



City of Portland, Oregon - Portland Permitting & Development

1900 SW Fourth Avenue • Portland, Oregon 97201 | 503-823-7300 | www.portland.gov/ppd

Date: January 3, 2025
To: Interested Person
From: Morgan Steele | Land Use Services | Environmental Review & Greenway Review
503.865.6437 | Morgan.Steele@portlandoregon.gov
Christine Caruso | Land Use Services | Conditional Use Review
503.865.6420 | Christine.Caruso@portlandoregon.gov

NOTICE OF A PUBLIC HEARING ON A PROPOSAL IN YOUR NEIGHBORHOOD

CASE FILE: LU 24-041109 CU EN GW
PC # 22-142445
REVIEW BY: Hearings Officer
WHEN: January 29, 2025, 9:00 AM

This land use hearing will be limited to remote participation via Zoom. Please refer to the instructions included with this notice to observe and participate remotely (online or by phone).

Additional Hearings Office information is available at www.portland.gov/omf/hearings/land-use.

It is important to submit all evidence to the Hearings Officer. City Council will not accept additional evidence if there is an appeal of this proposal.

The development proposal, review process, and information on how to respond to this notice are described below. A copy of the site plan and zoning map are attached. I am the staff person handling the case. Please contact me if you have questions regarding this proposal. Please contact the applicant if you have questions regarding any future development on the site.

Applicants: Meredith Armstrong and Randy Franks | Portland General Electric
121 SW Salmon Street | Portland, OR 97204
503.464.2174 | meredith.armstrong@pgn.com | randy.franks@pgn.com

Owner: United States of America
620 SW Main St | Portland, OR 97205

Owner/ Agent: City of Portland | Parks & Recreation
Attn: Laura Lehman
1120 SW 5th Avenue #1302 | Portland, OR 97204-1926
971.930.0104 | Laura.Lehman@portlandoregon.gov

Representative: Noah Herlocker | David Evans & Associates, Inc.
2100 SW River Parkway | Portland, OR 97201
503.475.7021 | Noah.Herlocker@deainc.com

Site Address: Forest Park & Harborton Substation (12500 NW Marina Way)

Legal Description: BLOCK 11 E OF COMPROMISE LINE LOT 1-3, HARBORTON; BLOCK 11 W OF COMPROMISE LINE LOT 1-3 LOT 4-7, HARBORTON; BLOCK 11 LOT 11, HARBORTON; BLOCK 11 LOT 12, HARBORTON; TL 500 1.80 ACRES, SECTION 34 2N 1W; TL 300 62.97 ACRES DEPT OF REVENUE, SECTION 34 2N 1W; TL 400 15.79 ACRES, SECTION 34 2N 1W; TL 1900 9.74 ACRES, SECTION 34 2N 1W

Tax Account No.: R359602460, R359602490, R359602690, R359602710, R971340170, R971340180, R971340210, R971340390, R649940250, R971330350, R971340370, R971340400, R961040450, R961040480, R971340340, R971340190, R971340040, R961040140, R961040100, R961040010, R359602710, R359602630

State ID No.: 2N1W34CB 00900, 2N1W34CB 00800, 2N1W34CB 01000, 2N1W34CB 01100, 2N1W34 00500, 2N1W34 00300, 2N1W34 00400, 2N1W34 01900, 2N1W34 00101, 2N1W33S 00500, 2N1W34 00600, 2N1W34 01600, 1N1W04 01000, 1N1W04 00200, 2N1W34 01700, 2N1W34 00900, 2N1W34 02000, 1N1W04D 00200, 1N1W04D 00700, 1N1W04 00100, 2N1W34CB 00700

Quarter Section: 1717, 1718, 1816, 1817, 1818

Neighborhood: Forest Park, contact Jerry Grossnickle at landuse@forestparkneighbors.org & Linnton, contact Sarah Taylor at sarahsojourner@mac.com

Business District: Northwest, contact Lee Mendelsohn at nobhillportland@gmail.com.

District Coalition: District 4, contact at info@district4coalition.org

Plan District: Northwest Hills - Forest Park and Linnton

Other Designations: *Forest Park Natural Resources Management Plan; Forest Park and Northwest District Natural Resources Inventory – Resource Site FP2, Upper Harborton; Lower Willamette River Wildlife Habitat Inventory – Site 4.2B (Rank III); FEMA Special Flood Hazard Area; Wildlands Fire Hazard Area*

Zoning: *Base Zones:* Open Space (OS), Heavy Industrial (IH)
Overlay Zones: Environmental Conservation (c), Environmental Protection (p), Greenway River General (g), Greenway River Industrial (i), Greenway River Natural (n), Greenway River Water Quality (q)

Case Type: CU EN GW – Conditional Use Review, Environmental Review, Greenway Review

Procedure: Type III, with a public hearing before the Hearings Officer. The decision of the Hearings Officer can be appealed to City Council.

Proposal: The applicant, Portland General Electric (PGE), is requesting approval to conduct utility improvements within their existing utility easement in Forest Park. These improvements include shifting the location of one power pole and rewiring a segment of existing transmission line to that new pole location (the Harborton-Trojan #1 and #2 230 kV lines) and installing two new poles to support a new, 1,400-foot-long segment of transmission lines (Evergreen-Harborton and Harborton-St. Mary's 230 kV lines). Both the shifted and new transmission line segments will connect west to existing PGE lines within Forest Park and span east across Highway 30 to PGE's existing Harborton Substation.

The proposed project is Phase 3 of PGE's Harborton Reliability Project (HRP). Phase 1 has been completed and involved rebuilding the Harborton Substation. Phase 2 which is currently active is rebuilding 115kV power lines from Harborton Substation along U.S. Highway 30 to better serve industrial and urban customers in Northwest Portland. Phase 3 of the HRP involves transmission line routing updates that which are the subject of this review. Phases 4 and 5 are future phases and may include additional transmission line improvements within existing easements in Forest Park.

The proposed transmission line activities will result in significant impacts to 4.7 acres of natural resources within Forest Park including the removal of 376 living trees and 21 dead trees (7,604 inches diameter breast height), permanent fill of

two existing wetlands (Wetland A and Wetland B) and impacts to two streams (Stream 1 and Stream 2). The applicant proposes to restore the affected forested areas by:

- ❖ Install a mixture of shorter-stature tree species, including Oregon white oaks.
- ❖ Retain up to 10 percent of cut trees to place trunks onsite in a fire-safe manner.
- ❖ Seed disturbed herbaceous areas with native seed mix that contains pollinator support species.

To mitigate for impacts to the forest, two wetlands, and two streams, the applicant is proposing to utilize the in-lieu funding sanctioned by City Ordinance 191314. This ordinance authorizes Portland Parks & Recreation (PP&R) to establish and collect fees in-lieu of mitigation activities to implement restoration projects in natural areas, when deemed appropriate by PP&R.

Most of the project is within the City's Environmental Conservation and Environmental Protection overlay zones within the City's *Forest Park Natural Resource Management Plan* (Forest Park NRMP). The Forest Park NRMP includes a list of certain projects/actions that are in conformance with the NRMP, and which are allowed without a land use review. The NRMP does not specifically address the installation of new or the upgrade of transmission lines/corridors. Therefore, this proposal is considered an "exception" to the NRMP and is required to go through a Type III Environmental Review.

The project also includes alterations to existing development within the River General and River Water Quality overlay zones which requires approval through a Greenway Review. The applicant is also requesting to amend the Conditions of Approval for Greenway Review LU 18-151725 GW which was a voluntary habitat enhancement project located at Harborton Substation. Lastly, because the applicant is proposing a Rail Line and Utility Corridor Use within the Open Space base zone, a Conditional Use Review is also required. All the aforementioned reviews are being reviewed concurrently under this land use case.

The portion of the work within Forest Park is also within the Forest Park Subdistrict of the Northwest Hills Plan District and must meet the additional approval criteria for that subdistrict.

Approval Criteria:

To be approved, this proposal must comply with the approval criteria of Title 33, Portland Zoning Code. The applicable approval criteria are:

- ❖ The **"Approval Criteria for Exceptions"** including criteria **A through E in Section B** on page 217 of the [*Forest Park Natural Resources Management Plan*](#) (by reference from 33.430.030).
- ❖ Approval Criteria for Environmental Review within the Forest Park Subdistrict in the [Northwest Hills Plan District](#) in Zoning Code section **33.563.210 A, B, and C**.
- ❖ **33.440.350.A** – All Greenway Reviews (*Greenway Design Guidelines*)
- ❖ **33.440.350.G** – Development within the River Water Quality overlay zone setback
- ❖ **33.440.350.H** – Mitigation Plan
- ❖ **33.815.230** – Rail Lines and Utility Corridors

Zoning Code Section 33.700.080 states that Land Use Review applications are reviewed under the regulations in effect at the time the application was filed, provided that the application is complete at the time of filing, or complete within 180 days. This application was filed on May 10, 2024 and determined to be complete on October 29, 2024.

The Portland Zoning Code is available online at <https://www.portland.gov/code/33>.

Decision Making Process: Portland Permitting & Development will make a recommendation on this proposal; our report and recommendation will be available 10 days before the hearing. The staff report will be posted on Portland Permitting & Development website at <https://www.portland.gov/ppd/zoning-land-use/public-notices>. Land use review notices are listed on the website by the District Coalition in which the site is located; the District Coalition for this site is identified at the beginning of this notice. If you are interested in viewing the file, please contact the planner listed on the front of this notice. The planner can provide information over the phone or via email. Only digital copies of the material in the file are available for viewing.

The proceeding before the Hearings Officer will be the only opportunity for the parties to submit oral and written evidence in this matter. Any appeal to the City Council will be limited to legal arguments concerning the Hearings Officer decision and the evidence in the record compiled by the Hearings Officer in support of that decision.

To comment, you may testify at the hearing, submit comments at www.portland.gov/omf/hearings/land-use; email your comments to HearingsOfficeClerks@portlandoregon.gov; write to the Land Use Hearings Officer, 1900 SW Fourth Ave., Suite 3100, Portland, OR 97201; or FAX your comments to 503-823-4347. **Please see the enclosed insert for further information on how to testify.** In your comments, you should address the approval criteria. Please refer to the file number when seeking information or submitting testimony. Written comments must be received by the end of the hearing. Please note that all correspondence and testimony received will become part of the public record. The applicant and Portland Permitting & Development staff will be available during the hearing to answer questions and respond to comments. The general order of appearance for oral testimony at the hearing is as follows: Portland Permitting & Development staff report, applicant testimony, testimony of interested parties who wish to ask questions or testify, staff response and closing comments, and applicant's closing comments. The Hearings Officer will make a decision about this proposal within 17 days of the close of the record.

ORS 227.178 states the City must issue a final decision on land use review applications within 120 days of the application being deemed complete. The 120-day review period may be extended at the request of the applicant.

Appeal Process: You can appeal the Hearings Officer decision to City Council. However, the appeal to City Council will be conducted as an on-the-record review of the Hearings Officer decision. The City Council will consider legal arguments (for example arguments pointing out ways the Hearings Officer decision improperly interprets or applies relevant approval criteria). The City Council will also consider arguments that the Hearings Officer findings are not supported by the evidence submitted to the Hearings Officer. However, the City Council will not accept or consider new evidence that was not submitted to the Hearings Officer.

A fee is charged for appeals. Recognized neighborhood associations may qualify for an appeal fee waiver. City Council's decision may be appealed to the Oregon Land Use Board of Appeals (LUBA).

Failure to raise an issue, in person or in writing, by the close of the record by the Hearings Officer in this case may preclude an appeal to LUBA on that issue. If you do not provide enough detailed information to the Hearings Officer, they may not be able to respond to the issue you are trying to raise. In such a situation, an appeal to LUBA on that issue may not be allowed.

Hearing Cancellation: This public hearing may be canceled due to inclement weather or other emergency. Contact the Hearings Office at 503-823-7307 or HearingsOfficeClerks@portlandoregon.gov for immediate information regarding cancellations or rescheduling. If canceled, the hearing will be rescheduled for the earliest possible date. A renotification notice will not be sent. Additional information about the Hearings Office is available at www.portland.gov/omf/hearings/land-use.

Portland Permitting & Development is committed to providing equal access to information and hearings. To request an accommodation or alternative format of communication, please contact us at least five business days prior to the hearing at 503-823-7300 (TTY 503-823-6868).

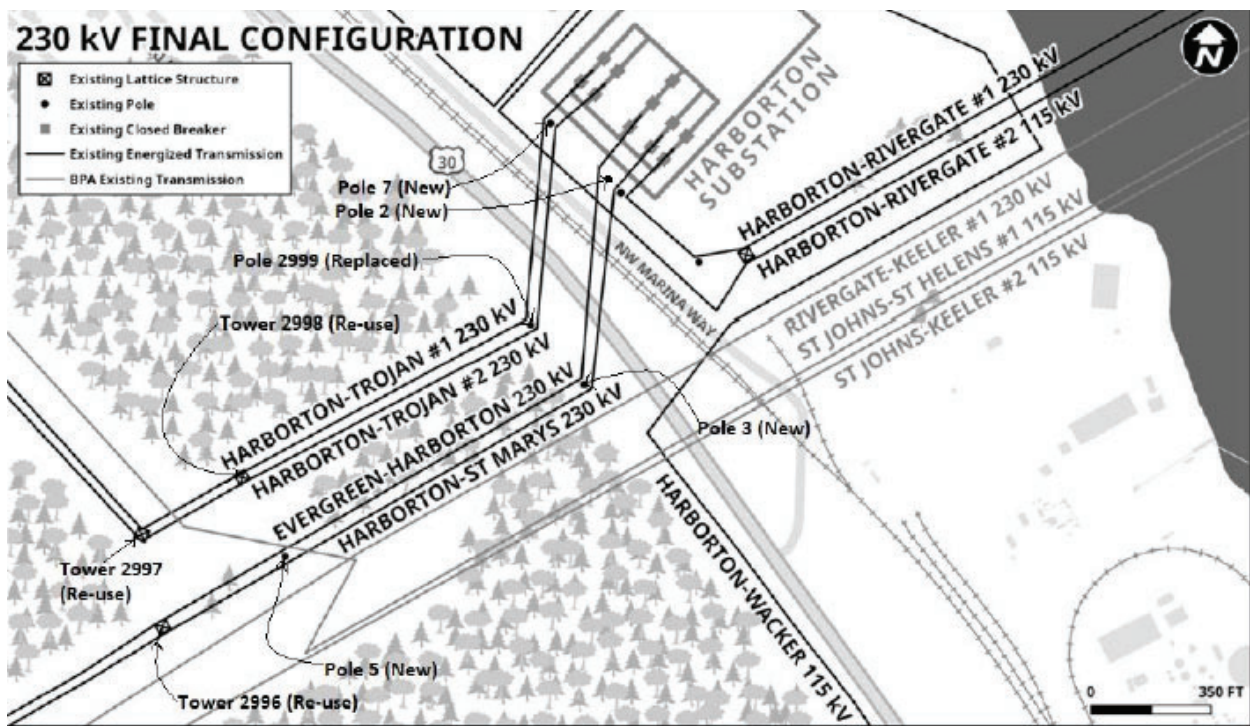
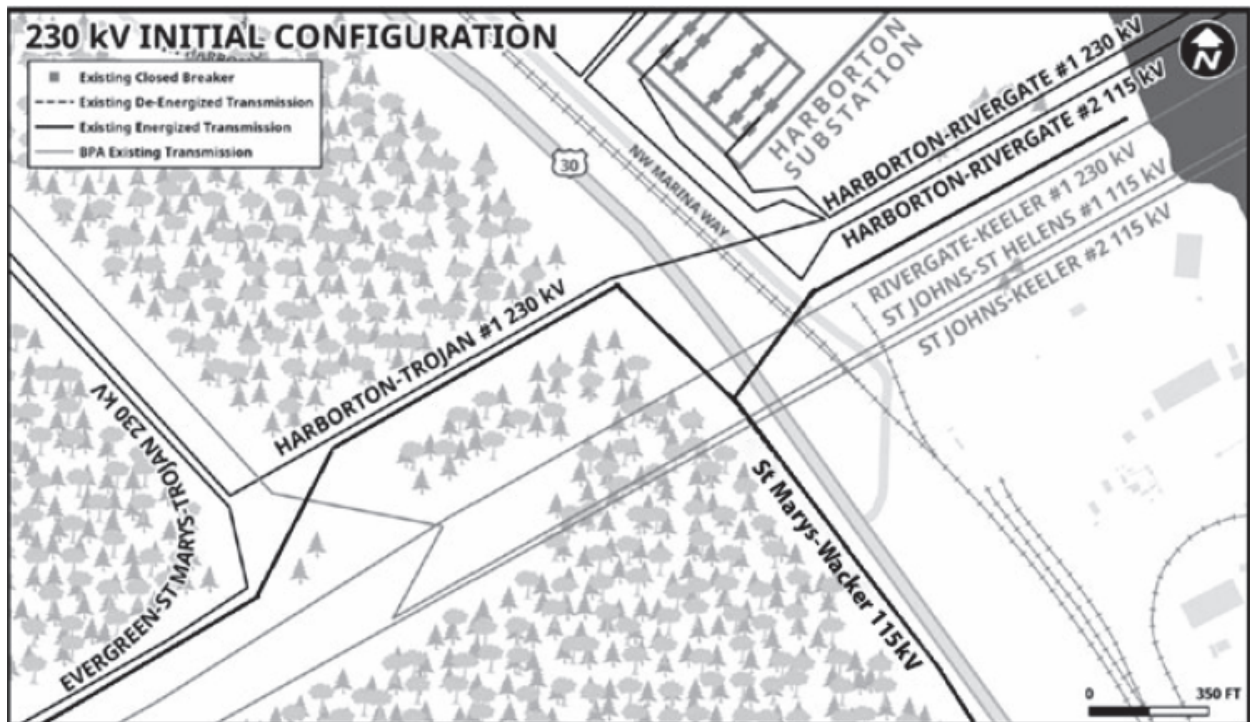
Enclosures:

Zoning Map

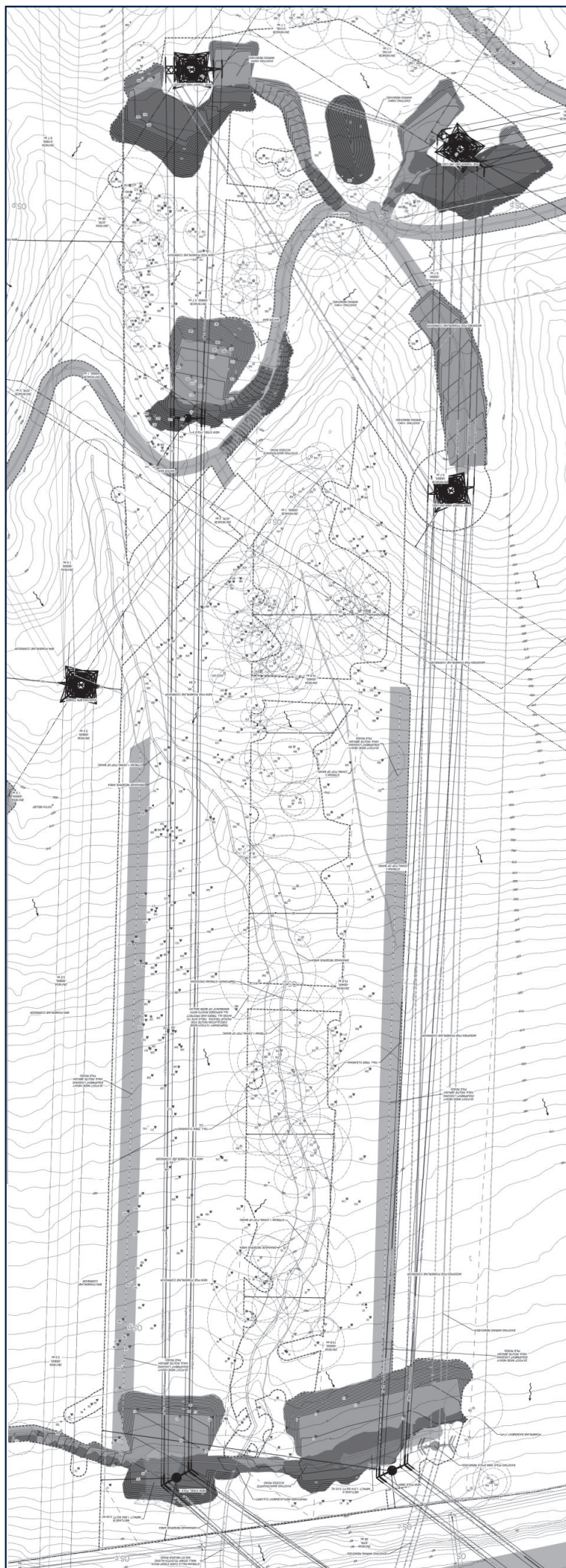
Site Plan

Land Use Hearing Participation Information

File No.	LU 24-041109 CU EN GW
1/4 Section	Multiple
Scale	1 inch = 1,200 feet
State ID	2N1W34 400
Exhibit	B Dec 13, 2024







- Legend
- Limits of Disturbance
- Surveyed Tree Location
- Deciduous Tree (Living) to Be Protected
 - Deciduous (Dead) to Be Protected
 - ⊙ Deciduous Tree (Living) to Be Removed
 - ⊕ Deciduous (Dead) to Be Removed
 - △ Conifer (Living) to Be Protected
 - ▲ Conifer (Dead) to Be Protected
 - ⊗ Conifer (Living) to Be Removed
 - ⊕ Conifer (Dead) to Be Removed
- Root Protection Zone
- Existing Access Road Centerline
- Proposed Temporary Access Road
- Proposed Temporary Logging Haul Route
- Proposed Temporary Circulation Route
- Edge of Roadway/Access Road (approximate)
- Trail
- Wetland/Ordinary High Water (OHW)
- Drainage Reserve Area
- Drainage Flow Arrow
- Culvert
- 100-year Floodplain
- Multnomah County Tax Lot
- Zoning (City of Portland)
- Environmental Transition Zone
- Forest Park Boundary
- Powerline Easement
- Contour (5-foot intervals, vertical datum NAVD88)



Land Use Hearing Participation Information

Case Number: LU 24-041109 CU EN GW (Hearings Office Case Number 4240019)

Site Address: Forest Park and Harborton Substation (12500 NW Marina Way)

Hearing Date: January 29, 2025

Hearing Time: 9:00 AM

The above-referenced land use hearing will take place via the Zoom platform.

Zoom Participation Options and Instructions

Zoom Option

- You will need an internet connection and a personal computer or other internet capable device.
- You can listen, view the City Planner's PowerPoint presentation, and you have the opportunity to provide oral testimony.
- Instructions:

Go to:

<https://us06web.zoom.us/j/86844780162>

Telephone Option

- You will need a telephone.
- You will be able to listen and testify but you will not be able to view documents and presentations shared on the Zoom platform (if any).
- Instructions:

Dial: +1 669 900 6833

Meeting ID: 868 4478 0162#

Written Testimony

- Prior to the Hearing and until the close of evidence, you may submit written testimony. In other words, written testimony can be provided up to the close of the record, which will be announced at the hearing.

- *Note: A document's timeliness is determined by the date/time when it is received by the Hearings Office Clerks.*
- Please reference the case number in any documents you wish to submit.
- Instructions/Options:

Online Case Management System
<https://www.portland.gov/hearings/land-use>



Email: HearingsOfficeClerks@portlandoregon.gov
 Mail: Hearings Office, 1900 SW 4th Avenue, Room 3100,
 Portland, OR 97201

View File Contents

We use a fully electronic case file. Your online viewing options are available at our website: <https://www.portland.gov/hearings/land-use>
 If you do not have online access, you may make a written request for a hard copy of any exhibit to be mailed to you.

Meaningful Access

The City of Portland is committed to providing meaningful access. For accommodations, modifications, translation, interpretation, or other services, please call 503-823-7307, the TTY at 503-823-6868 or the Oregon Relay Service: 711. Traducción e interpretación | Chuyển Ngữ hoặc Phiên Dịch | 翻译或传译
 Письменный или устный перевод | 翻訳または通訳 | Traducere sau Interpretare 번역 및 통역 | Письмовий або усний переклад | Turjumida ama Fasiraadda

Questions or Concerns

You may contact the Hearings Clerks via email at HearingsOfficeClerks@portlandoregon.gov or by calling 503-823-7307.