

2/2025 DRAFT TRANSMISSION LINE AND TOWER CODE LANGUAGE

1. Definitions – Chapter 18.08
2. Transmission towers/utility facilities in EFU zones – Chapter 18.16
3. Transmission towers/utility facilities in Forest zones – 18.28
4. Crook County Code 18.124.110

1. Transmission line and transmission tower related definitions – Chapter 18.08

“Meteorological tower” means an assembly of equipment that includes a tower, base plate, anchors, guy cables and hardware, anemometers (wind speed indicators), temperature and pressure sensors, other weather measuring devices attached to the tower, wind direction vanes, booms to hold equipment anemometers and vanes, data logger, instrument wiring, and any telemetry devices that are used to monitor or transmit weather information at a given location.

“Transmission tower” means a vertical, self-supporting structure, such as a lattice tower or monopole, intended to support antennas and associated broadcast equipment used to broadcast radio or television broadcasts. Transmission towers include support structures used to establish and to operate a wireless telecommunications facility

. “Wind tower” means the monopole, freestanding, or guyed structure that supports a wind generator. (Ord. 309 § 1 (Exh. B), 2019)

More general definitions

“Associated transmission lines” means transmission lines constructed to connect an energy facility to the first point of junction with either a power distribution system or an interconnected primary transmission system or both or to the Northwest Power Grid.

“Utility facility” means any facility owned or operated by a public, private or cooperative electric, fuel, communication, sewage or water company for the generation, transmission, distribution or processing of its products or for the disposal of cooling water, waste or byproducts, and including power transmission lines, major trunk pipelines, power substations, cell towers, dams, water towers, sewage lagoons, sanitary landfills, **electrical transmission facilities (except towers over 200 feet in height)** including substations not associated with commercial power generating facilities, and other similar facilities, but excluding local sewer, water, gas, telephone and power distribution lines and similar minor facilities allowed in any zone.

2. EFU zone – Utility lines/transmission towers

(NOTE – These provisions are tied to DLCD’s administrative rules. May want to reference 18.124.110 re: tower height and maybe new overlay zone for military notification)

18.16.015(14) 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) A public right-of-way;
- (b) Land immediately adjacent to a public right-of-way, provided the written consent of all adjacent property owners has been obtained; or
- (c) The property to be served by the utility.

(15) A Utility Facility That Is Necessary for Public Service.

(a) A utility facility is necessary for public service if the facility must be sited in the exclusive farm use zone in order to provide the service.

(i) To demonstrate that a utility facility is necessary, an applicant 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 and federal agencies.

(ii) Costs associated with any of the factors listed in subsection (15)(a)(i) 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 and the siting of utility facilities that are not substantially similar.

(iii) The owner of a utility facility approved under this subsection (15)(a) 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 subsection 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.

(iv) The county shall impose clear and objective conditions on an application for utility facility siting 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 surrounding farmlands.

(v) Utility facilities necessary for public service may include on-site and off-site facilities for temporary workforce housing for workers constructing a utility facility. Such facilities must be removed or converted to an allowed use under the EFU zone or other statute or rule when project construction is complete. Off-site facilities allowed under this subsection are subject to CCC [18.16.020](#), Conditional use review criteria. Temporary workforce housing facilities not included in the initial approval may be considered through a minor amendment request. A minor amendment request shall have no effect on the original approval.

(vi) In addition to the provisions of subsection (15)(a)(i) through (iv) of this section, the establishment or extension of a sewer system as defined by OAR [660-011-0060](#)(1)(f) shall be subject to the provisions of OAR [660-011-0060](#).

(vii) The provisions of this subsection (15)(a) do not apply to interstate natural gas pipelines and associated facilities authorized by and subject to regulation by the Federal Energy Regulatory Commission.

(b) An associated transmission line is necessary for public service upon demonstration that the associated transmission line meets either the following requirements of subsection (15)(b)(i) or (ii) of this subsection:

(i) An applicant demonstrates that the entire route of the associated transmission line meets at least one of the following requirements:

(A) The associated transmission line is not located on high-value farmland, as defined in ORS [195.300](#), or on arable land;

(B) The associated transmission line is colocated with an existing transmission line;

(C) The associated transmission line parallels an existing transmission line corridor with the minimum separation necessary for safety; or

(D) The associated transmission line is located within an existing right-of-way for a linear facility, such as a transmission line, road or railroad, that is located above the surface of the ground.

(ii) After an evaluation of reasonable alternatives, an applicant demonstrates that the entire route of the associated transmission line meets, subject to subsections (15)(b)(iii) and (iv) of this section, two or more of the following criteria:

(A) Technical and engineering feasibility;

(B) The associated transmission line is locationally dependent because the associated transmission line must cross high-value farmland, as defined in ORS [195.300](#), or arable land to achieve a reasonably direct route or to meet unique geographical needs that cannot be satisfied on other lands;

(C) Lack of an available existing right-of-way for a linear facility, such as a transmission line, road or railroad, that is located above the surface of the ground;

(D) Public health and safety; or

(E) Other requirements of state or federal agencies.

(iii) As pertains to subsection (15)(b)(ii) of this section, the applicant shall demonstrate how the applicant will mitigate and minimize the impacts, if any, of the associated transmission line 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 farmland.

(iv) The county may consider costs associated with any of the factors listed in subsection (15)(b)(ii) of this section, but consideration of cost may not be the only consideration in determining whether the associated transmission line is necessary for public service.

3. Forest zone

18.28.015(10) A commercial utility facility for the purpose of generating power shall not preclude more than 10 acres from use as a commercial forest operation. Renewable energy facilities are subject to the standards in Chapter [18.161](#) CCC.

New electric transmission lines with right-of-way widths of up to 100 feet as specified in ORS [772.210](#). New distribution lines (e.g., gas, oil, geothermal, telephone, fiber optic cable) with rights-of-way 50 feet or less in width. (No specific language in code – just in use table - ORS 772.210 applies to right of ways. Use table requires Planning Commission hearing for transmission line applications)

Television, microwave and radio communication facilities and transmission towers. (No specific code language – refers to 18.124.110 and requires Planning Commission hearing for applications)

4.Crook County Code 18.124.110

Note: This section applies to all zones where transmission towers are allowed as permitted or conditional uses. Much of code language seems to apply to single towers (e.g., cell towers) but I think we applied many of these requirements to the Pacific Corp line from the Facebook substation to the Ponderosa substation.

Think about whether or not to modify the code language into provisions that would be required for both towers as part of transmission lines and individual towers.

(1) Applicability. Height Restrictions for Transmission Towers/Site Plan Review and Conditional Use.

(a) In EFU and Forest Zones. Transmission towers less than 200 feet in height or siting on a colocation facility shall be by site plan review based upon the standards contained within this section. New towers proposed to be greater than 200 feet in height shall be by conditional use, pursuant to this section. Nothing herein shall preclude any uses permitted outright under ORS [215.213\(1\)\(d\)](#) or [215.283\(1\)\(d\)](#). (NOTE: May want to reference the Military Training Route overlay zone here and require notice to the Department of Defense)

(b) In Zones Described in Chapters [18.48](#), [18.52](#), [18.56](#), [18.68](#), [18.88](#), [18.92](#), [18.108](#) and [18.112](#) CCC. A new transmission tower less than 30 feet in height either from the existing grade or, if located on an existing building, from the base monopole, shall be by site plan review based on the standards contained within this section. Lattice towers shall not be permitted to be constructed on existing buildings. New towers proposed to be greater than 30 feet in height shall be by conditional use pursuant to this section. Colocation facilities shall be approved pursuant to CCC [18.160.050\(17\)\(b\)](#).

(2) Conditional Use Approval. An application for a conditional use permit for a transmission tower or its equivalent in the EFU and forest zones shall comply with the applicable standards, setbacks and criteria of the base zone, any combining zone (overlay zone) and the following requirements:

(a) Preapplication Conference. Applicant shall attend a scheduled preapplication conference prior to the submission of a land use application. An application for a transmission tower will not be deemed complete until the applicant has had a preapplication conference with the planning department staff. The planning staff shall require payment by the prospective applicant of a fee commensurate with the estimated duration of this conference.

(b) Neighborhood Meeting. Prior to submitting an application for a transmission tower, the applicant shall provide notice of and hold a meeting with interested owners of the property nearby to a potential facility location. Notice shall be in writing and shall be

mailed no less than 10 days prior to the date set for the meeting to owners of record of property within a notice area of 2,000 feet of the boundary of the property on which the applicant proposes to establish a tower or monopole greater than 30 feet in height. For the purpose of this section, the property on which an applicant proposes to establish a transmission tower includes the lot of record on which the applicant will locate the facility and all contiguous lots of record held in common ownership. The applicant shall notify the owners of record of a minimum of 20 properties located within 660 feet of the affected property. If the number of owners of property notified in the notice area does not equal at least 20, the applicant shall notify the owners of record of property within the next increment of 660 feet from the initial notice area until the number of owners of property notified reaches at least 20. The applicant shall also provide a copy of this notice to the planning department.

(c) Balloon or Crane Test. After the neighborhood meeting, the applicant shall conduct a test with a balloon or a crane to provide an estimate of the ultimate height of a support structure proposed as part of the transmission tower. The applicant shall notify all persons attending the neighborhood meeting of the date, the time, and the location of the test. The applicant shall schedule the balloon test so that it can be conducted no later than two business days following the date of the neighborhood meeting or such time as is agreeable to the neighbors at the meeting, but in no event shall the balloon test occur more than 30 days following the date of the neighborhood meeting. Notice of this test shall be provided to the planning staff.

(d) The preapplication conference shall be completed prior to scheduling the neighborhood meeting or conducting the balloon/crane test.

(3) Submittal Requirements. An application for a transmission tower in either an EFU zone or a forest zone shall include:

(a) A copy of the executed lease from the owner of the site of the property where the tower will be located; **NOTE: I am not sure we have required this.**

(b) A copy of the applicant's Federal Communications Commission license. A copy of this document will not be required to be submitted if applicant is not a personal wireless service provider, and is seeking approval only for a support structure for a wireless telecommunications facility; **(Note: this would be a cell tower thing – not electric transmission line)**

(c) For a new tower, a map that shows the applicant's search area for the proposed site and the properties within the search ring, including locations of existing telecommunications towers or monopoles; **(Again – this seems more relevant for a cell tower)**

(d) For a new tower, a copy of the written notice of the required neighborhood meeting and a certificate of mailing showing that the notice was mailed to the list of property owners falling within the notice area designated under CCC [18.124.110](#)(2);

(e) For a new tower, a transcript of the neighborhood meeting or copies of the audiotape recordings of the meeting. The applicant shall also submit a list of attendees, including the date, time, and location of the meeting;

(f) A site plan showing the location of the proposed facility and its components. The site plan shall also identify the location of the existing and proposed landscaping, any equipment shelters, utility connections, and fencing proposed to enclose the facility, and lighting if any is proposed. Describe primary and emergency energy sources proposed for the cell tower;

(g) A copy of the design specifications, including photographs or manufacturer's graphic representations of proposed colors, and an elevation of an antenna array proposed with the facility, and lighting, if any, for the facility;

(h) An elevation drawing of the facility and a photographic simulation of the facility showing how it would fit into the landscape. The elevation drawing shall be drawn to scale and show the existing trees adjacent to the proposed facility and show the height of such trees from existing grade to the highest portion of each tree. This documentation shall include any support structure, transmission equipment including antennas and microwave dishes, and any ground-based equipment cabinets or shelters;

(i) A copy of a letter of determination from the Federal Aviation Administration or the Oregon Department of Transportation – Aeronautics Division as to whether any requirements, including but not limited to aviation lighting, would be required for the proposed facility. Such letter of determination shall be submitted prior to issuance of a decision by the county planning authority;

(j) An agreement and security in accordance with CCC [17.40.080](#) and [17.40.090](#) for removal of any support structure and any ground-based equipment or accessory structures, such as equipment buildings and security fences;

(k) Proof that the applicant is not able to collocate similar telecommunication structures on existing transmission facilities or locate on existing structures;

(l) In the event that the applicant plans to develop more than one tower in Crook County, the applicant shall simultaneously submit a tentative plan for future tower site development in the county. (Ord. 344 § 11 (Exh. J), 2024; Ord. 296 § 9 (Exh. G), 2016; Ord. 280 § 15 (Exh. O), 2015; Ord. 18 Amd. 61 §§ 2, 3, 2003; Ord. 18 § 4.250, 2003)

Note: Non-resource lands have a variety of provisions for utility facilities, commercial energy and transmission towers. For example, the County's RRM-5 zone allows utility facilities serving the county (permitted use) or commercial energy facilities as conditional uses (RRM-5)

The County's R-5 zone allows transmission tower(s) less than 30 feet in height either from the existing grade or if located on an existing building from the base monopole shall be by site plan review, based on the standards contained within CCC [18.124.110](#). Lattice towers shall not be permitted to be constructed on existing buildings.