

November 10, 2022

Bonita Oswald
400 SW 6th Avenue, Suite 300
Portland, OR 97204

RE: Application for Portland Water Bureau Water Filtration Facility, Pipelines and Related Actions (Case #T3-2022-16220)

Dear Applicant:

Thank you for submitting the land use application on the various properties located in the West of Sandy River rural area. Your application has been reviewed by Land Use Planning to determine if all required materials have been provided to demonstrate compliance with Multnomah County Code (MCC). As is common with applications subject to multiple approval criteria, I have identified additional information needed in order to process your application. At this time, your application has been deemed as **Incomplete** as of November 10, 2022.

Information and Materials Requested:

Lot of Record Verifications

1. The narrative for tax lot 1S4E23C-00800 seems to indicate that this tax lot contains a single unit of land. The title report describes 4 units of land.
 - a. Please clarify if you believe there is a deed that consolidates the four units of land described in the title plant records report contained in Ex K.3.c into a single unit of land and provide a copy of said deed.
 - b. If the four units of land have not been consolidated via deed, please clarify if the application is seeking a Lot of Record Verification for each of these units of land or if not each one, which one?
2. Please provide a copy of the Contract dated June 22, 1971 for the property 1S4E22D-00100 (R994220820) for the Lot of Record Verification.

Community Service Conditional Use – Water Filtration Facility

1. Please complete a 24-hr base line noise study to establish the actual noise level within the immediate area of the Filtration Site (1S4E22D-00400 & 1S4E22D-00100). This will help to establish the character of the area.
2. Uses that are accessory to a Community Use are themselves a community service use [MCC 39.7520(A)(19)]. The application will need to be amended to address the Pleasant Home Water Pump (PHWP) and the Public Tours as Accessory uses to the Water Filtration Facility CS. These accessory community service uses will need to meet the approval criteria in MCC 39.7515(A) through (H).

- a. The information provided in Appendix E.1 regarding Public Tours describes similar practices conducted at various water treatment plants in Oregon. As part of the accessory use community service application, materials need to address the actual tours to take place at the Portland Water Bureau Water Filtration Facility on Carpenter Lane. Information on the bus size that the facility operates, average numbers of individuals, maximum numbers of individuals, typical number of tours a month, maximum number of tours a month will need to be provided. The description will be used by the Hearings Officer to evaluate and limit or condition this use as provided by MCC 39.7505.
- b. It appears the PHWP is an accessory use as it is not within the fenced area of the Water Filtration Facility.

Community Service Conditional Uses – Intertie Location & Pipeline

1. Please explain how the term “Core Analysis Area” relates to the approval criteria MCC 39.7515(A) - Is consistent with the character of the area.
2. Please explain the decision to use one-quarter mile as the core analysis area based solely on visibility of the Intertie electrical building
3. Please complete a 24-hr base line noise study to establish the actual noise level within the immediate area of the Intertie Site (1S4E21A-00900) (1S4E22D-00400 & 1S4E22D-00100). This will help to establish the character of the area.

Community Service Conditional Use – Communications Tower

1. Please clarify the number and type of antennas that will be placed on the radio transmission tower as required by MCC 39.7560(C)(2).
 - a. Address whether the tower would be able to handle additional antennas or would be able to accept a co-location for a cell tower.
2. Please edit the Tower Design Drawing to show the location of the antennas and microwave dishes as they are part of the design. [MCC 39.7560(C)(1)]

Geologic Hazard Permits

1. Clarify the location of the ground disturbance zones in the GH overlay. 2. Pipeline Overview Narrative indicates no ground disturbance in overlay. Appendix I.3, Page 6-13 & I.4, Page 6-16 contradicts this statement. [39.5085 (A)(6)]
2. Clarify if any concrete work will be completed in the GH overlay zone and if so, provide location for wash out and cleanup of concrete equipment 39.5085(A)(8).
3. Provide a map or documentation of the soil types where the work will occur within the site. [MCC 39.5085 (A)(10) & MCC 39.5085(C)].
4. Appendix I.4 Lusted Road Distribution Main Geologic Hazards Permit form, page 10 states structural and non-structural fill is to be used. With respect to the non-structural or native fill, please provide a description of the fill materials, compaction methods, and density specifications (with calculations). [MCC 39.5085 (C)(1)(a)]
5. Narrative for the Lusted Road Distribution Main work indicates that any remaining earth materials will be hauled off site. For all haul truck trips, please provide a statement of the total daily number of fill haul truck trips, travel timing, and loaded haul truck weights. [MCC 39.5085(C)(1)(b)]

6. Statements were provided addressing MCC 39.5085(C)(3)(a), but no slope or geologic maps. If relying on MCC 39.5085(C)(3)(a), please provide the required information. [MCC 39.5085(C)(3)(a)].
7. Please provide a copy of the Geologic Hazard Report and if the borings are not in the report. [MCC 39.5085(C)(3)]
8. Please clarify the location where vegetation is to be removed and where all soil disturbance activities will occur within the GH overlay zones. [MCC 39.5090(H)].
9. Clarify disposal of materials mentioned on 1.4 Lusted Road Distribution Main Geologic Hazards Permit form, page 10. MCC 39.5090(S).
10. Provide more information and erosion control plan for the ground disturbance for the raw water pipeline and the Lusted Road Distribution Main. Erosion control plans must be provided for all locations where the earth will be disturbed and will need to be stabilized to prevent erosion. [MCC 39.5085(A)(12)]

Design Review – Water Filtration Facility

1. Please label the detention ponds on the on the Proposed Conditions Site Plan (LU-302). [MCC 39.8025(B)(13)]
2. Provide tree, shrub, and groundcover species and sizes. Neither Sheet LU-306 (“Landscape Plan”) nor LU-401 Facility Enlargement 2 includes species and sizes, only locations (LU-404 only shows stormwater plantings). [MCC 39.8025 (B)(14)]

Design Review – Communication Tower

1. Provide design elevations for the communication tower that shows the lattice tower along with its antennas and microwave dishes. [MCC 39.8025(B)(3)]
2. Provide a floor plan and building design elevations for the communication tower accessory building. In the A.1.b Architectural Plans, Site Plan Sheet LU-GEN-A-012 shows and labels the communications tower accessory building, but the floor plan and building design elevations are missing. [MCC 39.8025(B)(3), (4), and (5)]
3. Provide tree, shrub, and groundcover species and sizes. Neither Sheet LU-306 (“Landscape Plan”) nor LU-401 Facility Enlargement 2 includes species and planting sizes, only locations (LU-404 only shows stormwater plantings). [MCC 39.8025 (B)(14)]

Design Review – Finished Pipelines & Intertie

1. Please clarify the locations of the proposed ground-disturbance, grading, filling and site contouring changes are for the air valves, drains, and accessways and at the intertie electrical building site. According to page 12, “all finished grades will be restored,” suggesting that grading will occur. [MCC 8025(B)(15)]
2. How tall is the security fencing at the Intertie site?

Significant Environmental Concern

1. On Page 5 of Appendix A.3, there are two symbols for the SEC-h overlay zone, please modify the plan to use only one. For each Raw Water Pipeline property with SEC-h overlay on it.
2. Will any ground disturbance occur on tax lot 1S4E23C-00800, 1S4E23C-01200 or 1S4E23C-01300 to connect the Raw Water pipeline to the existing pipeline? If so, clearly show where the development will occur.

3. Please provide a scaled site plan that clearly shows the location of all property lines for each tax lot involved in either the Raw Water Pipeline or other pipelines that involve the SEC-h overlays, right of way lines, boundaries of the SEC-h and then where any vegetation is to be removed, ground disturbance, landform changes or any other new development will occur.

Miscellaneous

1. Please provide documentation from Clackamas County as to what permits are necessary for the improvement of the Emergency Access Route to Bluff Road. Have these permits been applied for? [MCC 39.7505 & MCC 39.8025]
2. Stormwater Drainage Control Certificate: Please have the Engineer sign the Stormwater Drainage Control Certificates [H.3] and provide the date of the corresponding calculations or reports. [MCC 39.6235]
3. The Water Filtration Site consists of two units of land (1S4E22D-00400 & 1S4E22D-00100). A Lot Consolidation application will be needed to consolidate it into a single parcel. A Lot Consolidation application using MCC 39.9300 is a Type I application. A property owner may also choose to consolidate units of land as part of a land division application. If choosing to do a land division application, please discuss with the case planner before making the application.
4. In Narrative 1.A for the Filtration Facility Conditional Use Application, on Page 34, first paragraph, it appears Appendix D.3 should actually be Appendix E.3. On the same page under A.3.1.5 Noise and Vibration Impact Conclusion, it references an Appendix A.4 Exterior Noise Analysis. Please submit Appendix A.4.
5. Please explain what type of ground disturbance/activity is occurring in the SEC-wr that it needs to be reseeded along the roadways? [MCC 39.5510 / MCC 39.5515]
6. In Appendix A.2.a Site Plans, Page 15, please provide information about what repairs will be needed to the retaining wall. Is the retaining wall owned by the private property owner or the County? Approximately how old is the retaining wall? How tall is the retaining wall? Is a building permit going to be necessary? Please provide a photograph or two of the retaining wall. [MCC 39.4355 Uses, MCC 39.4375(C)]
7. The property lines, right-of-way lines, contour information on the plans is very difficult to read as they are often printed so lightly or obscured. Information that is required by the various code sections must be able to be read. Please review the various plans and make sure that the information being presented can be easily read. [MCC 39.5085, MCC 39.5520]

Once you have gathered all of the requested information and materials, you will need to submit all of the revised or new items in **one single submittal packet to LUP-submittals@multco.us**. Documents that have not been revised do not need to be resubmitted as they remain in the record. Once you have submitted a complete packet addressing the requested items, I will conduct a new completeness review of your application. Each iteration of completeness review may result in additional questions, requests for clarification, or requests for additional information until a determination of completeness is made.

The County's code gives you two options at this point. You can either elect to provide this missing information by **April 10, 2023** or deem your application complete as it exists. We recommend you elect to provide the additional information within the 180-day time period, because without it, we may not be able to approve the application. We have enclosed an option statement to assist you.

If you are unable to make your application complete within the 180 days, your application will be closed and a copy of your materials will be returned. Please indicate on the attached form which option you would like to proceed under. You must sign the form and return it to my attention no later than **December 10, 2022**. Please do not hesitate to contact me at (503) 988-0167 or via email at lisa.m.estrin@multco.us if you have any questions.

I look forward helping you move forward with this project as soon as possible.

Sincerely,

Lisa Estrin

Lisa Estrin
Senior Planner

Enclosure:
Applicant's Response

cc: Jesse Winterowd, Winterbrook Planning, 610 SW Alder St. Suite 810, Portland 97205
File

Application #: T3-2022-16220
Case Planner: Lisa Estrin

APPLICANT'S RESPONSE
(Please return by December 10, 2022)

- I intend** to provide the additional information identified in the attached letter from Multnomah County Planning within 180 days. I understand that if I do not make my application complete by **April 10, 2023** my application will be closed and I will forfeit my application fees.

- I decline** to provide the additional information identified in the attached letter from Multnomah County Planning and I am deeming my application complete. I understand that my application will be processed with the supplied information. I am aware that failure to meet the applicable code requirements is grounds for denial of my application.

Signed and Acknowledged (Applicant)

Printed Name (Applicant)

Date