and meaningful opportunities for involvement in the planning process.
- We value protection of property owners' rights.
- We value security and safety.
- We value phased development that provides adequate public services and infrastructure such as police, fire protection and schools in place before, or as development is allowed to occur.
- We value adequate schools, teachers and other resources needed to educate our children.
- We value the use of innovative funding methods to pay for enhanced levels of public service.





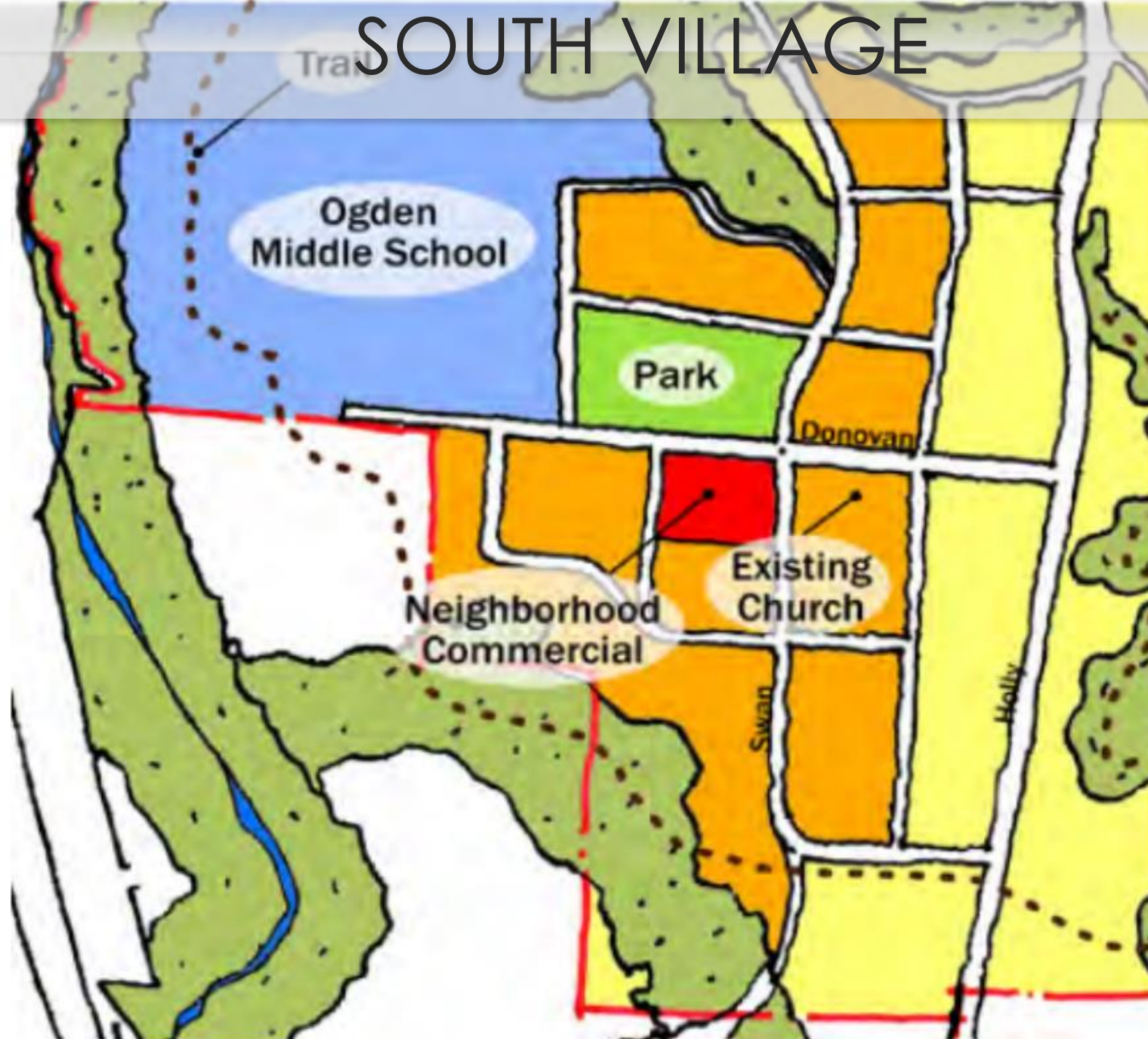
# NORTH VILLAGE



New mixed-use development and civic node in the North Village



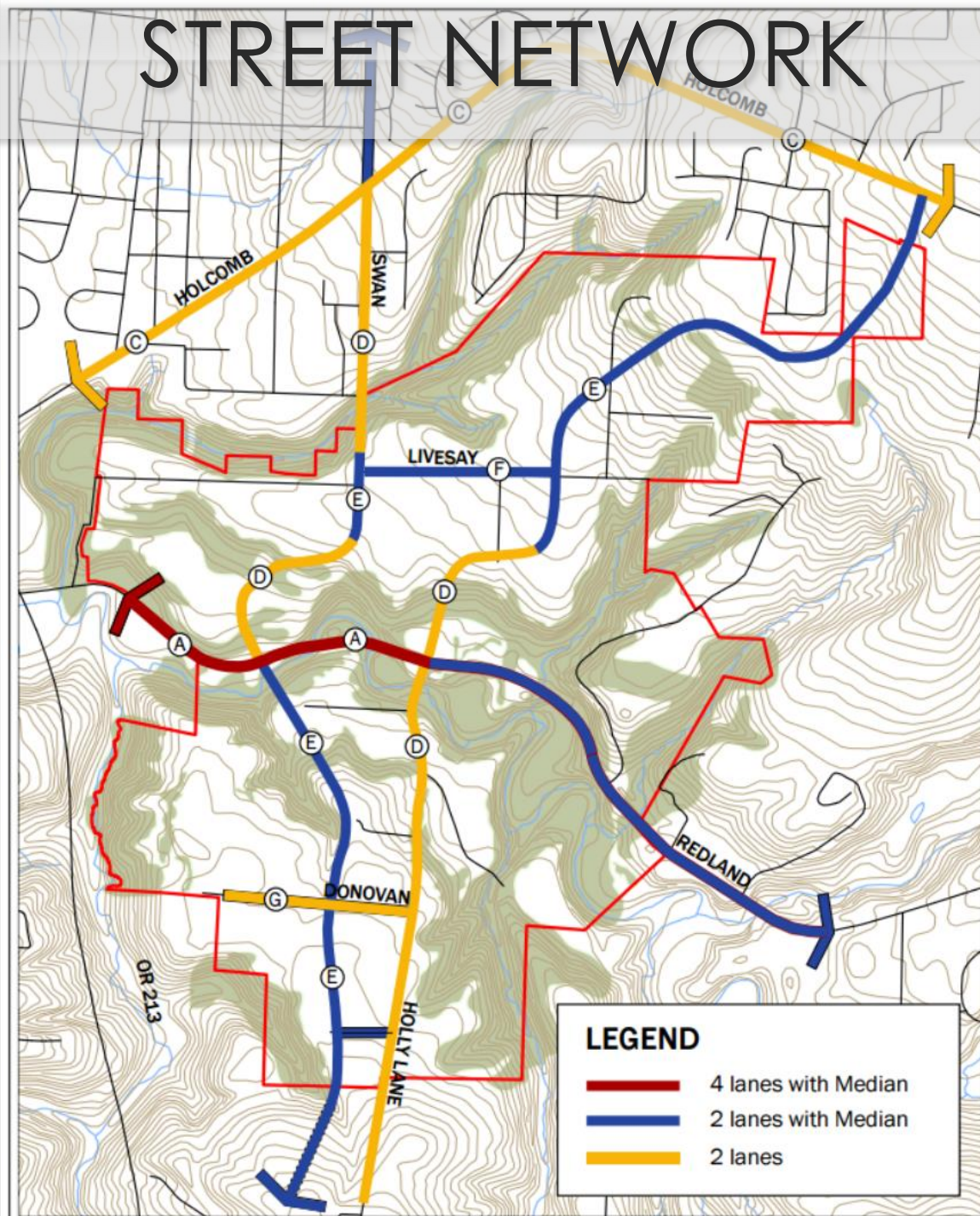
# SOUTH VILLAGE



A variety of housing types and densities is proposed in both the North Village and the South Village

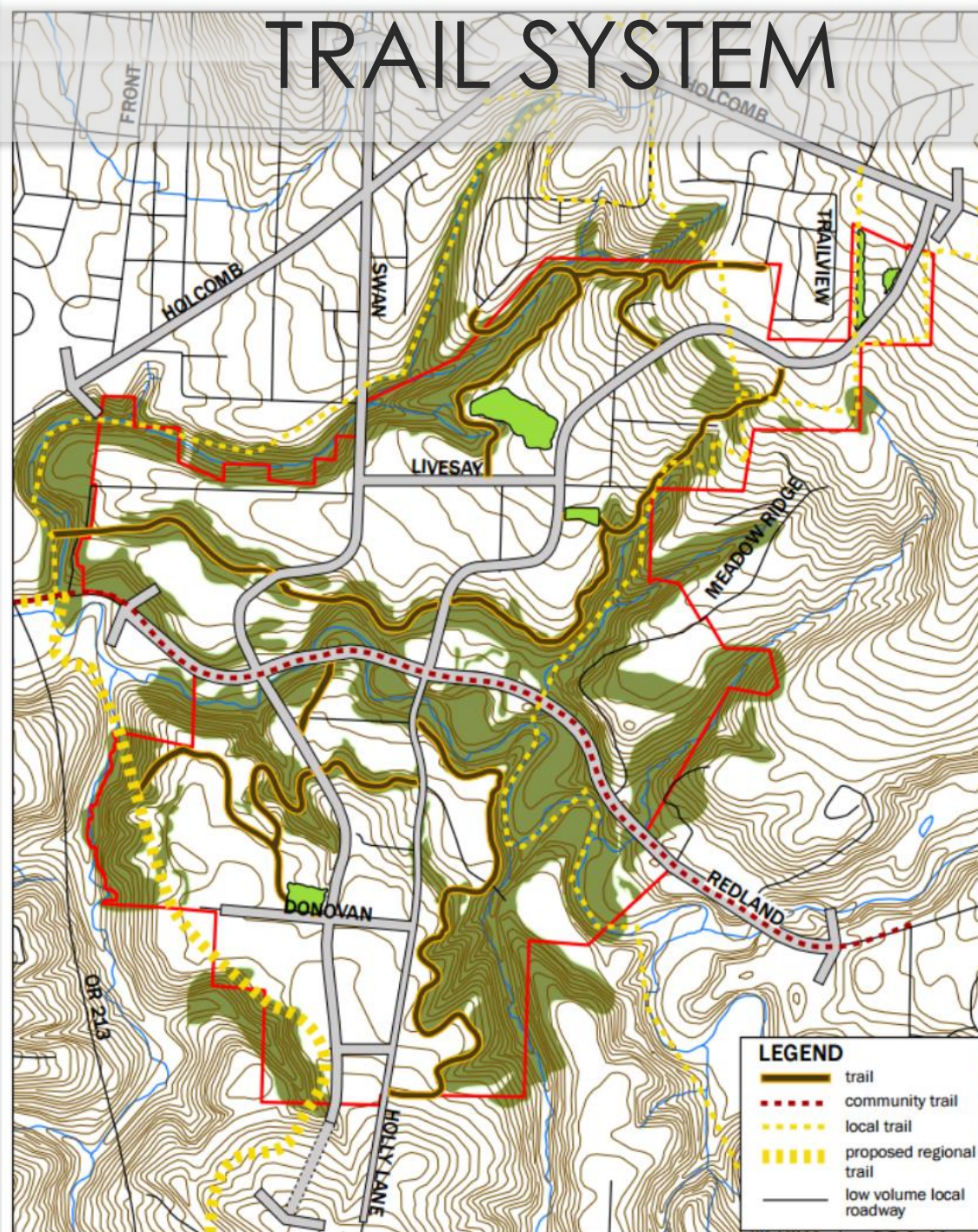


# STREET NETWORK





# TRAIL SYSTEM





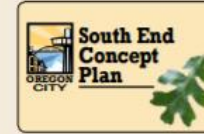
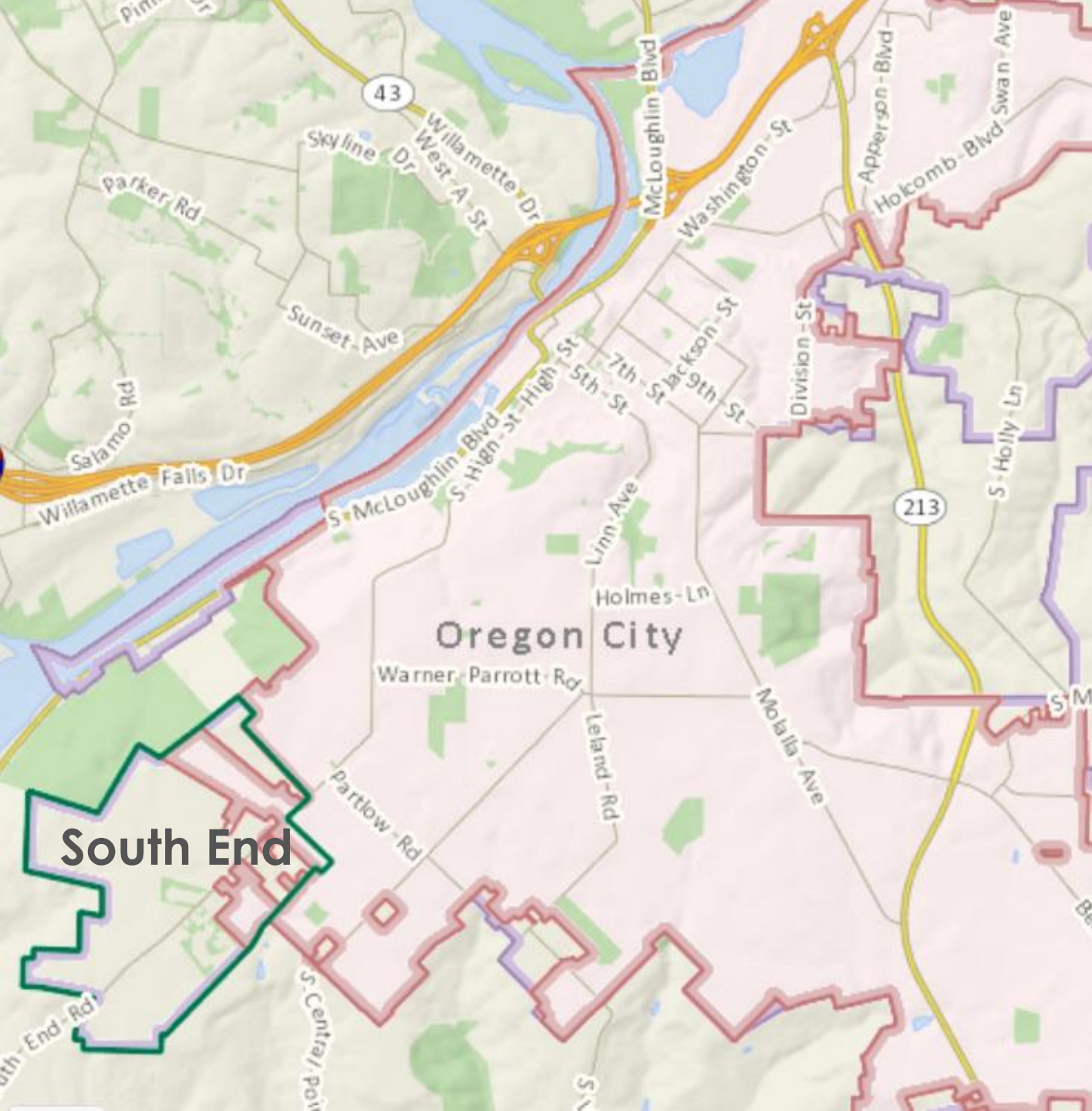
# WHEN WILL PPCP BE BUILT?

- ✓ Public Process to Create Concept Plan
- ✓ Public Process to Create Implementing Comprehensive Plan Designations and/or Code Changes
- ☐ Public Hearings for Annexation and Potentially a Vote
- ☐ Public Hearings for Zone Change
- ☐ Public Development Process
- ☐ Building Permits

\*Early annexation may occur but all elements must be in place prior to development.

\*\*Processes may occur together.





## South End Concept Plan



March 2014





# OVERVIEW

Study Area approx. 453 ac

UGB:

Pre - 2002: 245 ac

2002: 166 ac

Dwelling Units: 2,192 du

Densities - Residential:

Low - 203 ac

Med/Hi - 57 ac

Commercial/Retail: 11.6 ac

Civic: 28.7 acres

Park: 11.2 acres

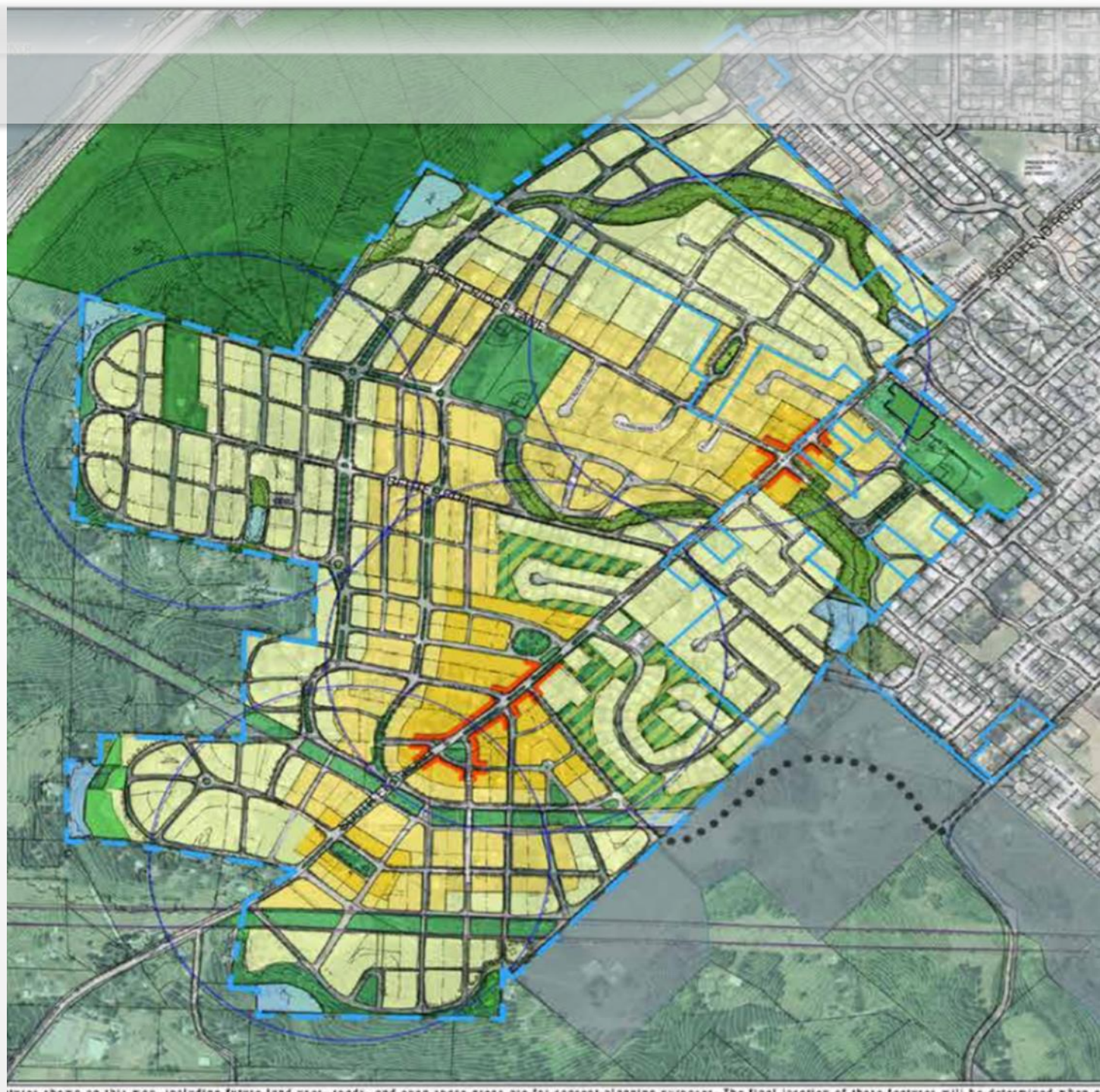
Constrained Land: 166.1 ac

Net Buildable: 276 ac

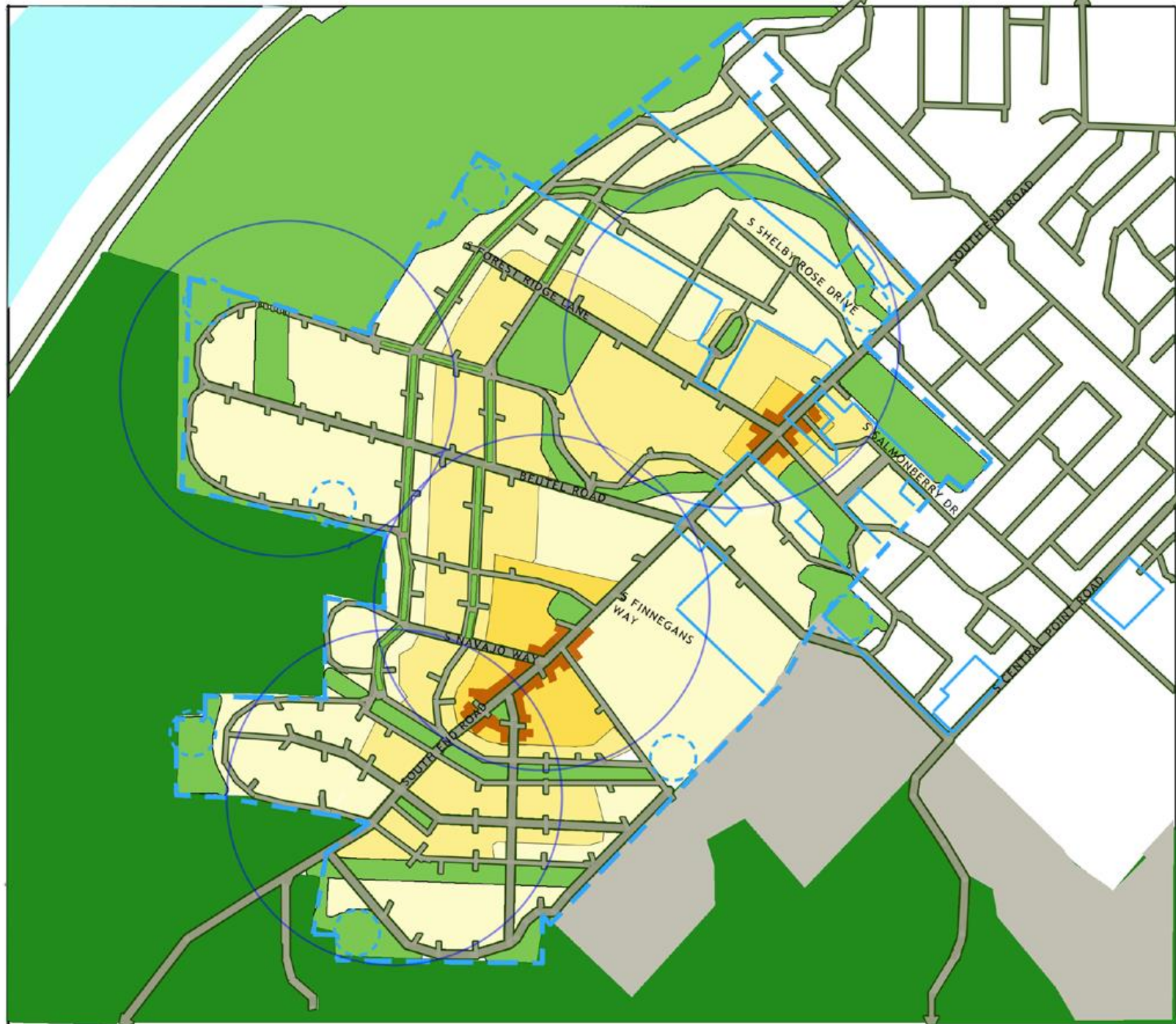
Year Initiated: 2012

Year Completed: 2014

DLCD Acknowledged: May 9, 2014







## SOUTH END CONCEPT PLAN



- EXISTING CITY  
OUTSIDE STUDY AREA
- MUNICIPAL STORMWATER
- NEIGHBORHOOD  
COMMERCIAL
- SMALL LOT RESIDENTIAL
- MEDIUM LOT RESIDENTIAL
- LARGE LOT RESIDENTIAL
- URBAN GROWTH BOUNDARY
- CITY LIMITS
- PARKS, SCHOOL AND  
OPEN SPACE
- RURAL RESERVE
- URBAN RESERVE 3G
- 1/4 MILE/FIVE MINUTE  
WALKING RADIUS



Date: 2/26/14

The locations of the features shown on this map, including future land uses, roads, and open space areas are for concept planning purposes. The final location of these features will be determined when a site specific development plan is proposed following annexation initiated by property owners. Existing lawfully established land uses and structures within the UGB are regulated by Clackamas County, and are permitted to remain until such time as the property owner decides to annex to Oregon City and develop their property subject to Oregon City zoning and development regulations.

# SOUTH END CONCEPT PLAN



## Values

- **Rural Character** - South End is a peaceful community whose pastoral nature is indicated by small farms, large fields and expansive views.
- **Livability** - Homes and neighborhoods in South End are safe, attractive and family-friendly.
- **Sense of Place** - South End residents respect the unique culture and history of the area.
- **Environmental Quality** - South End residents care deeply for the streams, trees, clean air and water and other natural features.
- **Excellent Schools** - The South End community takes pride in and supports the high quality of its schools.



# KEY ELEMENTS

## **Natural Features**

- Preservation
- Improved access

## **Parks, Open Space and Trails**

- Network
- Large park
- Trail connections
- New trails
- Preservation of private open space
- Civic uses

## **Housing**

- Housing choice
- Density transitions toward edges
- Small lot residential in neighborhood centers

## **Retail**

- Small scale neighborhood commercial uses

## **Transportation**

- Complete road network
- Pedestrian and bicycle improvements
- South End Road as three-lane arterial
- Family-friendly roads parallel to South End Road
- Road along the bluffs
- Roundabouts
- Limited street connections to South End Road

## **Infrastructure**

- New water and sewer infrastructure
- Stormwater retention ponds/swales along natural features at edges of plan area.



## OVERVIEW



SOUTH END CONCEPT PLAN



- URBAN GROWTH BOUNDARY
- CITY LIMITS
- ... FUTURE CONNECTION
- MUNICIPAL STORMWATER
- NEIGHBORHOOD COMMERCIAL
- SMALL LOT RESIDENTIAL
- MEDIUM LOT RESIDENTIAL
- LARGE LOT RESIDENTIAL
- PROTECTED WETLANDS
- PARKS, SCHOOL AND PRIVATE OPEN SPACE
- RURAL RESERVE
- URBAN RESERVE 3G
- 1/4 MILE/FIVE MINUTE WALKING RADIUS



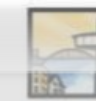
NOTE: 1" = 800' @ 11x17

Date: 2/26/14





# PARKS AND OPEN SPACE



SOUTH END CONCEPT PLAN



## PROPOSED PARKS AND OPEN SPACE

### LEGEND

- OPEN SPACE
- PARK
- SECP BOUNDARY

Open Space Area	Description	Acres
OS1 OS2 OS3 OS4 OS5 OS6 OS7 OS8 OS9	Canemah Bluffs extension (steep slopes)	3
	Canemah Bluffs extension (steep slopes)	5
	wetland/drainage	12
	open space	6
	wetland/drainage	2
	wetland/drainage	4
	wetland/drainage	7
	open space	5
	wetland/drainage	8
		<b>51</b>

Park Area	Description	Acres
P1	community park	10
P2	village center	1
P3	neighborhood park	0.4
P4	PGE corridor (easement)	6
P5	neighborhood park	0.3
P6	neighborhood park	1
P7	BPA corridor (easement)	6
		<b>24</b>



0 200' 400' 1200'  
SCALE 1 : 800 @ 11x17

October 21, 2013



# STREET SYSTEM



SOUTH END CONCEPT PLAN



## Multi-Modal Street System

### Street Functional Classification

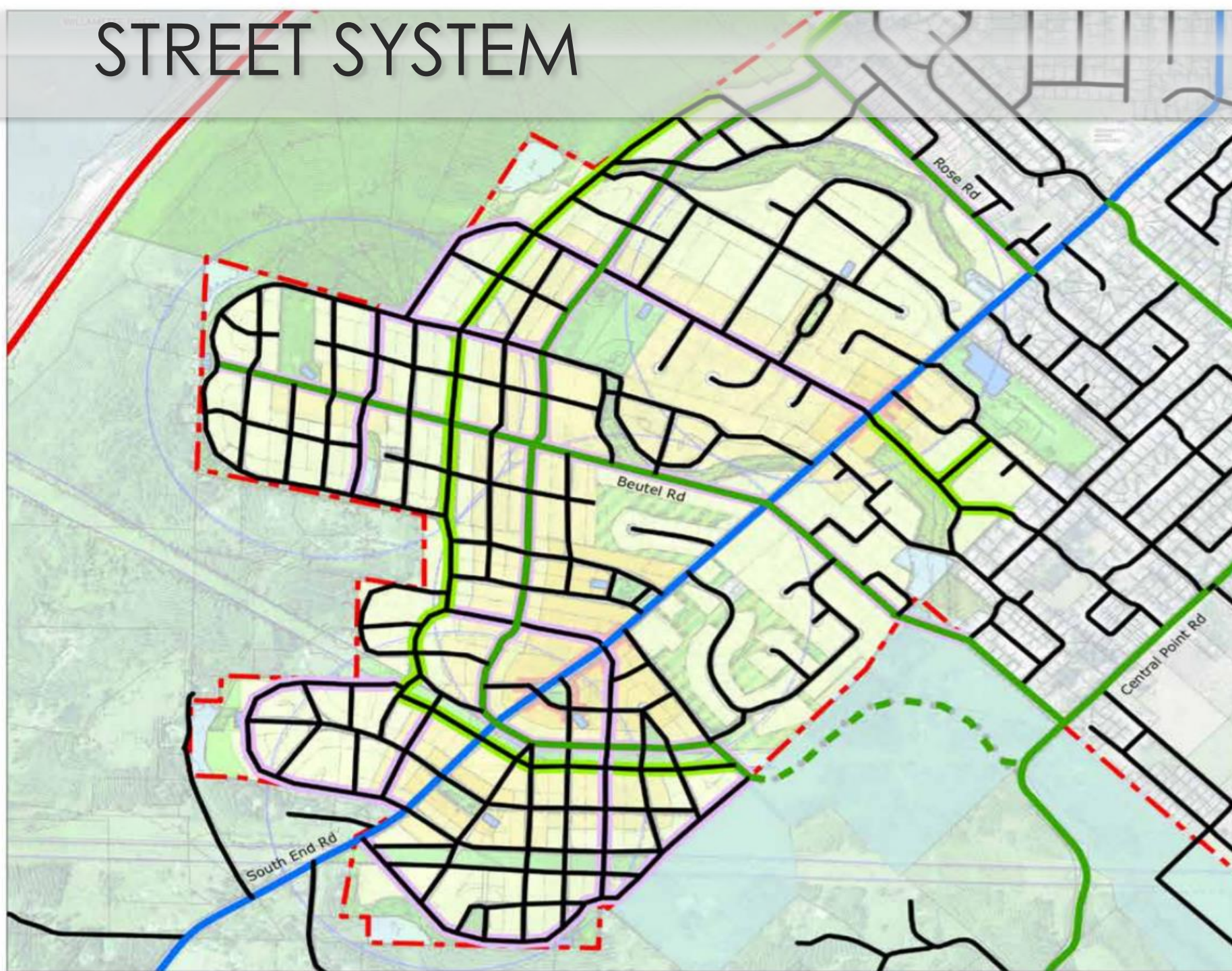
- Major Arterial Street
- Minor Arterial Street
- Collector Street
- Local Street

### Street Type

- Residential
- " "
- " "
- Mixed-Use
- Family Friendly
- Shared
- Future Collector Street
- Urban Growth Boundary

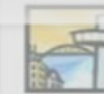


0 300 600 1,200 Feet





# WALKING AND BIKING



SOUTH END CONCEPT PLAN



## Walking and Biking Network

### Walking and Biking Facilities

- Sidewalks and Bike Lanes (Cycle Track)
- Sidewalks and Shared Biking Street
- Local Street with Sidewalks/Pathways
- Future Street with Sidewalks and Bike Lanes

### Shared Walking and Biking Facilities

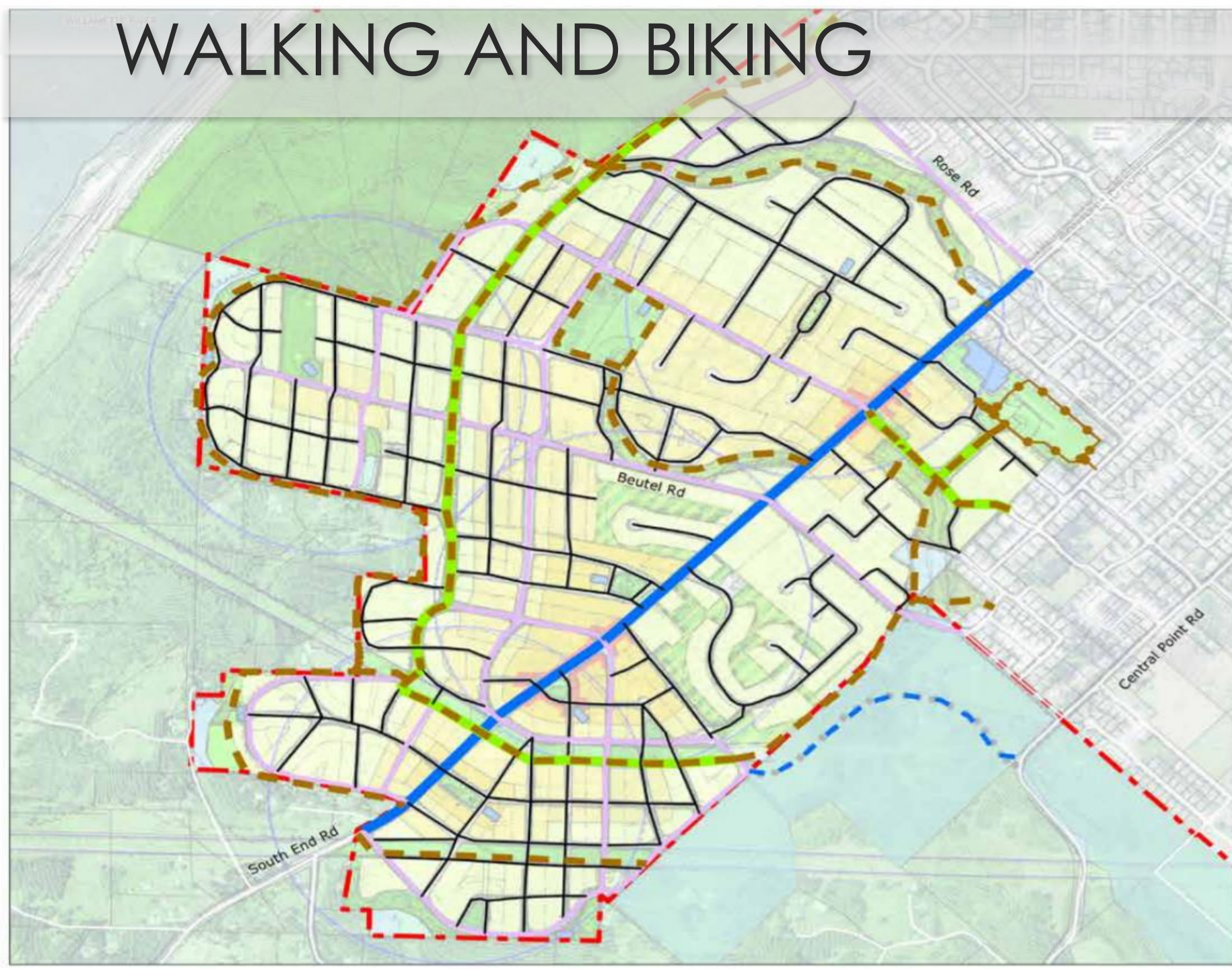
- Existing Shared-Use Path
- Planned Shared-Use Path
- Planned Family Friendly Street with Shared Use Path

### Concept Plan Land Use

- Residential
- " "
- " "
- Mixed-Use
- Urban Growth Boundary

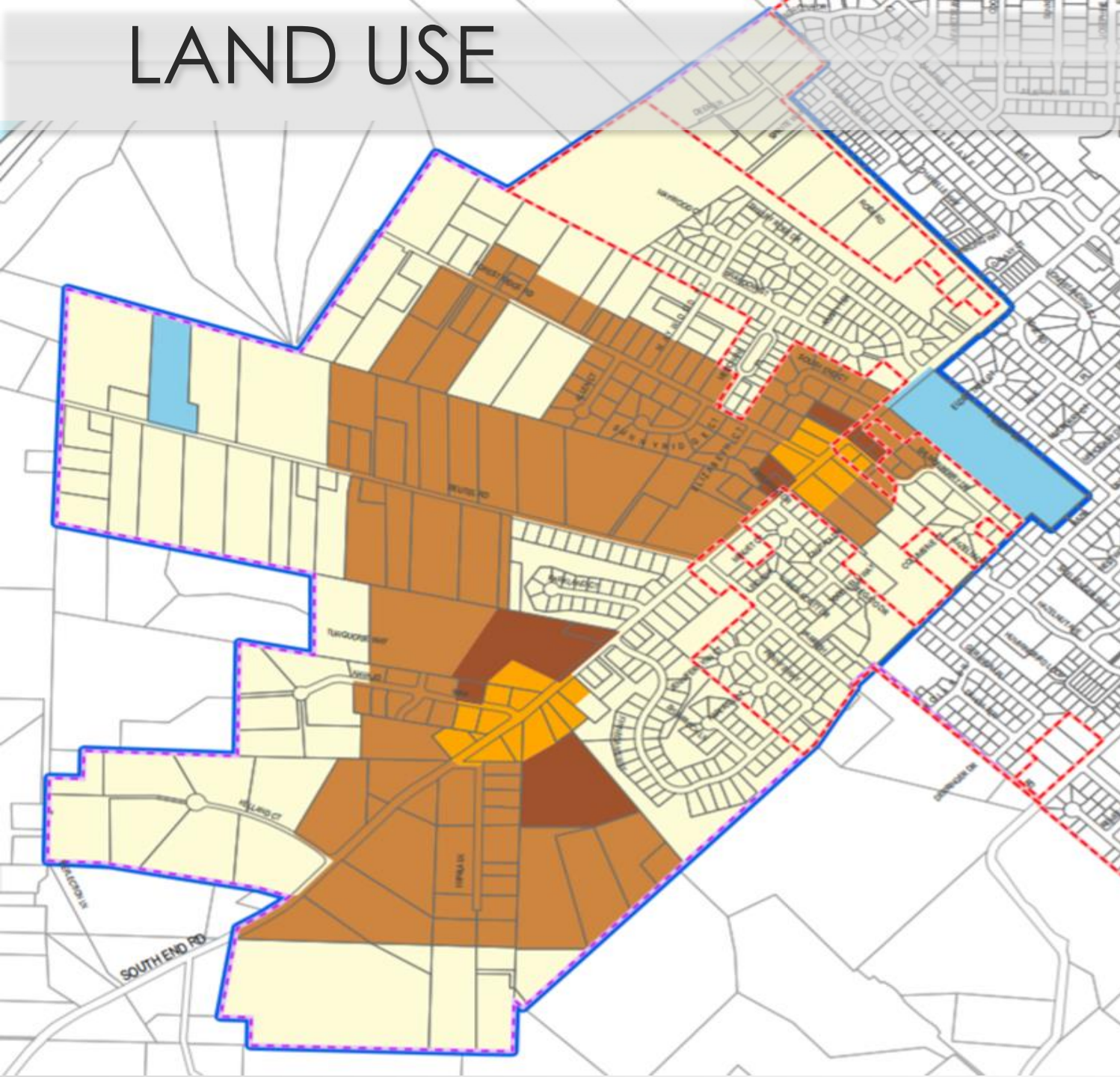


0 300 600 1,200 Feet





# LAND USE



# WHEN WILL SECP BE BUILT?

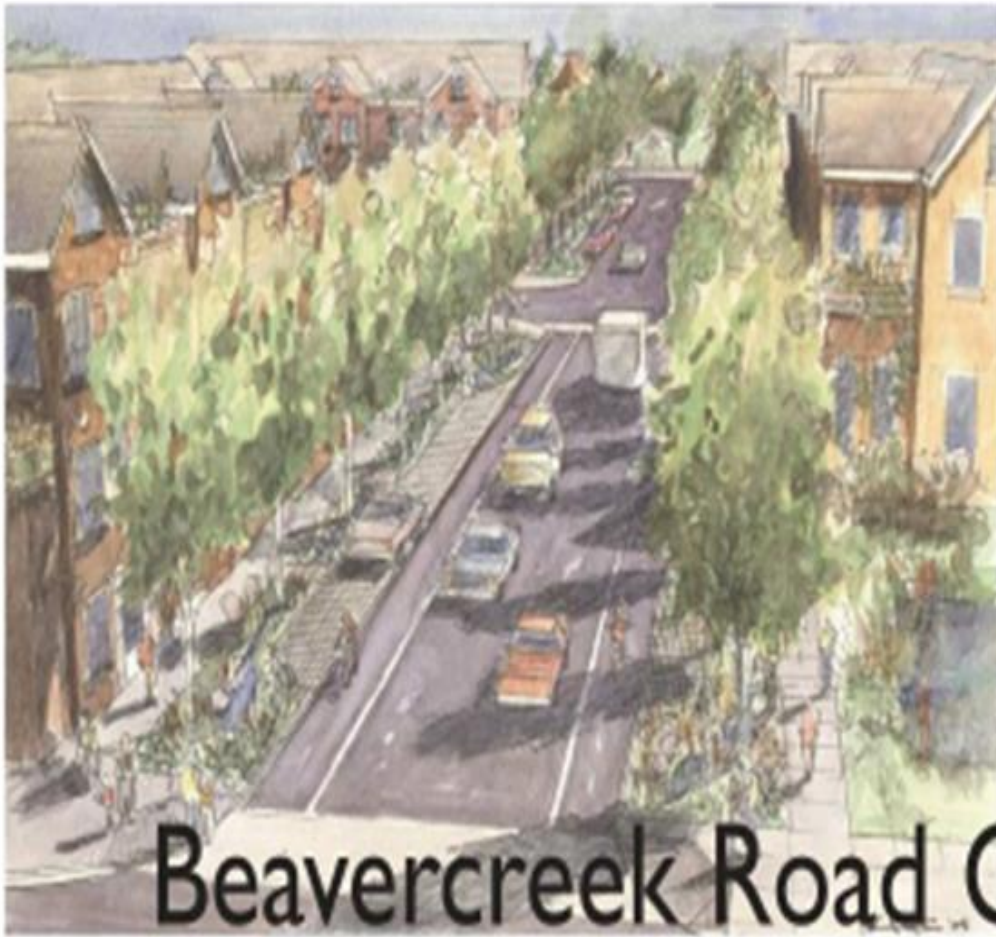
- ✓ Public Process to Create Concept Plan
- ✓ Public Process to Create Implementing Comprehensive Plan Designations and/or Code Changes
  - ❑ Public Hearings for Annexation and Potentially a Vote
  - ❑ Public Hearings for Zone Change
  - ❑ Public Development Process
  - ❑ Building Permits

\*Early annexation may occur but all elements must be in place prior to development.

\*\*Processes may occur together.

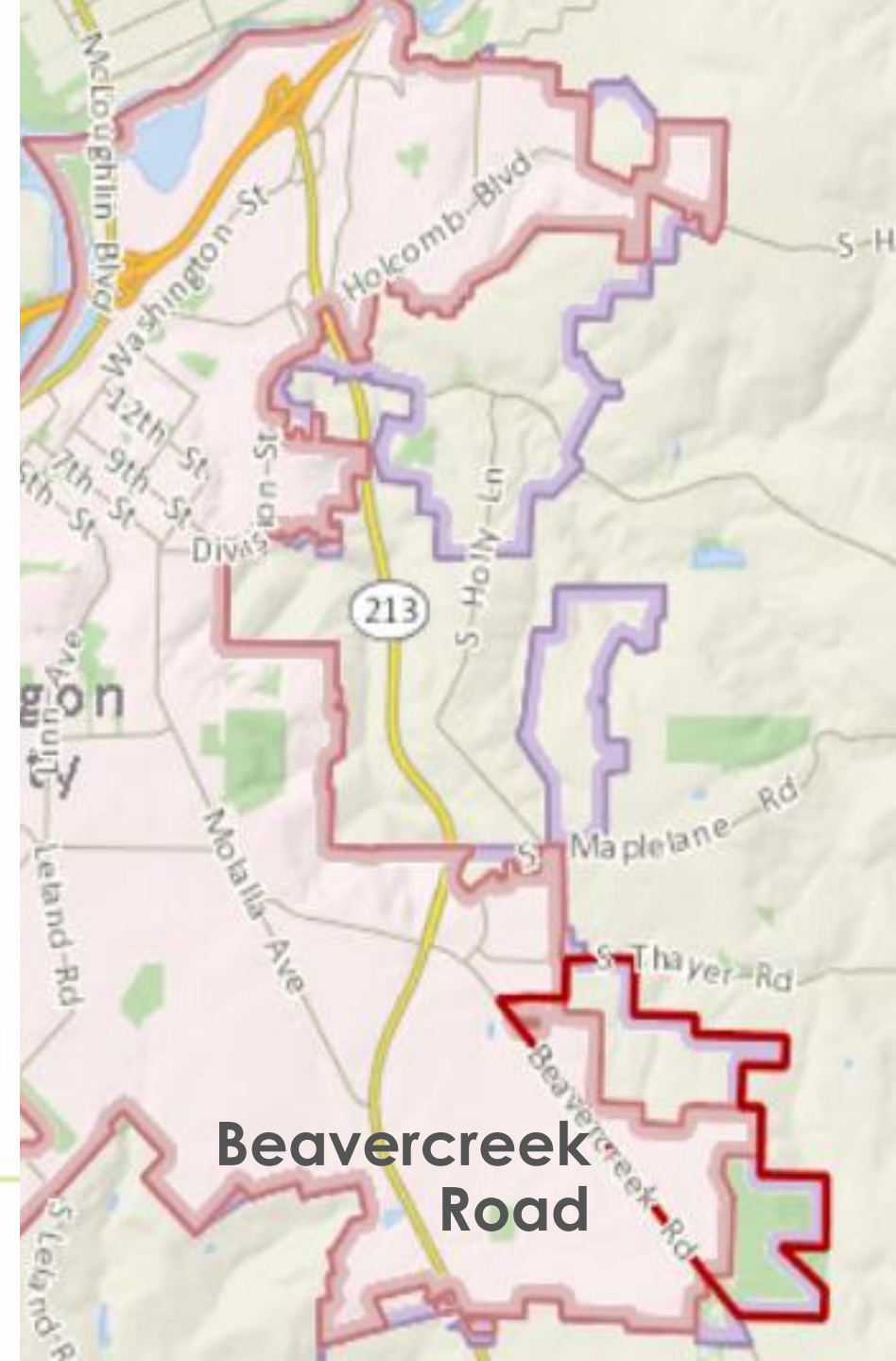






# Beaver Creek Road Concept Plan

Envisioning a Complete and Sustainable Community



**Beaver Creek  
Road**



# OVERVIEW

Size: 453 acres

Brought into UGB:

2002: 245 acres

2004: 63 acres

Prior: 145 acres

Jobs: 5,073

Dwelling Units: 1,023

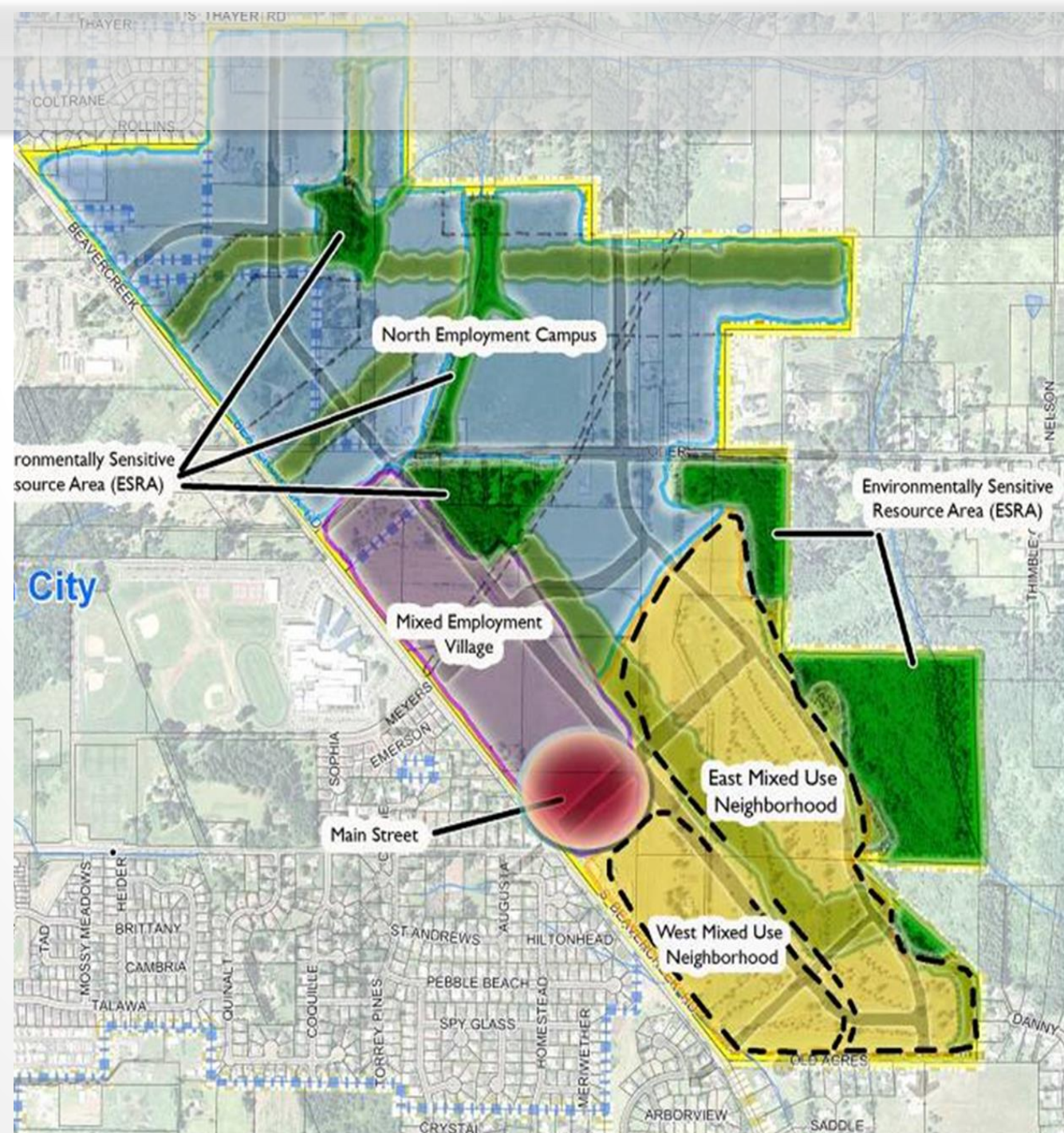
Tech Flex Campus Industrial: 127 net acres

Vertical Mixed Use Village/Main Street: 29 acres

Year Initiated: 2006

Year Completed: 2016

Date Adopted: In Process



# GOALS

## Vision: A Complete and Sustainable Community

- Create a complete and sustainable community, in conjunction with the adjacent land uses, that integrates a diverse mix of uses, including housing, services, and public spaces that are necessary to support a thriving employment center
- Be a model of sustainable design, development practices, planning, and innovative thinking
- Attract “green” jobs that pay a living wage
- Maximize opportunities for sustainable industries that serve markets beyond the Portland region and are compatible with the site’s unique characteristics
- Incorporate the area’s natural beauty into an ecologically compatible built environment
- Provide multi-modal transportation links that are connected within the site as well as to the surrounding areas
- Implement design solutions along Beavercreek Road that promote pedestrian safety, control traffic speeds and access, and accommodate projected vehicular demand
- Promote connections and relationships with Oregon City High School and Clackamas Community College
- Have a unique sense of place created by the mix of uses, human scale design, and commitment to sustainability
- Ecological Health – Manage water resources on site to eliminate pollution to watersheds and lessen impact on municipal infrastructure by integrating ecological and man-made systems to maximize function, efficiency and health



# KEY FEATURES



- A complete mix of land uses
- Policy support for employment and program connections with CCC
- Sustainability strategies
- Trail framework that traverses all sub-districts and connects to city and regional trails
- Street framework that provides for a logical and connected street pattern, parallel routes to Beavercreek Road, and connections at Clairmont, Meyers, Glen Oak, and the southern entrance to the site.



# LAND USES

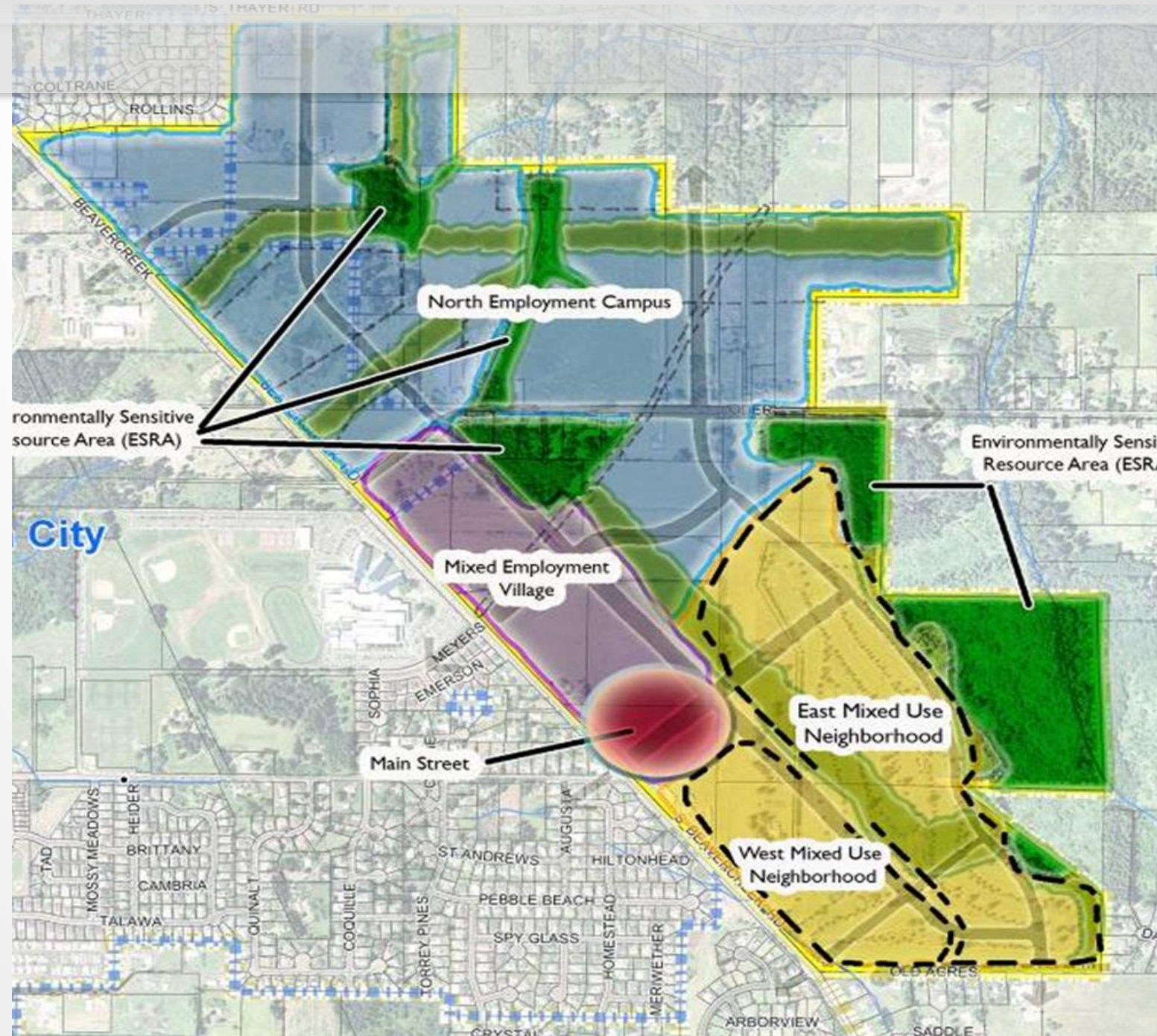
North Employment Campus: Tech flex and Campus Industrial

Mixed Employment Village: Center for transit-oriented densities, mixed use, 3-5 story building scale and active street life

Main Street: Local shops and services

West Mixed Use Neighborhood: Medium to high-density housing (R-2) and mixed use

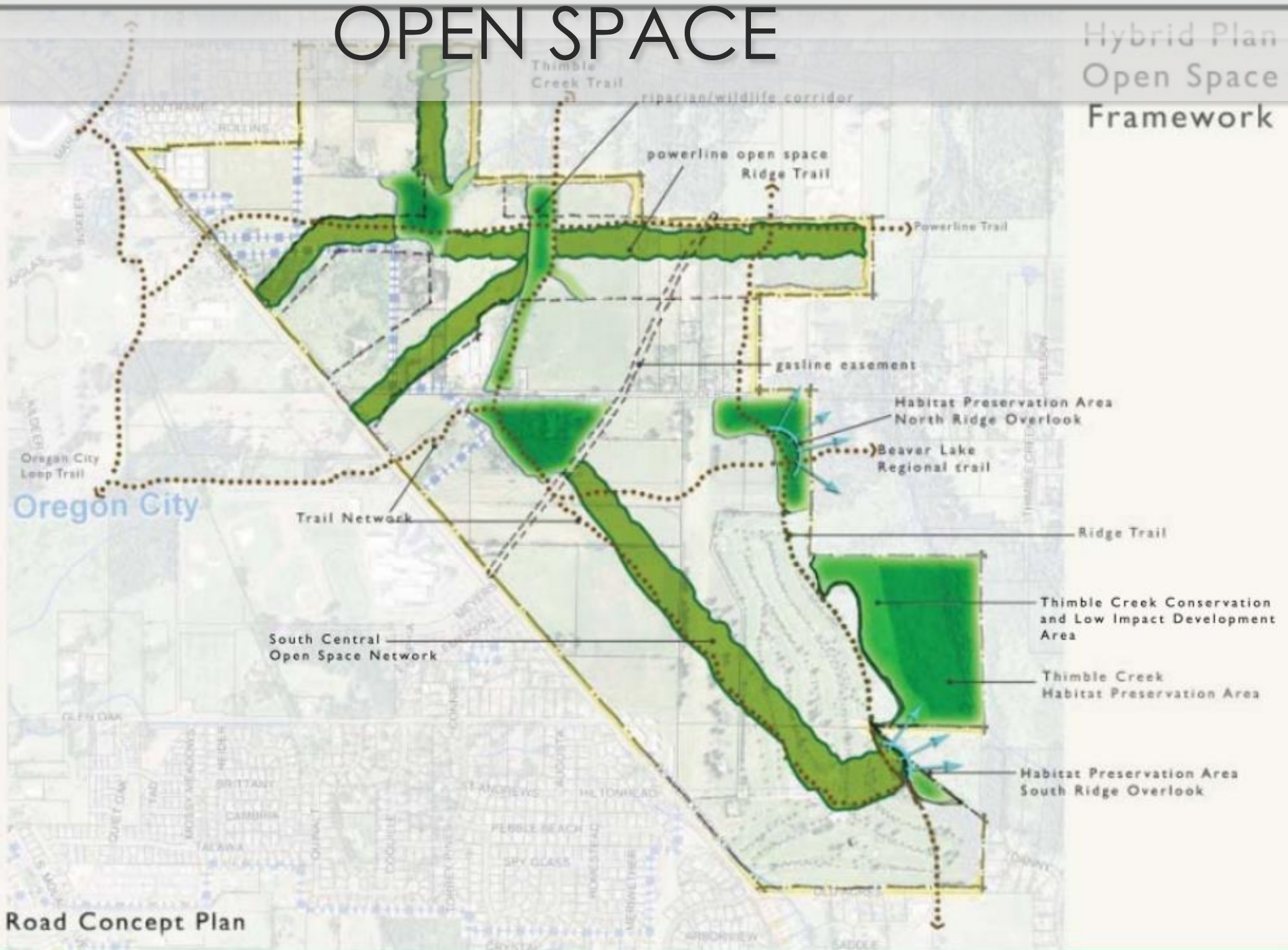
East Mixed Use Neighborhood: Low density residential (R-5) and appropriate mixed use





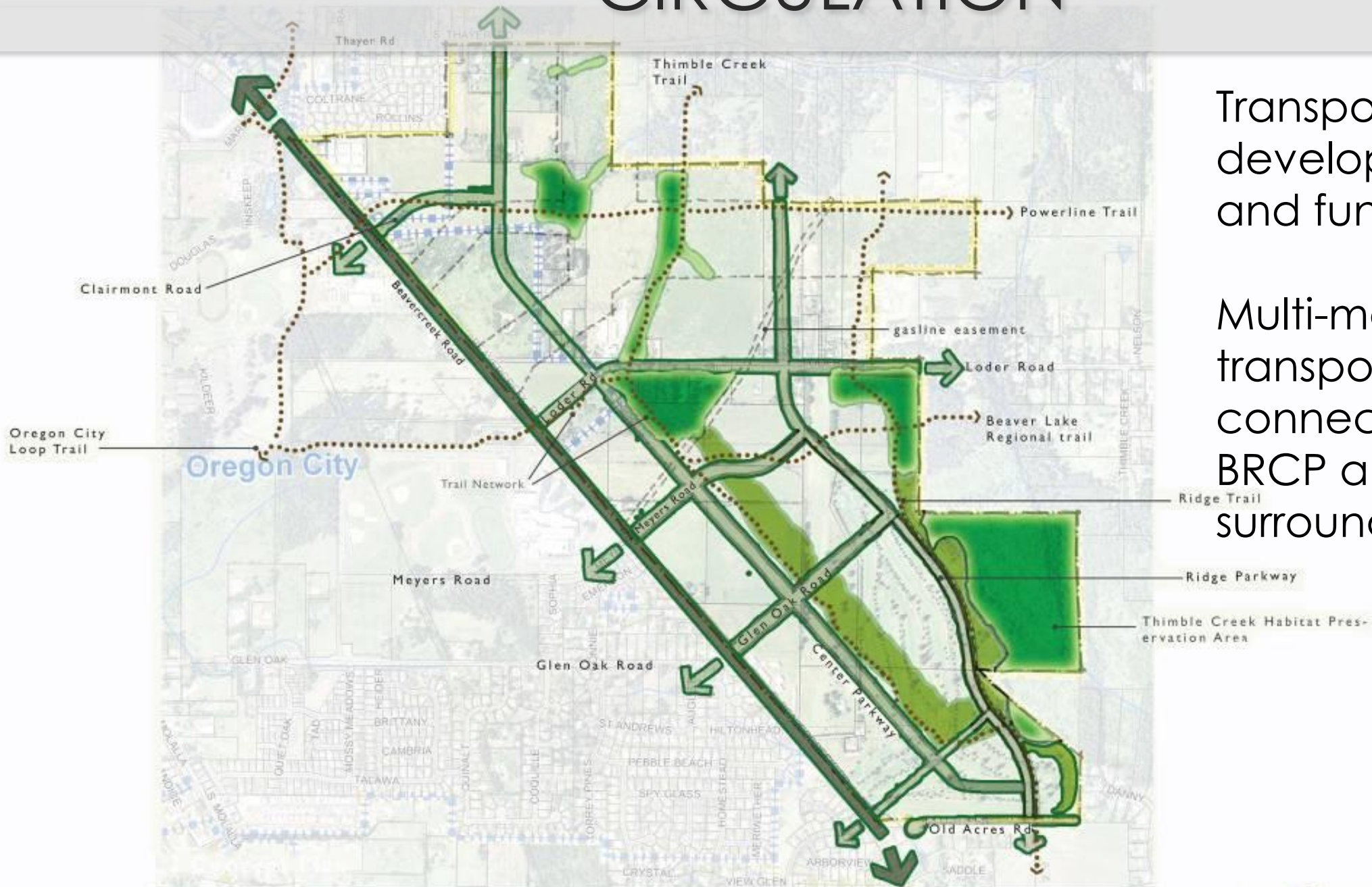
# OPEN SPACE

## Hybrid Plan Open Space Framework





# CIRCULATION



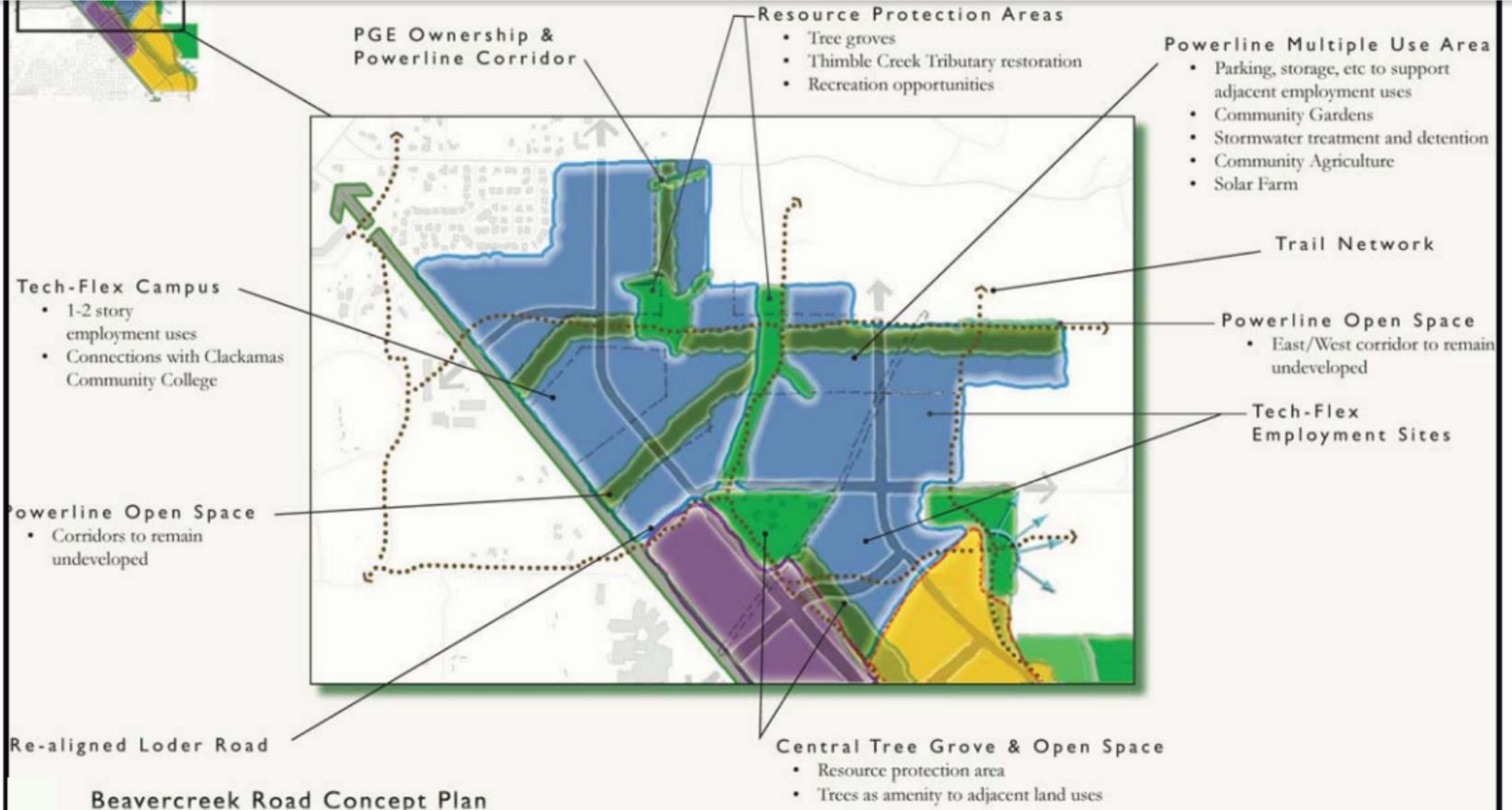
Transportation projects development-driven and funded

Multi-modal transportation connected within BRCP and to surrounding areas



# NORTH EMPLOYMENT CAMPUS

North Employment  
Campus Framework



# CENTRAL MIXED EMPLOYMENT VILLAGE

## Central Mixed Employment Village Framework

### Mixed Employment Center (West)

- 3-5 Story Buildings
- Active Street Level
- Program Connections to High School and College

### Gasline Easement/Entry Feature

- Open space and entry feature that identifies Beaver Creek Road Concept Plan Area

### Central Tree Grove

- Resource protection area
- Trees as amenity to adjacent land uses

### Mixed Employment Center (East)

- Transition area between North Employment Campus and South Neighborhood

### South Central Open Space Network

- 6 to 10 ac / 1000 People
- Location Flexible

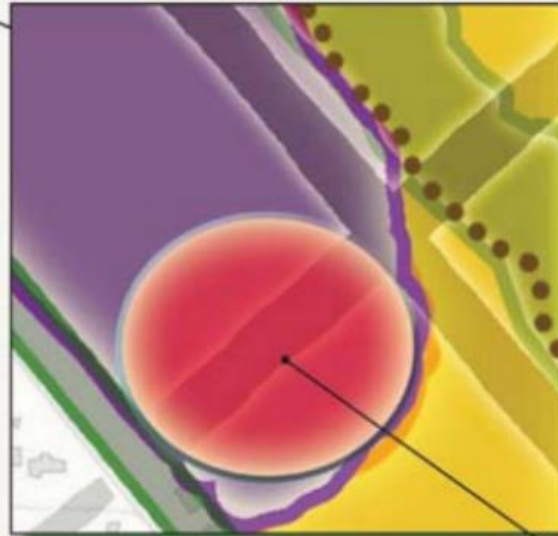
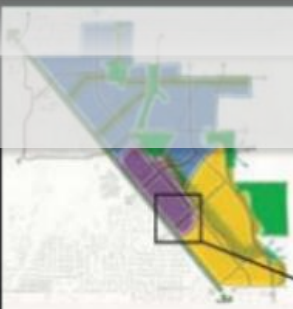
### Mixed Use Center - Main Street





# MIXED USE CENTER MAIN STREET

## Main Street Framework



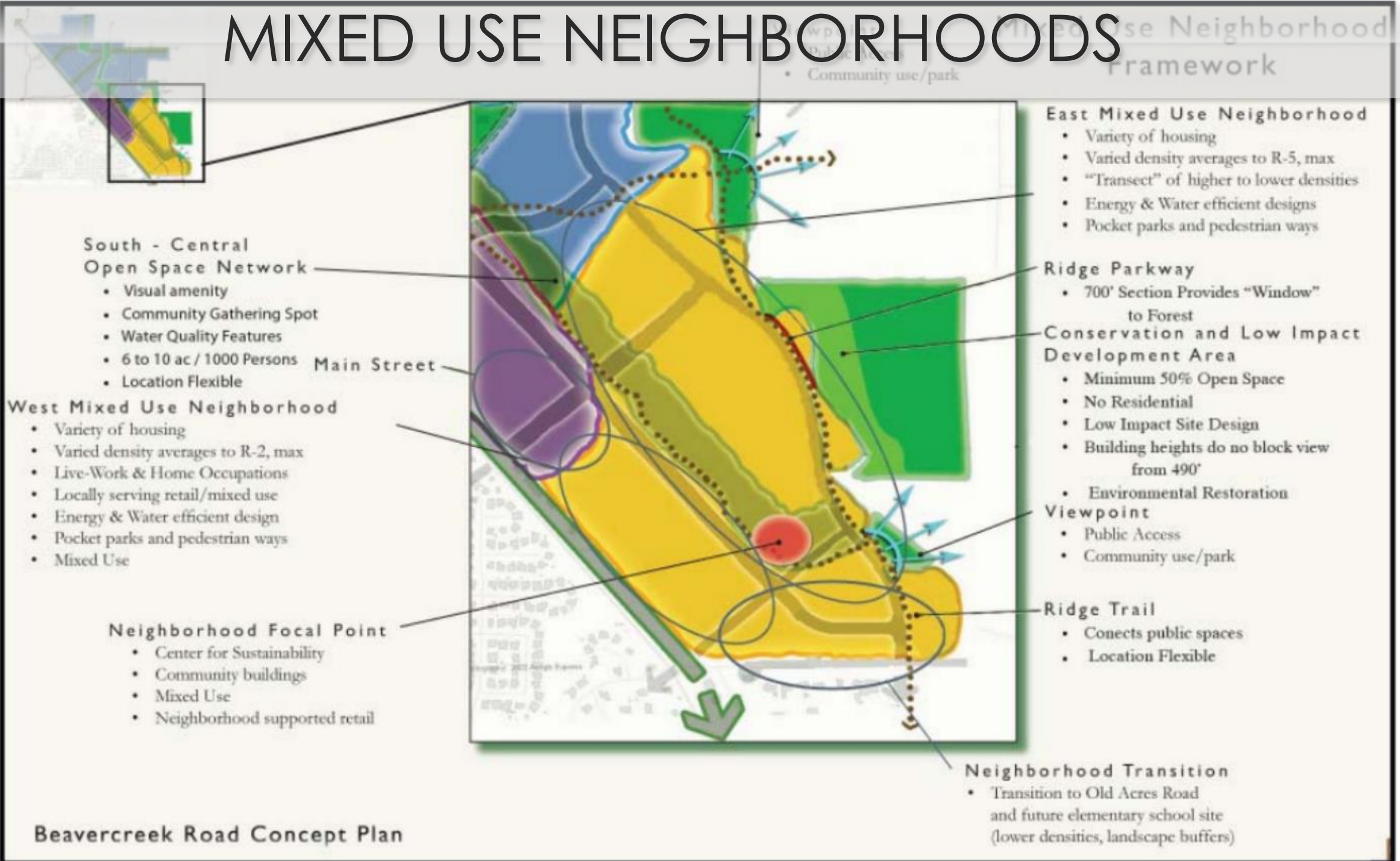
### Main Street

- "Main Street" pedestrian oriented development
- 3-5 story buildings
- Focal point for small scale retail and higher density residential
- Community gathering place
- 10 acres and 100,000 sq. ft. of retail





# MIXED USE NEIGHBORHOODS



# WHEN WILL BRCP BE BUILT?

- ❑ Public Process to Create Concept Plan (**In Process**)
- ❑ Public Process to Create Implementing Comprehensive Plan Designations and/or Code Changes
- ❑ Public Hearings for Annexation and Potentially a Vote
- ❑ Public Hearings for Zone Change
- ❑ Public Development Process
- ❑ Building Permits

\*Early annexation may occur but all elements must be in place prior to development.

\*\*Processes may occur together.





# HOW ARE DECISIONS MADE?

A large crowd of people is shown from a low angle, with many hands raised in the air. The background is slightly blurred, emphasizing the collective action of the group. The scene appears to be outdoors during the day, with bright lighting.

In public processes  
In accordance with applicable criteria