



Oregon

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This is a re-noticed adoption, due an error in the original notice.

NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

Date: June 24, 2015

Jurisdiction: City of Clatskanie

Local file no.: 2015-01

DLCD file no.: 002-14

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 06/18/2015. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD 43 days prior to the first evidentiary hearing.

Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR chapter 661, division 10).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or plan.amendments@state.or.us



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE

File No.: 002-14 {22593}

Received: 6/18/2015

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See OAR 660-018-0040). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use Form 4 for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use Form 5 for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use Form 6 with submittal of an adopted periodic review task.

Jurisdiction: City of Clatskanie

Local file no.: **2015-01**

Date of adoption: April 1, 2015

Date sent: 6/8/2015

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): Dec 16, 2014

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No

If yes, describe how the adoption differs from the proposal:

No

Local contact (name and title): Greg Hinkelman

Phone: (503) 728-2622

E-mail: ghinkelman@cityofclatskanie.com

Street address: 95 N. Nehalem

City: Clatskanie

Zip: 97016-

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

Change from Light Industrial (M2) to Community Services (CS) 15 acres. A goal exception was required for this change.

Change from _____ to _____ acres. A goal exception was required for this change.

Change from _____ to _____ acres. A goal exception was required for this change.

Change from _____ to _____ acres. A goal exception was required for this change.

Location of affected property (T, R, Sec., TL and address):

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

If the comprehensive plan map change is a UGB amendment including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

If the comprehensive plan map change is an urban reserve amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

For a change to the text of an ordinance or code:

Identify the sections of the ordinance or code that were added or amended by title and number:

For a change to a zoning map:

Identify the former and new base zone designations and the area affected:

Change from Light Industrial (M2)	to Community Service (CS)	Acres: 15
Change from	to Acres:	
Change from	to Acres:	
Change from	to Acres:	

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation:	Acres added:	Acres removed:
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Location of affected property (T, R, Sec., TL and address): 7N, 4W, 5, 200 & 2600

List affected state or federal agencies, local governments and special districts: City of Clatskanie

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

This Notice should replace the Notice that was sent to DLCD that contained incorrect information on 4/9/2015 (rec'd by DLCD on 4/23/2015; DLCD File No. 002-14). Staff Reports, Findings and Ordinances 676 & 677 are attached. Note, Ordinances 676 & 677 are related and Ord. 676 applies directly to this PAPA Notice for rezoning 15 acres. City File No. 2015-01.

City of Clatskanie
Ordinance No. 677

**AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN BY REMOVING THE
WETLAND OVERLAY FROM A PORTION OF WETLAND CR-12 LOCAL WETLAND INVENTORY**

Whereas, the City adopted a Local Wetland Inventory (LWI) with Ordinance 601 on May 3, 2000, amending with Ordinance 634 on July 21, 2004; and

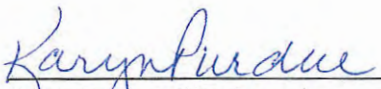
Whereas, the Planning Commission met on February 25, 2015, and unanimously recommended that the City Council remove the Wetland Overlay Zone from a portion of CR-12 (see Exhibit "A" incorporated by reference herein, of the LWI); and

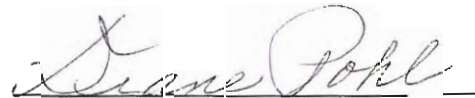
Whereas, the proposed modification of the Wetland Overlay constitutes an amendment to the City's Comprehensive Plan and may become effective only by ordinance of the City Council.

NOW, THEREFORE, THE CITY OF CLATSKANIE ORDAINS AS FOLLOWS:

1. That the findings of the Planning staff report dated December 19, 2014 and updated on February 27, 2015, as reviewed and approved by the Clatskanie Planning Commission, are hereby adopted by the City Council; and
2. A portion of CR-12 consisting of approximately 15 acres, as shown on Exhibit "A" is hereby removed from the City of Clatskanie's Local Wetland overlay protection; and
3. The terms of this ordinance are severable. If a part of this ordinance is held invalid, that invalidity does not affect another part of this ordinance.

Adopted by the Council and certified by the Mayor this 1st day of April, 2015.


Karyn Purdue, City Recorder


Diane Pohl, Mayor

1st Reading: March 4, 2015

2nd Reading: April 1, 2015

ROLL CALL ON ADOPTION:	AYE	NAY	ABSENT
Mayor: Diane Pohl	X		
Councilors: Neil Christensen	X		
Steve Constans	X		
Kathy Engel	X		
Toby Harris	X		
Jim Morgan	X		
Dave True	X		

City of Clatskanie
Ordinance No. 676

**An Ordinance of the City of Clatskanie to Rezone Certain Property
From M-2 (Light Industrial) to CS (Community Service) and Amend the Comprehensive Plan**

Whereas, the City desires to zone change a piece of its property inventory from M-2 (Light Industrial) to CS (Community Service) for tax lots 7405-00-02600 & 7405-DC-00200, located on Clatskanie District Road; and

Whereas, the Planning Commission has reviewed the Ordinance and recommends that the City Council adopt said Ordinance; and

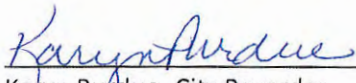
Whereas, this zone would be consistent and compatible with the current and projected land use for the property; and

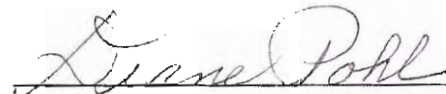
Whereas, this ordinance amends the City's Comprehensive Plan to reflect this zone change.

NOW, THEREFORE, the City of Clatskanie ordains as follows:

1. The subject properties are hereby rezoned from M-2 (Light Industrial) to CS (Community Service). These parcels are located on Clatskanie District Road and are identified as Tax Lots 7405-00-02600 & 7405-DC-00200;
2. The Comprehensive Plan designation for the subject properties is changed from M-2 to CS; and
3. The Council hereby adopts the findings of the Planning Staff Report dated December 19, 2014.

Passed by the Council of the City of Clatskanie this 1st day of April, 2015.


Karyn Purdue, City Recorder


Diane Pohl, Mayor

1st Reading: March 4, 2015

2nd Reading: April 1, 2015

ROLL CALL ON ADOPTION:

AYE NAY ABSENT

Mayor: Diane Pohl
Councilors: Neil Christensen
Steve Constans
Kathy Engel
Toby Harris
Jim Morgan
Dave True

X
X
X
X
X
X
X

February 27, 2015

to: Greg Hinkelman, Clatskanie City Manager

from: Mark Barnes, Planner

re: Local Wetland Inventory amendment, tax map/lot 7405-00-2600 & 740d-DC-00200.

SUMMARY

This memorandum describes a post-acknowledgement amendment to the City's Comprehensive Plan and zoning map. The amendment affects about 15 acres of tax lot 2600 & 00200 on map 7405-00. The property is owned by the City of Clatskanie. It is located on the north side of Beaver Falls County Road, and north of the railroad tracks, as shown on the map at the end of this memo. The purpose of this proposed amendment is to accommodate an outdoor recreational facility consisting of one or more baseball fields, plus accessory facilities. The proposed amendment would remove the Wetland Overlay Zone protections from a portion of wetland CR12. Wetland CR12 is described in the City's Local Wetland Inventory as a 59.2 acre wetland. This amendment affects about 1.9 acres of wetland CR12.

This memorandum updates and corrects some errors in an earlier memo dated December 19, 2014. The Planning Commission considered the earlier memo, with modifications described orally by staff, at their February 25, 2015, hearing. This memorandum incorporates those modifications.

Related to this amendment is a zone map amendment for the same property from Light Industrial to Community Services, and a lot line adjustment. These related matters are addressed in separate staff reports.

Wetlands are a resource covered under statewide planning goal 5. The goal 5 administrative rule establishes planning requirements local governments must follow when addressing these resources. This proposed amendment is also subject to comprehensive plan policies and to procedural requirements in the City's zoning ordinance.

An October 2011 wetland delineation report prepared for the City by Ecological Land Services (ELS) shows that the extent of wetlands on the subject property is not as large as shown in the 1999 Local Wetland Inventory (LWI) prepared by Shapiro and Associates. Both the inventory map and the more recent delineation map are included at the end of this document. The wetland subject to this

amendment is referred to as CR12 in both the LWI and in this memo. CR12 covers about 59.2 acres spread over several tax lots, including the subject property. Wetlands on the subject property cover about 1.9 acres according to the 2011 delineation report.

CRITERIA

OAR 660-023-0040 (2): This section of the goal 5 administrative rule is the first of five required steps for an amendment involving goal 5 resources:

(2) Identify conflicting uses. Local governments shall identify conflicting uses that exist, or could occur, with regard to significant Goal 5 resource sites. To identify these uses, local governments shall examine land uses allowed outright or conditionally within the zones applied to the resource site and in its impact area. Local governments are not required to consider allowed uses that would be unlikely to occur in the impact area because existing permanent uses occupy the site.

A “conflicting use” is defined in the administrative rule as *a land use, or other activity reasonably and customarily subject to land use regulations, that could adversely affect a significant Goal 5 resource.* The following uses are allowed outright in the Community Services zone on the subject property, pursuant to Clatskanie Municipal Code (CMC) section 9-8A-2:

A. Major Institutions: “Major institutions”, defined as the following:

Government office buildings.

Hospital, clinic or extended care facility.

Public or private cemetery, crematory or mausoleum.

Schools, public and private, and associated facilities.

B. Minor Institutions: “Minor institutions”, defined as the following:

Church.

Daycare facilities licensed by the state of Oregon.

Dwelling for a watchman or caretaker for a permitted use.

Library.

Parks, playground, sports arena, golf course.

Police and fire station, or armory.

Private club, fraternal organization lodge, grange hall.

Utility facilities, including electric power substation, telephone switching station, sewage pumping station, sewage treatment plant, water treatment plant, water storage reservoir, public works shop, telephone microwave facility and radio or television transmission facilities.

C. Similar Uses: Any other use determined by the planning commission to be similar in nature to the uses listed in subsections A and B of this section.

In addition to these outright uses, a communication tower may be allowed in the Community Services zone as a conditional use (CMC 9-8A-3).

Nearly all of the uses allowed outright in the Community Services zone could adversely affect that portion of locally-significant wetland CR12 that exists on the subject property. Most outright and conditional uses allowed in the CS zone require a building and off-street parking areas. It is impractical to build structures such as a school, hospital, government building, church, library, police station, or fire station on piling. A cemetery could not be developed on the subject property without either drainage measures or fill. Utility facilities would require either lowering the water table or raising the ground elevation. These measures conflict with the maintenance of wetland functions and values.

The proposed use - ballfields and their accessory uses - are allowed outright in the CS zone under CMC 9-8A-2-B: *Parks, playground, sports arena, golf course*. Ballfields and their accessory uses conflict with the maintenance and preservation of wetlands for the following reasons:

- Baseball and softball fields have manicured lawns for their playing surface in the outfield; and a combination of manicured lawns and bare dirt on the infield. This requires regular mowing, as well as periodic irrigation and at least the possibility of fertilizer and pesticide application. These practices conflict with the maintenance of wetland vegetation.
- Ballfields require playing surfaces that are dry, at least during the months of March through October. Wetlands generally, and wetland CR12 especially, is either inundated or saturated for all or nearly all of this period. Development, maintenance and use of ballfields on CR12 would require either fill to elevate the playing surface above the saturation level, or drainage measures such as drain tile. Fill or drainage conflict with the maintenance of wetland hydrology at CR12.
- Ballfield accessory uses, such as parking lots, restrooms, dugouts, refreshment stands, and spectator areas, generally need to be dry and free of most wetland vegetation. Parking areas require a gravel base. Refreshment stands, restrooms, and spectator areas must be located in areas free of surface water and saturated soil. These requirements conflict with the maintenance of wetland functions.

The uses allowed outright in the CS zone conflict with wetlands. The specific use proposed on the subject property - tournament ballfields and their accessory uses - could adversely affect locally significant wetlands on the property for the reasons outlined above.

OAR 660-023-0040(3) : This section of the goal 5 administrative rule is the second of five required steps for an amendment involving goal 5 resources:

(3) Determine the impact area. Local governments shall determine an impact area for each significant resource site. The impact area shall be drawn to include only the area in which allowed uses could adversely affect the identified resource. The impact area defines the geographic limits within which to conduct an ESEE analysis for the identified significant resource site.

The impact area is that portion of tax 2600 shown on the map at the end of this memo. This is less than the full extent of wetland CR12.

OAR 660-023-0040(4) : This section of the goal 5 administrative rule is the third of five required steps for an amendment involving goal 5 resources:

(4) Analyze the ESEE consequences. Local governments shall analyze the ESEE consequences that could result from decisions to allow, limit, or prohibit a conflicting use. The analysis may address each of the identified conflicting uses, or it may address a group of similar conflicting uses. A local government may conduct a single analysis for two or more resource sites that are within the same area or that are similarly situated and subject to the same zoning. The local government may establish a matrix of commonly occurring conflicting uses and apply the matrix to particular resource sites in order to facilitate the analysis. A local government may conduct a single analysis for a site containing more than one significant Goal 5 resource. The ESEE analysis must consider any applicable statewide goal or acknowledged plan requirements, including the requirements of Goal 5. The analyses of the ESEE consequences shall be adopted either as part of the plan or as a land use regulation.

The analysis required under subsection 4 encompasses the economic, social, environmental, and energy consequences; both positive and negative; that could result from allowing, limiting, or prohibiting a ballfield and its accessory uses (parking, spectator areas, refreshment stand, restrooms) on the impact area. This analysis can be thought of as a matrix, though it's not presented as one here. The matrix looks like this:

	Economic Consequences	Social Consequences	Environmental Consequences	Energy Consequences
Allow conflicting uses	+/-	+/-	+/-	+/-
Limit conflicting uses	+/-	+/-	+/-	+/-

Prohibit conflicting uses	+/-	+/-	+/-	+/-
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Economic Consequences:

- Allowing a ballfield and its accessory uses on the impact area has positive economic consequences. These are primarily related to increased economic activity associated with tournament play in Clatskanie. Teams that travel to Clatskanie to play in tournament competition at a ballfield on the impact site will make purchases in the community such as food and gasoline. This positive economic impact can be contrasted with negative economic impacts associated with the loss of wetland functions and values. According to the Oregon Freshwater Wetland Assessment Methodology as reported in the City's Local Wetland Inventory, wetland CR12 provides wetland functions such as hydraulic control, potential for educational and recreational use, and aesthetic value. The wetland's water quality functions are impacted or degraded. There is no fish habitat associated with LWI wetland CR12 according to the City's Local Wetland Inventory. Proposed conflicting uses would not eliminate all positive economic benefits associated with CR12, because the impact area is a relatively small part of wetland CR12. The impact area is about fifteen acres, of which less than two acres are wetlands. LWI wetland CR12 covers about 59.22 acres. Economic consequences, both positive and negative, are not large relative to the overall economy in Clatskanie, but neither are they negligible.
- Limiting a ballfield or its accessory uses at the impact area has economic consequences. Limits might include any or all of the following: allowing only a single ballfield, shrinking the outfield area, limiting the months that ballfields could be used, limiting parking, limiting landscape maintenance, or the like. These kinds of limits would reduce positive economic consequences. For example, restrictions on the months of use would bring fewer out-of-town teams to the City. Likewise, restricting the size or number or number of fields would make the site less attractive for tournament play, and thus reduce the number of out-of-town teams visiting the facility. Measures that limit the utility of the proposed ballfields may make the project infeasible: if stakeholders (the City, the Park & Recreation District, recreational teams) perceive the facility as only marginally useful, then it is unlikely to be built. Limiting conflicting uses will reduce the economic benefits of CR12's wetland functions, though not as much as fully allowing conflicting uses, and not as much as allowing conflicting uses over CR12's entire extent rather than just a portion of CR12. As reported in the LWI and summarized above, the economic value of CR12's wetland functions is relatively small.

- Prohibiting conflicting uses on the impact area has economic consequences. Without the proposed ballfield, there will be no economic gain associated with tournament play in Clatskanie. Unless an alternative site becomes available, tournament play will leave Clatskanie and result in less economic activity. The economic consequences of prohibiting the ballfield include the lost opportunity for an economic gain, plus the continued leakage of economic activity from Clatskanie as local recreational baseball and softball teams play their tournaments outside of the City. Prohibiting the ballfield and its accessory uses on the impact area will preserve the economic value of CR12's wetland functions, but with two important caveats. First, as noted in the LWI, the wetland is potentially sensitive to future impacts even if the proposed ballfields are prohibited. Second, the impact area is a small portion of CR12, so the prohibition has no affect on wetland functions over most of CR12.

Social Consequences:

- Allowing a ballfield and its accessory uses (parking, spectator areas, refreshment stand, restrooms) on the impact area has social consequences. These are primarily related to increased recreational activity associated with tournament baseball and softball play. Recreational baseball and softball are healthy outdoor activities. The health benefits of moderate exercise are well documented and undisputed. Team sports such as baseball and softball promote camaraderie and social interaction within the Clatskanie community. The LWI reports that wetland CR12 has aesthetic and potential recreational and educational value. These wetland values have a social dimension; allowing the proposed ballfields will diminish these values on wetland CR12, and entirely eliminate them on the portion of CR12 that would be converted to ballfields.
- Limiting a ballfield or its accessory uses (parking, spectator areas, refreshment stand, restrooms) has social consequences. Limits might include any or all of the following: allowing only a single ballfield, shrinking the outfield area, limiting the months that ballfields could be used, limiting parking, limiting landscape maintenance, or the like. These kinds of limits would reduce positive social consequences. Fewer baseball or softball games would be played locally; these missed games would either be played at out-of-town venues, or not played at all. Measures that limit the utility of the proposed ballfields may make the project infeasible: if stakeholders (the City, the Park & Recreation District, recreational teams) perceive the facility as only marginally useful, then it is unlikely to be built. As noted above, the LWI reports that wetland CR12 has aesthetic and potential recreational and educational value. These wetland values have a social dimension; limiting the proposed ballfields

is likely to degrade these wetland values on the portion of CR12 that would be converted to ballfields. The social consequences of the degradation of these wetlands values is likely to be proportional to the limits on ballfield development and use.

- Prohibiting a ballfield and its accessory uses (parking, spectator areas, refreshment stand, restrooms) on the impact area has social consequences. A complete prohibition on ballfields at the impact site would either shift this activity to another site, or result in lower participation in recreational softball and baseball in Clatskanie. The social consequences would be reflected in, for example, longer travel times to out-of-town tournaments. As noted above, the LWI reports that wetland CR12 has aesthetic and potential recreational and educational value. These wetland values have a social dimension. Prohibiting the proposed ballfields on a portion of CR12 is likely to allow CR12 to continue to provide these wetland functions and values at about the same level.

Environmental Consequences:

- Allowing a ballfield and its accessory uses (parking, spectator areas, refreshment stand, restrooms) on the impact area has environmental consequences. These are primarily related to the loss of wetland functions and values on that portion of CR12 within the impact site. These include wildlife habitat, hydrologic control, enhancement potential, educational use, recreational use, and aesthetic quality. Fish habitat would not be impacted by a decision to allow ballfields on the impact site because, according to the Local Wetland Inventory, CR12 does not provide fish habitat. Water quality functions would be minimally affected by development of a ballfield on the impact site because these functions are already degraded; and because the planned use is unlikely to degrade water quality to the extent of, for example, urban residential, commercial, or industrial development. Water quality impacts associated with ballfield maintenance, such as fertilizer runoff, can be minimized by following a careful turf maintenance regimen that employs best management practices, and uses chemicals sparingly. Wetlands on the impact site would no longer be available for juvenile fish refugia, though there is no evidence that they are currently so used. The entire impact site is in the floodplain, and filling/development in the floodplain has some potential environmental consequences. The proposed ballfields will not be impervious surfaces, so floodwater attenuation should be unaffected by the development. Fill associated with the ballfields slightly reduces the above-surface capacity for floodwater storage; however, this impact is slight relative to both the entire flood basin, and compared to, for example, industrial, commercial or residential development.

- Limiting a ballfield or its accessory uses (parking, spectator areas, refreshment stand, restrooms) on the impact area has environmental consequences. Limits might include any or all of the following: allowing only a single ballfield, shrinking the outfield area, limiting the months that ballfields could be used, limiting parking, limiting landscape maintenance, or the like. These kinds of limits would reduce, but not eliminate, negative environmental consequences. For example, restrictions on the months of baseball activity might allow for winter waterfowl use on the site. Likewise, restricting the size or number or number of fields might reduce the spatial impact on wetlands. Measures that limit the utility of the proposed ballfields might make the project infeasible: if stakeholders (the City, the Park & Recreation District, recreational teams) determine that the facility will be only marginally useful, then it is unlikely to be built.
- Prohibiting a ballfield and its accessory uses (parking, spectator areas, refreshment stand, restrooms) on the impact area has environmental consequences. Prohibiting the ballfield avoids any additional degradation or loss of CR12's wetland functions. As noted in the LWI, some of these functions, such as water quality, are already degraded. Additionally, the proposal affects only a portion of CR12: about two acres of wetlands were delineated on the fifteen acre impact site, compared to 59 acres in CR12 as inventoried in the City's LWI. The environmental consequences of a complete prohibition are generally positive, though not as large as they would be on a less degraded or larger wetland site.

Energy Consequences:

- Allowing a ballfield and its accessory uses (parking, spectator areas, refreshment stand, restrooms) on the impact area is unlikely to have significant energy consequences. The ballfields in general are not major energy consumers, especially compared to other urban uses like residential, commercial, or industrial development. Energy used for transportation to and from the proposed ballfield site is likely to be about the same as for any alternative site. Allowing the proposed ballfields on this portion of CR12 is unlikely to have significant energy consequences.
- Limiting a ballfield or its accessory uses (parking, spectator areas, refreshment stand, restrooms) is not expected to have significant energy consequences. Limits might include any or all of the following: allowing only a single ballfield, shrinking the outfield area, limiting the months that ballfields could be used, limiting parking, limiting landscape maintenance, or the like. These kinds of limits might reduce energy consumption associated with the proposed ballfield site, but are unlikely

to change energy use when alternative sites are considered. Likewise, energy consequences of limiting development on CR12 are unlikely to be significant when considered from a community-wide perspective. The energy consequences of limiting ballfield size or months of operation at the impact site are unlikely to be substantially different than they would be at another site.

- Prohibiting a ballfield and its accessory uses on the impact area has negligible energy consequences. To the extent that the lack of a tournament ballfield in Clatskanie results in local teams traveling to out-of-town venues, then transportation would be the largest source of energy consequences. However, a local venue for softball and baseball tournaments would be expected to draw teams from other communities, resulting in very similar energy consequences, with no overall net impact on energy use. Overall, the energy consequences of prohibiting ballfields are likely to be negligible.

OAR 660-023-0040(5): This section of the goal 5 administrative rule is the fourth of five required steps for amending the LWI:

(5) Develop a program to achieve Goal 5. Local governments shall determine whether to allow, limit, or prohibit identified conflicting uses for significant resource sites. This decision shall be based upon and supported by the ESEE analysis. A decision to prohibit or limit conflicting uses protects a resource site. A decision to allow some or all conflicting uses for a particular site may also be consistent with Goal 5, provided it is supported by the ESEE analysis. One of the following determinations shall be reached with regard to conflicting uses for a significant resource site:

(a) A local government may decide that a significant resource site is of such importance compared to the conflicting uses, and the ESEE consequences of allowing the conflicting uses are so detrimental to the resource, that the conflicting uses should be prohibited.

(b) A local government may decide that both the resource site and the conflicting uses are important compared to each other, and, based on the ESEE analysis, the conflicting uses should be allowed in a limited way that protects the resource site to a desired extent.

(c) A local government may decide that the conflicting use should be allowed fully, notwithstanding the possible impacts on the resource site. The ESEE analysis must demonstrate that the conflicting use is of sufficient importance relative to the resource site, and must indicate why measures to protect the resource to some extent should not be provided, as

per subsection (b) of this section.

Clatskanie has weighed the consequences, both positive and negative, of allowing, limiting or prohibiting the conflicting use (ballfields and their accessory uses) on the impact site and has determined that the conflicting use should be fully allowed notwithstanding possible impacts on a portion of CR12. The ESEE analysis supports this decision, because it demonstrates to the satisfaction of the City Council that the ballfields are of sufficient importance relative to the impacted part of CR12. Measures to protect most of CR12 remain in place. Partial protection of the impact site would not allow constrain the proposed ballfields to such an extent that they would no longer be feasible; while at the same time only partially protecting relatively minor and/or already degraded wetland functions and values associated with the impacted part of CR12.

Pursuant to subsection (c), the City must also “... *indicate why measures to protect the resource to some extent should not be provided*”. The proposal results in the protection of the majority of wetland CR12. This amendment removes wetland protection from about 1.9 acres of wetlands, leaving the balance of CR12 - more than 50 acres - under the Wetland Overlay Zone. From a spatial point-of-view, the proposal retains protects CR12 to some extent. With respect to the subject property, partial protection of the 1.9 acres of wetland identified in the ELS wetland delineation report is not feasible. As noted above the construction, maintenance and use of ballfields is not compatible with the preservation of wetland functions and characteristics.

Comprehensive Plan Policies

The proposed amendment must be consistent with applicable policies in the City's comprehensive plan (CMC 9-3-12-A). These policies are excerpted below, followed by findings.

CITIZEN INVOLVEMENT POLICY 2: The Planning Commission is designated as the Citizen Advisory Committee, and is the forum for receiving and documenting all public input on comprehensive plan and land use matters.

The Planning Commission has conducted a public hearing on this proposed amendment, receiving and documenting public input on this proposal.

CITIZEN INVOLVEMENT POLICY 5: Within the constraints of available resources, the City will assure that technical information is available to

the public. The opportunity for public review and comment on all planning and zoning decisions shall be ensured through the following procedures;

(a) A public hearing will be held for all comprehensive plan amendments, zone changes, and subdivision requests and other actions which require public hearings under the provisions of the Clatskanie Development Code.

(b) Notice of public hearings will be published in the Clatskanie Chief.

(c) The published notice shall describe the nature of the action to be considered and shall appear not less than ten (10) calendar days prior to the scheduled hearing.

Review of this proposal has followed the procedures outlined in this policy.

OPEN SPACES POLICY 1: The city shall work to maintain the quality of the stream drainageways in the Clatskanie area. These shall be designated as flood plain drainageway zones, and be zoned in accordance with the standards set forth in this plan.

The subject property is in a floodplain, and in the City's Flood Hazard Overlay zone. The current proposal does not change floodplain zoning on the site. The drainage ways on the subject property are unaffected by the proposal. Because of this, the proposed amendment does not conflict with Open Spaces Policy 1.

OPEN SPACES POLICY 2: The city shall make every effort to maintain easements allowing pedestrian access along the streams in Clatskanie. The City will cooperate with the State Fish and Wildlife Department to reduce the impacts of any development along the streams in the urban growth boundary. It is the intent of this policy to preserve the water quality and the fish resources in the Clatskanie River drainage basin.

The proposal has no impact on the maintenance of pedestrian easements to any stream. The amendment does not interfere with ongoing cooperation with ODFW to reduce impacts on streams arising from development.

OPEN SPACES POLICY 3: Open spaces will be encouraged along existing drainageways. The potential for sudden and substantial increases in water volumes in these drainageways requires restriction of development in close proximity to protect life and property.

The purpose of this amendment is to allow development of a baseball/softball field on the subject property. This will preserve open space on nearly all of the subject property, and help implement Open Spaces policy 3.

NATURAL DISASTERS AND HAZARDS POLICY 3: *The Flood Hazard Zone shall be applied to the area designated in the adopted FEMA Flood Hazard Rate Map. Enforcement shall be as specified in the Flood Hazard section of the Clatskanie Development Code.*

The Flood Hazard Overlay zone has been applied to the subject property, in accordance with this policy. The proposed amendment does not affect the flood hazard zoning on the subject property.

NATURAL DISASTERS AND HAZARDS POLICY 4: *Construction in the Flood Hazard Zone shall be allowed only in those cases when the standards in the Clatskanie Development Code and applicable building codes have been met to the satisfaction of the Planning Commission and building official.*

No construction is authorized by this amendment. If construction takes place as a result of this amendment, standards and procedures referenced in this policy can be applied. The proposal has no impact on the implementation of this policy.

RECREATIONAL NEEDS POLICY 1: *The City will encourage and support the development of recreational facilities deemed necessary by its citizens.*

The proposal is intended to facilitate the development of baseball and softball fields on the subject property; this will help implement Recreational Needs policy 1.

RECREATIONAL NEEDS POLICY 2: *The City will actively seek grants, loans, bequest, and other appropriate means of funding recreational facilities.*

The City considers the use of its real estate as an appropriate mechanism to help develop ball fields on this site. The proposed amendment is a step toward implementing this policy.

RECREATIONAL NEEDS POLICY 3: *The City will encourage an integrated approach to meeting recreational needs by utilizing public and private facilities and avoiding duplication.*

The proposed amendment is consistent with the integrated approach encouraged in policy 3. Existing ballfields in Clatskanie are not sufficient for tournament play. The proposal meets this need.

RECREATIONAL NEEDS POLICY 4: *The City's first priority will be to further develop the city park as a multipurpose facility.*

The proposed amendment and subsequent development of ballfields on the subject property do not conflict with the policy of developing the city park as a multi-purpose facility. The existing city park already serves as a multi-purpose facility, with a swimming pool, playground equipment, pedestrian trail, tennis courts, basketball court, and picnic tables. The proposal does not change the priorities reflected in this policy.

RECREATIONAL NEEDS POLICY 5: *The City shall strive to work effectively with the school district and the park and recreation district to coordinate the maintenance of existing facilities and the planning for future needs.*

The proposed ball field development has been coordinated with the School District and with the Parks and Recreation District; both agencies received notification of this amendment.

ECONOMIC DEVELOPMENT POLICY 2: *The City work with county and state committees and agencies to encourage the development of appropriately zoned industrial sites both within the City and the Urban Growth Boundary.*

This proposed amendment removes the City's wetland protection measure - the Wetland Overlay Zone - from a portion of the subject property. The proposal does not prevent or inhibit the City from working with other parties to encourage development of industrially-zoned sites. A companion proposal to this amendment changes the zoning on the subject property from Light Industrial to Community Service.

ECONOMIC DEVELOPMENT POLICY 3: *The City will encourage industries and businesses that will help diversify Clatskanie's economic base to locate in the area: particularly those industries able to meet the City's standards for the protection of air, land and water resources.*

The proposal does not conflict with the City's efforts to encourage industries and businesses to locate in the area.

ECONOMIC DEVELOPMENT POLICY 4: *The City will protect existing and planned industrial and commercial areas from encroachment by incompatible land uses.*

The proposed amendment will allow development and use of ballfields on the subject property. Usage is expected to be intermittent, concentrated on weekends, and unlikely to involve much more than minimal structural improvements to the site. Because of this, the City finds that the proposed recreational use of the site is unlikely to be incompatible with adjoining industrial lands.

ECONOMIC DEVELOPMENT POLICY 5: *The City will work with the merchants to redevelop and expand the existing downtown commercial area. The City will meet with the business community to determine whether a detailed downtown plan is necessary to guide and encourage the future commercial development of Clatskanie and, if so, how the plan will be funded.*

The proposed amendment does not involve land in the existing downtown area, or immediately adjoining the existing downtown area. Because of this, the proposal does not conflict with policy 5.

URBANIZATION POLICY 8: *The City shall protect and promote the vitality of Clatskanie as a center for civic, social, cultural and recreational activities. It shall encourage a. viable, balanced and self-sufficient economy capable of meeting the primary needs and necessary services required by its residents.*

The proposed amendment is consistent with this policy because it helps promote Clatskanie as a center for recreational baseball/softball tournaments.

CMC 9-3-12-D. *The public interest is best carried out by approving the proposal at this time;*

The proposed amendment serves the public interest. The City reaches this conclusion based on the following:

- It is in the public interest to avoid scheduling and use conflicts with

the existing ballfields in the City. The existing facilities at Clatskanie High School and at the Fall Creek site on Highway 30 are primarily used by youth teams. The proposed facilities will be available to both youth and adult teams.

- It is in the public interest to minimize unnecessary travel. The demand for ballfields in Clatskanie exceeds the capacity of these existing facilities. As a result, teams from Clatskanie travel to ballfields at Rainier, Longview, and other locations to play.
- It is in the public interest to preserve existing recreational facilities at the city park, including tennis and basketball courts, swimming pool, pedestrian trail, playground equipment, and picnic facilities.
- It is in the public interest for the City to support outdoor recreation, including baseball and softball, because of the health benefits realized by participants.
- Promoting appropriate economic activity in Clatskanie is in the public interest. The City supports the proposed ballfields because of the economic benefits of bringing out-of-town teams to Clatskanie for tournament play.
- It is not in the public interest to wait for the private sector to provide tournament ballfields. Public recreational facilities, including ballfields, are generally provided by the public sector.

For these reasons the City finds the proposal consistent with the requirements of CMC 9-3-12-D.

CMC 9-3-12-E: *Proposal which significantly affects a transportation facility shall assure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the transportation system plan. This shall be accomplished by one of the following: revising the proposal to be consistent with the planned function of the transportation facility, or amending the transportation system plan to ensure that existing, improved or new transportation facilities are adequate to support the proposed land uses consistent with the requirement of the transportation planning rule. A plan or land regulation amendment significantly affects a transportation facility if it:*

- 1. Changes the functional classification of an existing or planned transportation facility;*
- 2. Changes standards implementing a functional classification system;*
- 3. Allows types or levels of land use that would result in levels of travel or access that are inconsistent with the functional classification of a transportation facility; or*

4. Would reduce the level of service of the facility below the minimum acceptable level identified in the transportation system plan.

The proposed amendment does not significantly effect a transportation facility. The relevant transportation facility for this analysis is Erickson Dike Road and, to a lesser extent, Depot Road and Beaver Falls Road.

The proposal does not change the functional classification of any of these streets; nor is a change required as a result of this proposal. Likewise, the standards implementing this classification system do not change with this proposed amendment. The City's Transportation System Plan (TSP) includes a functional classification system for roadways consisting of the following classifications: arterials, collectors, and local streets. Beaver Falls Road is classified as a collector. Erickson Dike Road and Depot Road are classified as local streets. The TSP describes collectors as follows:

The primary function of collector streets is to move traffic between arterial facilities and local streets, and to provide access to adjacent uses. Collector streets are characterized by two or three lane roadway sections. Bike lanes should be provided where average daily traffic volumes exceed 3,000 vehicles per day (vpd) or where the collector street directly connects to a land use which generates significant bicycle traffic (e.g. a school or park), and any other street where separately striped bicycle lanes may be necessary to accommodate safe bike travel along the facility. Continuous sidewalks should be provided on both sides of collector streets. Intersections with other collectors and arterials may be signalized if warranted.

Local streets are described in the TSP as follows:

The function of local streets is to provide local access to private dwellings and businesses. The local street is characterized by two travel lanes, with on-street parking typically provided on one or both sides. Local streets should serve primarily passenger cars, pedestrians and cyclists, and forms part of the residential community space. Heavy truck traffic should be discouraged.

The proposed use of the subject property for ballfields would not result in levels of travel or access that are inconsistent with the functional classification of Beaver Falls Road, Erickson Dike Road, or Depot Road. The CS zone allows the following as outright uses (CMC 9-8A-2):

A. Major Institutions: "Major institutions", defined as the following:

Government office buildings.

Hospital, clinic or extended care facility.

Public or private cemetery, crematory or mausoleum.

Schools, public and private, and associated facilities.

B. Minor Institutions: *"Minor institutions", defined as the following:*

Church.

Daycare facilities licensed by the state of Oregon.

Dwelling for a watchman or caretaker for a permitted use.

Library.

Parks, playground, sports arena, golf course.

Police and fire station, or armory.

Private club, fraternal organization lodge, grange hall.

Utility facilities, including electric power substation, telephone switching station, sewage pumping station, sewage treatment plant, water treatment plant, water storage reservoir, public works shop, telephone microwave facility and radio or television transmission facilities.

C. Similar Uses: *Any other use determined by the planning commission to be similar in nature to the uses listed in subsections A and B of this section.*

CI.

Some of the allowable uses in the CS zone could generate traffic inconsistent with the *local street* classification of Erickson Dike Road and Depot Road; however, the subject property's size, its location in the flood plain, and the City's intent to develop ballfields on this site all suggest that this is unlikely. The proposal would not result in levels of travel or access that are inconsistent with the functional classification of Beaver Falls Road, Erickson Dike Road, or Depot Road.

The proposed amendment would not reduce the level of service of the facility below the minimum acceptable level identified in the transportation system plan. The nearest intersection evaluated in the TSP is Fifth/Nehalem, with a "B" level of service for existing conditions, weekday PM peak hour; and a "B" level of service for the year 2028, high-growth scenario, PM weekday peak hour. The "B" level of service is acceptable. Peak traffic associated with the proposed ballfields is likely to be on the weekends.

The ITE *Trip Generation Manual*, a standard reference for estimating traffic volumes associated with various land uses, indicates a soccer complex (a similar use) generates about 71 trips per field per day (ADT), or 142 for two fields, or 213 for three fields. The PM peak is 18 trips per field. This is less than what

would be generated if the property were developed under Light Industrial zoning. *Trip Generation Manual* indicates 52 trips per acre per day, or 780 for a 15-acre light industrial facility. The PM peak for light industrial sites is 7.3 per acre, or 108 total.

Because there will not be an increase in traffic, this development will not have a “significant effect” as defined in OAR 660-012-0060(1)(a-c). Consequently, a traffic impact analysis is not needed for this proposed amendment.

Primary access to the site is from Fifth Street, which requires crossing over railroad tracks. The adequacy of the existing crossing will need to be reviewed by ODOT’s Rail & Public Transit Division, the agency responsible for regulating crossings on public roadways. The proposed baseball complex may be within the influence area of the crossing, which is defined by stopping sight distance. It is possible new advance warning or other mitigation may be required. This can be addressed as a condition of this amendment.

Based on this, the City can find that CMC 9-3-12-E is not applicable to the proposal because neither the proposed amendment nor the resulting ballfields significantly affects a transportation facility.

Statewide Planning Goals

The proposed amendment must be consistent with the statewide planning goals and with their administrative rules. Statewide planning goals 3, 4, 15, 16, 17, 18 and 19 are not applicable in the City of Clatskanie, and are not addressed.

Goal 1: *To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.* Clatskanie has a robust citizen involvement process. The current proposal has been reviewed following existing procedures for citizen involvement. Neither the amendment nor development of ballfields on the subject property require amendment or modification of the City’s citizen involvement program.

Goal 2: *To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.* The City’s Comprehensive Plan establishes a policy framework and planning process that is the basis for land use decisions in Clatskanie. This is implemented through the City’s zoning ordinance. These findings demonstrate that the proposed amendment is consistent with this policy framework and planning process; and that the relevant facts support the City’s decision.

Goal 5: *To protect natural resources and conserve scenic and historic areas and open spaces.* Goal 5 protects a number of resources:

- a. Riparian corridors, including water and riparian areas and fish habitat;
- b. Wetlands;
- c. Wildlife Habitat;
- d. Federal Wild and Scenic Rivers;
- e. State Scenic Waterways;
- f. Groundwater Resources;
- g. Approved Oregon Recreation Trails;
- h. Natural Areas;
- i. Wilderness Areas;
- j. Mineral and Aggregate Resources;
- k. Energy sources;
- l. Cultural areas.

Goal 5 also includes a recommendation that cities inventory historic resources, open space, and scenic views and sites. Of these goal 5 resources, only wetlands are known to be present on the subject property. The City's Local Wetland Inventory (LWI) describes locally significant wetlands on the subject property. Wetland CR12 is a 59-acre wetland that extends onto the subject property as well as onto adjacent property to the north. This amendment would remove the local protection mechanism, the Wetland Overlay Zone, for a part of this wetland. The subject property contains slightly less than two acres of wetland. The balance of CR12 is unaffected by the proposed amendment.

Aside from wetland CR12, no other goal 5 resources are present on the subject property or affected by the proposal.

Goal 6: *To maintain and improve the quality of the air, water and land resources of the state.* The City's existing goal 6 program does not need to be modified or amended as a result of the proposed amendment. Existing measures to maintain and improve air, water and land resource quality remain in place.

Goal 7: *To protect people and property from natural hazards.* The subject property is susceptible to flooding, one of the natural hazards covered under goal 7. The subject property is in a mapped floodplain, and in the City's Flood Hazard Overlay zone. The proposed amendment does not change floodplain zoning on the site. The proposed ball-field development will be subject to standards and requirements of the Flood Hazard Overlay zone.

Goal 8: *To satisfy the recreational needs of the citizens of the state and*

visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts. The proposed ballfields address one of the recreational needs of Clatskanie residents and visitors to the City. Clatskanie's goal 8 implementation measures do not need to be changed as a result of this amendment or the proposed ball-field development.

Goal 9: *To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.* Goal 9 is implemented in Clatskanie via comprehensive plan policies and by the zoning ordinance and zoning map. Relevant comprehensive plan policies are addressed elsewhere in this staff report. The proposed amendment does not diminish the City's ability to provide for adequate opportunities for a variety of economic activities. A companion zone map amendment has goal 9 implications that are addressed in a separate staff report. Based on this, the City can conclude that this proposed amendment does not violate statewide planning goal 9.

Goal 10: *To provide for the housing needs of citizens of the state.* The proposed amendment has no effect on the provision of housing in Clatskanie, or on the availability of land for residential development.

Goal 11: *To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.* The City has the capacity to provide water and sanitary sewer service to the subject property; however, the property is not presently served by water or sewer. The water and sanitary sewer needs of the proposed ball-field development at this site are likely to be lower than those of a typical light industrial development.

The City can find that the proposed amendment and subsequent development and use of ballfields does not require an amendment of any of the City's public facility plans. The proposal is consistent with goal 11.

Goal 12: *To provide and encourage a safe, convenient and economic transportation system.* The City has adopted a transportation system plan to meet this goal. As noted elsewhere in this staff report, neither the proposed amendment nor the subsequent use of the site are expected to have a significant effect on a transportation facility. The City can conclude that the proposed amendment does not conflict with the provision of a safe, convenient and economic transportation system in Clatskanie; and is consistent with goal 12.

Goal 13: *To conserve energy.* The proposed amendment and subsequent development and use of ball fields on the subject property do not require any amendments to

the City's implementation of goal 13. The proposal is consistent with the requirements of goal 13.

Goal 14: *To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.* The proposal does not change the City's Urban Growth Boundary (UGB). The subject property is within Clatskanie's UGB and city limits. Though ballfields are not necessarily a strictly urban use, the proposed ballfields are intended to be primarily for the use of Clatskanie residents and visiting teams from elsewhere. Because of this, a rural location for the proposed use is not appropriate. As noted elsewhere in these findings, the subject property is not needed to accommodate employment opportunities associated with industrial development. The proposal contributes to Clatskanie's livability because outdoor recreation opportunities are an element of the city's livability.

CONCLUSION

Based on this, the City can conclude that the proposed amendment is consistent with the applicable Oregon Administrative Rules governing goal 5 plan amendments; with criteria in the Clatskanie Municipal Code; and with the statewide planning goals.

ATTACHMENTS

LWI Map and data sheets for CR12
Ecological Land Services delineation report