



## LAND USE INFORMATION

### Electrical Transmission Facilities

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#### **Utility Facility Service Lines:** ORS 215.283(1)(x) and OAR 660-033-0130(32)

Utility Facility Service Lines are utility lines and accessory facilities or structures that end at the point where the utility service is received by the customer and that are located on one or more of the following: a public right of way, land immediately adjacent to a public right of way, or the property to be served by the utility.

Local Zoning Approval: Utility Facilities Service Lines are permitted outright all zones.

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#### **Transmission Towers and Lines:** ORS 215.283(2)(m) and OAR 660-033-0130(5)

Transmission Towers over 200 feet in height:

State Approval (OAR 469.300): A high voltage transmission line of more than 10 miles in length with a capacity of 230,000 volts or more to be constructed in more than one city or county in this state

- CUP: (i) Lines proposed for construction entirely within 500 feet of an existing corridor occupied by high voltage transmission lines with a capacity of 230,000 volts or more; and
- (ii) Lines of 57,000 volts or more that are rebuilt and upgraded to 230,000 volts along the same right of way.

Transmission Towers under 200 feet in height:  
Local Zoning Approval

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#### **CUP Approval Process:**

Power transmission lines must be approved according to Oregon Revised Statute (ORS) 215.275 under Utility Facilities Necessary for Public Service:

1. A utility facility established under ORS 215.213 (1)(d) or 215.283 (1)(d) is necessary for public service if the facility must be sited in an exclusive farm use zone to provide the service.
2. To demonstrate that a utility facility is necessary, an applicant for approval under ORS 215.213 (1)(d) or 215.283 (1)(d) must show that reasonable alternatives have been considered and that the facility must be sited in an exclusive farm use zone due to one or more of the following factors:
  - (a) Technical and engineering feasibility;
  - (b) The proposed facility is locationally dependent. A utility facility is locationally dependent if it must cross land in one or more areas zoned for exclusive farm use in

- order to achieve a reasonably direct route or to meet unique geographical needs that cannot be satisfied on other lands;
- (c) Lack of available urban and nonresource lands;
  - (d) Availability of existing rights of way;
  - (e) Public health and safety; and
  - (f) Other requirements of state or federal agencies.
3. Costs associated with any of the factors listed in subsection (2) of this section may be considered, but cost alone may not be the only consideration in determining that a utility facility is necessary for public service. Land costs shall not be included when considering alternative locations for substantially similar utility facilities. The Land Conservation and Development Commission shall determine by rule how land costs may be considered when evaluating the siting of utility facilities that are not substantially similar.
  4. The owner of a utility facility approved under ORS 215.213 (1)(d) or 215.283 (1)(d) shall be responsible for restoring, as nearly as possible, to its former condition any agricultural land and associated improvements that are damaged or otherwise disturbed by the siting, maintenance, repair or reconstruction of the facility. Nothing in this section shall prevent the owner of the utility facility from requiring a bond or other security from a contractor or otherwise imposing on a contractor the responsibility for restoration.
  5. The governing body of the county or its designee shall impose clear and objective conditions on an application for utility facility siting under ORS 215.213 (1)(d) or 215.283 (1)(d) to mitigate and minimize the impacts of the proposed facility, if any, on surrounding lands devoted to farm use in order to prevent a significant change in accepted farm practices or a significant increase in the cost of farm practices on the surrounding farmlands.
  6. The provisions of subsections (2) to (5) of this section do not apply to interstate natural gas pipelines and associated facilities authorized by and subject to regulation by the Federal Energy Regulatory Commission.

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### **Site Plan Review and Site Development Review:**

Site Plan Review (MCZO Section 4.165): After Planning Commission approval of a Conditional Use and within 6 months of the commencement of facility development, the Planning Department conducts a ministerial review to ensure the required standards are met as required by the Conditions of Approval. This review is the same as required for all development in the County.

Site Development Review (MCZO Section 4.170): Site Development Review may be required by the Planning Commission instead of Site Plan Review when a proposed development will utilize 100 acres or more of real property. The review would be conducted by the Planning Commission. See the attached Zoning Ordinance document.