Oregon
Theodore R. Kulongoski, Governor

Department of Land Conservation and Development
635 Capitol Street NE, Suite 150
Salem, Oregon 97301-2524
Phone: (503) 373-0050
First Floor/Coastal Fax: (503) 378-6033
Second Floor/Director's Office Fax: (503) 378-5518
Third Floor/Measure 37 Fax: (503) 378-5318
Web Address: http://www.oregon.gov/LCD

NOTICE OF ADOPTED AMENDMENT

November 14, 2006

TO: Subscribers to Notice of Adopted Plan or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Scappoose Plan Amendment
DLCD File Number 007-06

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: November 29, 2006

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the 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). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE:** **THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Gary Fish, DLCD Regional Representative
Brian Varricchione, City of Scappoose

<paa> ya/

FORM 2 Notice of Adoption

THIS FORM **MUST BE MAILED** TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18

DATE STAMP
DEPT OF
NOV 09 2006
LAND CONSERVATION AND DEVELOPMENT
For DLCD Use Only

Jurisdiction: **City of Scappoose** Local file number: **ANX5-06/ZC5-06**

Date of Adoption: **11/6/06** Date Mailed: **11/8/06**

Date original Notice of Proposed Amendment was mailed to DLCD: **6/8/06**

☐ Comprehensive Plan Text Amendment
☐ Land Use Regulation Amendment
☐ New Land Use Regulation
☐ Comprehensive Plan Map Amendment
☒ Zoning Map Amendment
☒ Other: **Annexation**

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

The Scappoose City Council approved annexation of 2 acres. Upon annexation the site will receive the Manufactured Housing (MH) zoning designation since it had a "Manufactured Housing" Comprehensive Plan Map designation. This approval will only become effective if the electorate approves the annexation.

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "SAME". If you did not give Notice for the Proposed Amendment, write "N/A".

Same

Plan Map Changed from: **(no change)** to: **(no change)**

Zone Map Changed from: **County MHR** to: **City MH**

Location: **52525 North Road, north of Columbia Avenue** Acres Involved: **2**

Specify Density: Previous: **6.2 du/acre** New: **7.2 du/acre**

Applicable Statewide Planning Goals: **1, 2, 10, 11, 12, 14**

Was and Exception Adopted? ☐ YES ☒ NO

DLCD File No.: 007-06 (15307)

Did the Department of Land Conservation and Development receive a Notice of Proposed Amendment.....

Forty-five (45) days prior to first evidentiary hearing?	☒ **Yes**	☐ **No**
If no, do the statewide planning goals apply?	☐ **Yes**	☐ **No**
If no, did Emergency Circumstances require immediate adoption?	☐ **Yes**	☐ **No**

Affected State or Federal Agencies, Local Governments or Special Districts:

Scappoose Rural Fire District, Scappoose Drainage Improvement Co., Scappoose School District, Columbia County

Local Contact: **Brian Varricchione** Phone: **(503) 543-7184** Extension:

Address: **33568 E. Columbia Ave.** City: **Scappoose**

Zip Code + 4: **97056-** Email Address: **brianvarricchione@ci.scappoose.or.us**

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and **TWO (2) Copies** of the Adopted Amendment to:

   ATTENTION: PLAN AMENDMENT SPECIALIST
   DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
   635 CAPITOL STREET NE, SUITE 150
   SALEM, OREGON 97301-2540

2. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.

3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.

4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.

5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.

6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.

7. **Need More Copies?** You can copy this form on to 8-1/2x11 green paper only; or call the DLCD Office at (503) 373-0050; or Fax your request to:(503) 378-5518; or Email your request to **mara.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.

ORDINANCE NO. 784

AN ORDINANCE RELATING TO LAND USE, APPROVING ANNEXATION OF PROPERTY TO THE CITY OF SCAPPOOSE, AMENDING THE ZONING MAP, AND CALLING AN ELECTION

WHEREAS, an application was filed by Donald Unger to annex property described in Exhibit A, attached hereto and incorporated herein, to the City of Scappoose; and

WHEREAS, pursuant to Section 17.136.070 of the Scappoose Municipal Code, the property described in Exhibit A would automatically be zoned Manufactured Housing (MH) upon annexation due to the property's "Manufactured Housing" Comprehensive Plan designation; and

WHEREAS, hearings were held pursuant to Scappoose Municipal Code Chapters 17.22 and 17.136; and

WHEREAS, pursuant to Section 17.136.030 of the Scappoose Municipal Code, annexations must be referred to the voters of the City for approval; now therefore,

THE CITY OF SCAPPOOSE ORDAINS AS FOLLOWS:

Section 1. The application to annex the property described in Exhibit A is hereby approved, subject to approval by the voters of the City. Pursuant to ORS 222.160, the Exhibit A property will be declared by Resolution to be annexed to the City of Scappoose if the Columbia County Elections Officer certifies that the majority of voters in the City approve the measure.

Section 2. Pursuant to Scappoose Municipal Code Chapter 17.136, annexation of the Exhibit A property will be submitted to Columbia County to be placed on the May 15, 2007 ballot. The ballot title for such question is herein adopted, and attached hereto as Exhibit B.

Section 3. In support of the above annexation and zone change, the City Council hereby adopts the findings, conclusions and recommendations of the Staff Report dated October 23, 2006, attached as Exhibit C attached hereto and incorporated herein.

Section 4. The annexation approved by this Ordinance shall take effect upon the date of certification of the election approving the annexation.

Section 5. Upon certification of the election on annexation, the City Manager is directed to conform the City Zoning Map to the provisions of this ordinance.

PASSED AND ADOPTED by the City Council this 6th day of November, 2006, and signed by me in authentication of its passage.

CITY OF SCAPPOOSE, OREGON

Glenn E. Dorschler, Mayor

First Reading: October 16, 2006
Second Reading: November 6, 2006

Attest:

Susan Pentecost, City Recorder

Exhibit A
Legal description of property to be annexed and zoned Manufactured Housing

Columbia County Assessor Map No. 3212-014-06000

A tract of land in the Northeast quarter of Section 12, Township 3 North, Range 2 West of the Willamette Meridian, City of Scappoose, Columbia County, Oregon more particularly described as follows:

Beginning at the a quarter corner on the East side of said Section 12; thence N 67°13'30" W 473 feet to an iron pipe; thence N 20°06' E 185.08 feet to an iron pipe; thence S 64°13'30" E 473 feet to an iron pipe; thence S 20°06' W 185.08 feet to the point of beginning

Containing 2.0 acres more or less.

Exhibit B
Ballot Title

NOTICE OF CITY MEASURE ELECTION

City of Scappoose
(Name of City)

Notice is hereby given that on Tuesday, May 15, 2007 (Day of week) (Date of election), a measure election will be held in the City of Scappoose, in Columbia County, Oregon. (Name of county).

The following shall be the ballot title of the measure to be submitted to the City's voters on this date:

CAPTION (10 Words)

ANNEXATION OF NORTH ROAD PROPERTY TO THE CITY OF SCAPPOOSE

QUESTION (20 Words)

Shall the described property be annexed to the City of Scappoose?

SUMMARY (175 Words)

Donald Unger has requested that the City annex property.

This measure, if approved, would annex approximately 2 acres to the City of Scappoose. The property is located at 52525 North Road. The property is described as Columbia County Assessor Map No. 3212-014-06000. The property is located in the Urban Growth Boundary and is contiguous to Scappoose City limits. Annexation would cause the property to be placed on the City's tax rolls and would result in additional revenues to the City.

The following authorized city official hereby certifies the above ballot title is true and complete, which includes completion of the ballot title challenge process.

Signature of authorized city official (not required to be notarized) _____ Date signed _____

Printed name of authorized city official _____ Title _____

EXHIBIT C

CITY OF SCAPPOOSE

33568 EAST COLUMBIA AVENUE
SCAPPOOSE, OREGON 97056
(503) 543-7146
FAX: (503) 543-7182

ANX5-06/ZC5-06 October 23, 2006
Unger Property: North Road Annexation and Zone Change

CITY OF SCAPPOOSE STAFF REPORT

Request: Approval of an application for annexation and a corresponding zone change to Manufactured Housing (MH) for approximately 2 acres.

Location: The subject parcel is located at 52525 North Road. The site consists of property described as Columbia County Assessor Map No. 3212-014-06000. See attached Vicinity Map (**Exhibit 1**).

Applicant: Donald Unger

Owner(s): Donald Unger

EXHIBITS

1. Vicinity Map
2. Excerpt from Scappoose Zoning Map
3. Narrative (from Taurus Homes)
4. Concept Plan for future development (from Taurus Homes)
5. Letter from Anthony & Donna Ceruti, dated July 23, 2006
6. Letter from James Reichel (undated)
7. Letter from Heather Viereck, dated August 17, 2006
8. Letter from Mike and Kathy Johnson, dated August 17, 2006
9. Letter from North Road Community Association, dated August 17, 2006
10. Letter from Carolynn Collie, dated August 18, 2006
11. Letter from Jaicilynn Collie, dated August 18, 2006
12. Letter from Jim Reichel, dated August 18, 2006
13. Letter from Karen Blow, dated August 18, 2006
14. Letter from Jeri Waite, dated August 18, 2006
15. Letter from Jenna Collie, dated August 18, 2006
16. Letter from Helen Bohanon, dated August 17, 2006
17. Letter from Junior Peal, dated August 17, 2006
18. Letter from Carson collie, dated August 17, 2006
19. Letter from Linda di Pietro, dated August 17, 2006
20. Letter from Russ and Annette Jacobsen, dated August 17, 2006
21. August 29, 2006 Letter from Taurus Homes to Donald Unger, relinquishing contract obligations
22. Letter from Don R. Unger (undated)

SUBJECT SITE

- The subject site consists of one parcel with an area of 2 acres. The parcel is located on the west side of North Road. The site is immediately east of the Heritage Farm subdivision approved by the Planning Commission. See **Exhibit 1**, Vicinity Map.

- The subject site is designated as Manufactured Housing (MH) on the Comprehensive Plan map. The site is adjacent to City Limits on the south and west sides. Adjoining properties within the City are zoned Moderate Density Residential (R-4) to the south and MH to the west (see **Exhibit 2**). Adjoining properties outside City Limits are zoned Mobile Home Residential (MHR) to the north and Single Family Residential, 10,000 square foot minimum lot size (R-10) to the east.

- The site is within the boundaries of the Scappoose Rural Fire Protection District and the Scappoose Public School District. The site is currently under the police protection of the Columbia County Sheriff's Department.

- According to Flood Insurance Rate Map (FIRM) 41009C0463 the property is located outside the 100-year floodplain and outside the Scappoose Drainage District. The Scappoose Local Wetlands Inventory Map dos not illustrate wetlands within the property.

- The site is nearly level and has existing structures and a number of mature evergreen trees.

OBSERVATIONS

CONCURRENT ANNEXATION AND ZONE CHANGE APPLICATIONS

- The site is currently zoned Mobile Home Residential (MHR) by Columbia County. According to Section 17.136.070 of the Scappoose Development Code, because the parcel has a Manufactured Housing (MH) Comprehensive Plan designation, upon annexation the land shall automatically be zoned Manufactured Housing (MH). The applicant has not requested an amendment to the Comprehensive Plan map.

- Taurus Homes submitted the original narrative and conceptual development plan for the site (see **Exhibits 3** and **4**). However, Taurus Homes has indicated to the property owner that they are no longer involved with the site (see **Exhibit 21**). The property owner submitted a letter stating a continued interest in annexation (**Exhibit 22**).

PROPOSED RESIDENTIAL USE

- Taurus Homes and the property owner indicated an intention to subdivide the site in the future if the voters approve the annexation (**Exhibit 3**). A conceptual development plan included as **Exhibit 4** illustrates a total of 14 single-family attached residential lots. Mr. Unger's letter states that he may partition the land in the future using a different layout (**Exhibit 22**).

- The MH zone also permits duplexes, tri-plexes, four-plexes, and manufactured home parks. This application has been analyzed based on the most intense development that could occur,

which would be a manufactured home park. Assuming the street layout were similar to that illustrated in **Exhibit 4**, the site could potentially be developed with up to 25 manufactured housing units in a manufactured home park. The site could therefore support a total of 25 units rather than the 14 units illustrated in the conceptual development plan.

- Future development proposals will be required to apply for Planning Commission approval (either Tentative Subdivision Plan Review, Partition, or Site Development Review, depending on the use) to ensure compliance with the Scappoose Development Code and Public Works Design Standards. Staff would observe that the proposed layout would need refinement to account for the existing sewer line and neighborhood traffic circulation.

STREET SYSTEM AND TRANSPORTATION IMPACTS

- The site has frontage on North Road, which has a paved width of approximately 18 feet and a 40-foot right-of-way adjacent to the site. The City's amended Transportation System Plan (TSP) designates North Road as a Local Residential street, for which the standard right-of-way (ROW) is 54 feet. Additional ROW dedication and street improvements would be required as a part of a development proposal following annexation. The City's standard practice is to require half-street improvements as minimum conditions of development proposals, to be installed and funded by developers. In this instance, due to the narrow cross section of the existing pavement, the applicant would be required to perform additional improvements between the site and Columbia Avenue, a distance of over 400 feet. Both the City's Public Works Design Standards and the County Road Department standards require a roadway with a minimum paved width of 20 feet between a development and the nearest improved right-of-way (i.e., East Columbia Avenue).

- The concept plan illustrated a potential new public street connecting to a street stub that will be constructed with the Heritage Farm subdivision. The proposed layout does not meet the City's 600-foot limitation on block length. Revisions to the layout would be made at the time of development.

- The site is accessed by North Road, connecting to Highway 30 via East Columbia Avenue. Traffic could also travel to West Lane Road on the new street through the Heritage Farm subdivision and then connect to the highway via Columbia Avenue or Crown Zellerbach Road.

- Staff has used standard trip generation ratios published by the Institute of Transportation Engineers to estimate traffic levels from future development. If the site were developed as illustrated on **Exhibit 4** with 14 single-family residences, the site could be expected to generate approximately 135 average daily trips, 14 of them during the evening peak hour. If the site were developed with a manufactured home park (the most intense development under the MH zone), the site could be expected to generate approximately 120 average daily trips, 14 of them during the evening peak hour.

- Development of the subject site could be anticipated to require a traffic study in accordance with Section 5.0013 of the Scappoose Public Works Design Standards, which states that:

> *The City's Engineer will require a traffic analysis report as determined by the type of development and its potential impact to existing street systems. A traffic analysis will generally be required for a development, 1) when it will generate 1,000 vehicle trips per weekday or more, or 2) when a development's location, proposed site plan, and traffic characteristics could affect traffic safety, access management, street capacity, or known traffic problems or deficiencies in a development's study area.*

Development proposals may need to be accompanied by analysis of traffic impacts to ensure that the affected streets and intersections have adequate capacity to accommodate increased traffic.

- The City's Transportation System Development Charges (SDC's) are directly related to the volume of traffic generated by specific types of use. The SDC's collected from development can be used to pay for improvements to projects included in the City's Transportation System Plan.

- Full discussion of the traffic impacts associated with the annexation and zone change is found in Findings of Fact #2, Transportation Planning Rule.

UTILITIES & STORM DRAINAGE

- Electricity, telephone, and gas are provided to adjacent residential properties and could be made available through the extension of nearby lines and public service infrastructure. Water can be extended from Columbia Avenue or West Lane Road and sewer can be extended from the existing sewer manhole in North Road.

- The applicant will be responsible for managing stormwater at the time of development. The concept plan (**Exhibit 4**) depicts a potential stormwater tract in the northwest corner of the site.

- The site is outside the Scappoose Drainage Improvement District but naturally drains in that direction. Any development proposals will have to ensure that development of the site does not degrade water quality or increase water quantity draining to the Scappoose Drainage Improvement Company. This evaluation would be made at the time of a review of a specific development proposal.

PUBLIC & PRIVATE AGENCIES AND PUBLIC NOTICE

- The City of Scappoose City Manager, Engineering, Building, and Police Departments; Columbia County Road Department, Planning Department, and Board of Commissioners; the Scappoose Drainage Improvement Company; Scappoose Rural Fire Protection District; the Scappoose School District; the Oregon Department of Transportation (Region 1); and the Oregon Department of Land Conservation and Development have been provided an opportunity to review the proposal. Comments from these organizations have been incorporated into this staff report. ODOT had no objection to the annexation. The Scappoose Drainage Improvement Company had no objection but stated that their concern was water quantity and quality.

- Notice of this request was mailed to property owners located within 200 feet of the subject site on July 12, 2006. Notice was also posted on the property on July 7 and published in the local newspaper on July 12, 19, and 26 and August 2. Nearby residents have submitted letters expressing concerns abut the potential for future development and the associated traffic, and several members of the public spoke in opposition to the proposal at the July 27 Planning Commission hearing. Residents of North Road spoke at the August 7 City Council hearing to express concerns about the impact of development on their neighborhood, with particular concerns about traffic. Residents observed that North Road is narrow and that school buses will not travel down it at this time. A second City Council hearing was held on August 21 and several members of the public submitted verbal and written testimony. At that time, the hearing was continued to October 16. Copies of the letters submitted by neighbors are attached as **Exhibits 5-20**.

APPLICABILITY OF STATEWIDE PLANNING GOALS

A number of Oregon's 19 Statewide Planning Goals and Guidelines apply to this application, as discussed in the *Findings of Fact.*

FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR APPROVAL

1. **The following Statewide Planning Goals have been considered by the City of Scappoose as they pertain to this request:**

A. Citizen Involvement (Goal 1)

Objective: *To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.*

Finding:
The City's acknowledged Comprehensive Plan & Development Code includes citizen involvement procedures with which the review of this application will comply. This process allows for citizens to communicate their input into the zoning map amendment review conducted by the City at public hearings or by submitting written comments. The City of Scappoose Planning Commission reviewed the proposed annexation and zoning map amendment on July 27, 2006 and recommended that the City Council approve the application. The City Council held hearings on August 7, 2006 and August 21, 2006 and continued the hearing to October 16. Several members of the public spoke at the Planning Commission and City Council hearings. The Applicant posted site notices on July 7, the City mailed notices to nearby property owners on July 12, and notice was published in the newspaper on July 12, 19, and 26 and August 2. This process complies with the Goal.

B. Land Use Planning (Goal 2)

Objective: *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.*

Finding:
The procedural requirements for annexation and zone changes are contained in the Scappoose Municipal Code, which involve assessment of the application's merits, notice to affected parties, and public hearings. The proposal is to change the zoning designation of urban land within the Urban Growth Boundary, in compliance with Goal 2. Notice of the annexation and zoning map amendment has been provided by the City of Scappoose to the Oregon Department of Land Conservation and Development (DLCD) as required. The City's decision is based on findings of fact.

C. Agricultural Lands (Goal 3)

Objective: *To preserve and maintain agricultural lands.*

Finding:
This Goal is not applicable because the site is within the City of Scappoose Urban Growth Boundary and no identified agricultural resources are located on site. The site is designated for residential development in the Comprehensive Plan and is currently zoned for residential use by Columbia County.

D. Forest Lands (Goal 4)

Objective: *To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.*

Finding:
This Goal is not applicable because the site is within the City of Scappoose Urban Growth Boundary and no identified forest resources are located on site. The site is designated for residential development in the Comprehensive Plan and is currently zoned for residential use by Columbia County.

E. Open Spaces, Scenic and Historic Areas and Natural Resources (Goal 5)

Objective: *To protect natural resources and conserve scenic and historic areas and open spaces.*

Finding:
There are no identified Goal 5 resources on or near the site. The subject site is not designated as open space, a scenic or historic area, or a natural resource area by the City of Scappoose and does not contain any known significant open space, scenic, historic, or natural resources. The proposed annexation and zone change do not conflict with this Goal.

F. Air, Water and Land Resources Quality (Goal 6)

Objective: *To maintain and improve the quality of the air, water and land resources of the state.*

Finding:
The site is currently planned for residential use. If the annexation were approved, the site would be subject to City regulations that do not allow off-site impacts from noise, vibration, odors, glare, or other "nuisance" effects. The potential harmful effects on air, water and land resource quality is limited. The annexation and zone change proposal will therefore have no significant impact with respect to this Goal.

G. Areas Subject to Natural Disasters and Hazards (Goal 7)

Objective: *To protect people and property from natural hazards.*

Finding:
The subject site is not located within a mapped flood plain, potential flood hazard, potential landslide hazard, or earthquake hazard area. The proposal to zone the subject property for residential development is consistent with avoidance of natural disasters and hazards under Goal 7.

H. Recreational Needs (Goal 8)

Objective: *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.*

Finding:
The site is presently designated for residential development on the Comprehensive Plan and has not been planned for recreational opportunities. The requested annexation and zone change to Manufactured Housing (MH) will not result in a reduction in land planned or reserved for recreational use. Consequently, the proposed Annexation and Zone Change will have no significant impact on the City's planning for recreational needs.

I. Economic Development (Goal 9)

Objective: *To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.*

Finding:
The site is presently designated for residential development on the Comprehensive Plan and has not been planned for economic development.

J. Housing (Goal 10)

Objective: *To provide for the housing needs of citizens of the state.*

Finding:
The property proposed for annexation is designated Manufactured Housing on the Comprehensive Plan map. The proposed annexation and zone change to Manufactured Housing (MH) would increase the residential land supply within City Limits and would allow more intense development than currently permitted under County regulations. Furthermore, the site could only connect to City water or sewer if it were inside City Limits. If the site is developed with single-family attached residences, up to 14 units

could be constructed, whereas if the site were developed with a manufactured home park, up to 25 dwellings could be sited.

K. Public Facilities and Services (Goal 11)

Objective: *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.*

Finding:
The subject property lies within the Urban Growth Boundary (UGB) and therefore requires the extension of public facilities and services at the developer's expense. Water will be available in the Heritage Farm subdivision, sanitary sewer can be extended from the existing sewer manhole in North Road, and storm drainage facilities would be constructed as conditions of approval for future subdivision applications.

L. Transportation (Goal 12)

Objective: *To provide and encourage a safe, convenient and economic transportation system.*

Finding:
This Goal requires the City to prepare and implement a Transportation System Plan (TSP). The Scappoose TSP assumed that this site would be developed under the City's Manufactured Housing Comprehensive Plan and Zoning designations. The site falls into Traffic Analysis Zone #12, which is an area bounded by West Lane, Columbia Avenue, Bird Road, and the Crown Zellerbach logging road. In 1995, this area had a population of 196 people, and the TSP projected a population of 817 in the year 2015 based on the Comprehensive Plan designations. Street classifications were chosen accordingly.

The TSP classifies North Road as a Local Residential street, which requires a 54-foot right-of-way width and a 32-foot pavement width. North Road does not currently meet this standard: it generally has a paved with of 18 feet and a right-of-way width of 40 feet. At the time of development, the applicant would need to perform half-street improvements on North Road to meet the City standard. The Columbia County Road Department's standards require at least 20 feet of paving on local roads. The County will require appropriate off-site improvements to existing County roads when development results in a major increase in traffic. Similarly, the City Public Works Design Standards require developments on unimproved substandard streets to be responsible for constructing a continuous 20-foot street to the nearest publicly owned improved street. Traffic analysis would be required at the time of development of this area to determine the improvements required to ensure that North Road is adequate to protect health and safety and ensure efficient traffic circulation.

Traffic projections from future development have been computed using standard trip generation ratios published by the Institute of Transportation Engineers. If the site were developed as illustrated on **Exhibit 4** with 14 single-family residences, the site could be expected to generate approximately 135 average daily trips, 14 of them during the evening peak hour. If the site were developed with a manufactured home park (the most intense development under the MH zone), the site could be expected to generate approximately 120 average daily trips, 14 of them during the evening peak hour. The City does not anticipate that this level of development would cause failure of the local street network, provided that the applicant installs appropriate street improvements at the time of development. The applicant would need to submit a traffic study with future development proposals to analyze individual intersections and street segments.

Additional findings are found in Findings of Fact #2, Transportation Planning Rule.

M. Energy Conservation (Goal 13)

Objective: *To conserve energy.*

1. Land use plans should be based on utilization of the following techniques and implementation devices which can have a material impact on energy efficiency:
a. Lot size, dimension, and siting controls,
b. Building height, bulk and surface area,
c. Density of uses, particularly those which relate to housing densities,
d. Availability of light, wind and air,
e. Compatibility of and competition between competing land use activities; and
f. Systems and incentives for the collection, reuse and recycling of metallic and nonmetallic waste.

Finding:
The site is located immediately adjacent to existing residential areas. The proposed MH zoning would permit development in accordance with the Comprehensive Plan with the potential to create an energy-efficient land use pattern within the City's Urban Growth Boundary.

N. Urbanization (Goal 14)

Objective: *To provide for an orderly and efficient transition from rural to urban land use.*

Finding:
The subject property is within the Urban Growth Boundary and no expansion of the UGB is proposed. The proposed annexation and zone change is the first step in the transition from rural to urbanized land as foreseen in the Comprehensive Plan. Development of the site will trigger requirements for the developer to provide infrastructure, including necessary sewer lines, storm drainage lines, water line extensions, and street improvements.

O. Other Goals

Finding:
The following goals are not applicable to this application:

- Willamette River Greenway (Goal 15)
- Estuarine Resources (Goal 16)
- Coastal Shorelands (Goal 17)
- Beaches and Dunes (Goal 18)
- Ocean Resources (Goal 19)

2. The following Administrative Rule has been considered by the City of Scappoose as it pertains to this request:

TRANSPORTATION PLANNING RULE
OAR 660 Division 12 – Transportation Planning:

660-012-0060 Plan and Land Use Regulation Amendments
(1) Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided in section (2) of this rule to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. A plan or land use regulation amendment significantly affects a transportation facility if it would:

(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);

(b) Change standards implementing a functional classification system; or

(c) As measured at the end of the planning period identified in the adopted transportation system plan:

(A) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

(B) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan, or

(C) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.

Finding:
Analysis of the transportation impacts from the proposed annexation and zone change can be divided into four subtopics:

1. Traffic likely to be generated from development;
2. Impact of development-generated traffic on local street segments;
3. Impact of development-generated traffic on affected intersections; and
4. Transportation impact conclusions.

1. Traffic likely to be generated from development

The most intense development of the site would consist of a manufactured home park with approximately 25 units. Based on standard trip generation ratios published by the Institute of Transportation Engineers, this level of development can be expected to generate approximately 120 average daily trips, 14 of them during the evening peak hour.[1]

The Transportation System Plan (TSP) analyzed traffic throughout the City. The Traffic Analysis Zone (TAZ) bounded by West Lane, Columbia Avenue, Bird Road, and the Crown Zellerbach Road encompasses the site. Based on the projected development densities envisioned in the Comprehensive Plan, the TSP anticipated that population would grow from 196 in 1995 to 817 in 2015. The annexation of this site and the application of the MH zoning are consistent with the Comprehensive Plan and the level of development analyzed in the TSP.

2. Impact of development-generated traffic on local street segments

Traffic to and from the site will utilize North Road or the new street through the Heritage Farm subdivision. Connections to Highway 30 may be made either via Columbia Avenue or via West Lane and Crown Zellerbach Road. Columbia Avenue, West Lane Road, and Crown Zellerbach Road are classified as Major Collectors and North Road and the new street on site are designated as Local Residential streets.

This proposal does not "significantly affect" the impacted street segments (as defined by the Transportation Planning Rule) because the annexation and zoning are consistent with the TSP traffic assumptions. However, future development of the site may require additional improvements to North Road to maintain safety. The existing North Road right-of-way has a minimum width of 40 feet and a paved width of 18 feet. The County and the City would require a minimum paved width of 20 feet along North Road between the site and East Columbia Avenue. Full determination of the required improvements would be deferred until the time of development of property in this area.

The affected street segments appear to have adequate capacity to accommodate large volumes of traffic. North Road would require improvements at the time of development

[1] The following trip generation ratios were used:
Single-family residences: 9.57 average daily trips and 1.01 PM peak hour trips per unit
Manufactured home park: 4.81 average daily trips and 0.56 PM peak hour trips per unit

to accommodate increased traffic, but the capacity-controlling facility will be the individual intersections, particularly the traffic signal at the Columbia Avenue/Highway 30 intersection and/or Crown Zellerbach Road/Highway 30 intersection (discussed below).

3. Impact of development-generated traffic on affected intersections
Traffic from development is likely to primarily impact five intersections discussed below.

a. North Road/East Columbia Avenue intersection

This is a 3-leg intersection with a stop sign on the North Road leg. The City does not have daily, morning peak hour, or evening peak hour traffic data for this location. However, it is not anticipated that additional traffic from development of the site would cause this intersection to fall below the City's standards requiring a Level of Service "E" or better for the minor approach at unsignalized intersections. This location does have poor sight lines due to vegetation and North Road has a narrow cross section, so improvements may be required to alleviate safety concerns as part of the construction of any future development. The proposed annexation and zone change does not "significantly affect" this intersection as defined by the Transportation Planning Rule.

b. East Columbia Avenue/West Lane intersection

This is a 4-leg intersection with stop signs on the north and south legs. The City does not have daily, morning peak hour, or evening peak hour traffic data for this location. However, it is not anticipated that additional traffic from development of the site would cause this intersection to fall below the City's standards requiring a Level of Service "E" or better for the minor approach at unsignalized intersections. Geometric improvements will be made at this location as part of the construction of the Harmony Park subdivision, which will improve safety at the intersection. The proposed annexation and zone change does not "significantly affect" this intersection.

c. West Lane Road/Crown Zellerbach Road intersection

This is a 3-leg stop-controlled intersection. The City does not have daily, morning peak hour, or evening peak hour traffic data for this location. However, it is not anticipated that additional traffic from development of the site would cause this intersection to fall below the City's standards requiring a Level of Service "E" or better for the minor approach at unsignalized intersections. Crown Zellerbach Road was designed with turn lanes at its intersection with West Lane Road. Signal conduit was previously installed at the intersection of West Lane Road and Crown Zellerbach Road in anticipation of the possibility that at some point in the future, traffic signals may be required at that location. It is unlikely that traffic would meet warrants for signalized intersections at these locations due to the annexation and zone change. The proposed annexation and zone change does not "significantly affect" this intersection.

d. Highway 30/Columbia Avenue intersection

This is a 4-leg signal-controlled intersection. The Scappoose Rail Corridor Study (Kittelson & Associates, October 2002) indicates that the Highway 30/Columbia Avenue intersection will operate at a Level of Service "B" in the morning peak hour under the "base growth" and "full growth" scenarios, with a Level of Service "C" in the morning and evening peak hours under the "full growth" scenario (Figures 3-3, 3-4, 3-5, and 3-6). The Rail Corridor Study stated that the intersection currently operates with a volume-to-capacity (V/C) ratio of 0.74, which meets ODOT's mobility standard of 0.75. The same study indicates that even with no additional development of this site, this intersection will operate at a V/C ratio of 0.89 in the future in the "base growth" scenario and a V/C ratio of 0.94 in the "full growth" scenario. ODOT Region 1 has jurisdiction over this intersection and has stated that this proposal has no significant effect on Highway 30. The proposed annexation and zone change does not "significantly affect" this intersection.

e. Crown Zellerbach Road/Highway 30 intersection

This is a 4-leg signal-controlled intersection. The Scappoose Rail Corridor Study (Kittelson & Associates, October 2002) indicates that the Highway 30/Crown Zellerbach Road intersection will operate at a Level of Service "B" in the morning and evening peak hours under the "base growth" scenario, with a Level of Service "C" in the morning and evening peak hours under the "full growth" scenario (Figures 3-3, 3-4, 3-5, and 3-6). As discussed for previous annexation applications, airport-area development may generate more traffic than the Rail Corridor Study anticipated (on the order of 525 peak hour trips rather than 225 peak hour trips). The additional trips would not materially degrade the operation of this intersection. This intersection is under the jurisdiction of ODOT, and ODOT previously determined that the planned improvements to West Lane and the prior improvements to Crown Zellerbach Road "are sufficient to avoid degradation of the ODOT mobility standards for the Hwy 30 intersection at Crown Zellerbach Road." ODOT Region 1 has jurisdiction over this intersection and has stated that this proposal has no significant effect on Highway 30. The proposed annexation and zone change does not "significantly affect" this intersection.

4. Transportation impact conclusions

Based on trip generation levels applicable to the MH zone, the City finds that the proposed annexation and zone change are consistent with the land uses envisioned by the Comprehensive Plan and the Transportation System Plan. Development of the site will generate on the order of 14 evening peak hour trips, which will have a minor impact on affected street segments and intersections.

Therefore, the proposed annexation and zone change are consistent with the Comprehensive Plan and TSP and would not require a change in the functional classification or street standards.

As spelled out by Section 5.0013 of the Scappoose Public Works Design Standards, specific development proposals would trigger the requirement for traffic analysis reports identifying projected trip generation levels, recommendations for public improvements, and access management. Any mitigation strategies prompted by the results of the traffic analysis reports would be installed as conditions of development.

3. The following Goals and Policies from the Scappoose Comprehensive Plan are applicable to this request:

GOAL FOR PUBLIC FACILITIES AND SERVICES

1) Provide the public facilities and services which are necessary for the well being of the community and which help guide development into conformance with the Comprehensive Plan.

2) Direct public facilities and services, particularly water and sewer systems, into the urban growth area.

3) Ensure that the capacities and patterns of utilities and other facilities are adequate to support the residential densities and intensive land use patterns of the Comprehensive Plan.

4) Avoid the provision or expansion of public utilities and facilities in sparsely settled non-urban areas, when this would tend to encourage development or intensification of uses, or to create the need for additional urban services.

Goals 5-11 are not applicable to this application.

POLICIES FOR PUBLIC FACILITIES AND SERVICES

1) Design urban facilities and services, particularly water and sewer systems, to eventually serve the designated urban growth area; also, ensure that services are provided to sufficient vacant property to meet anticipated growth needs; also, develop a design review process to insure that public services and facilities do not unreasonably degrade significant fish and wildlife habitats.

9) Control local flooding and groundwater problems through the use of existing storm drainage systems and construction of new facilities in accordance with the Scappoose Storm Drain System Master Plan.

19) Approve annexations of new residential lands, except in the case of a health hazard, only when:

1. *There is sufficient capacity in the sewer, water, street, school, fire, and police systems to service the potential additional populace.*
2. *Sufficient in-filling of vacant land has occurred to warrant an expansion.*

Policies 2-8, 10-18 and 20-27 are not applicable to this application.

Finding:
The City Engineer, City Manager, Chief of Police, Fire Chief, and school Superintendent were provided with the opportunity to determine whether sufficient capacity exists for needed facilities and services. No objection to this annexation has been expressed by City Departments or public service agencies. The public facility requirements must be met at the time that the applicant proposes a development plan. All plans and improvements are subject to review by the City Engineer and must conform to the requirements of the Scappoose Municipal Code and the Public Works Design Standards and Standard Specifications.

Fire & Police Protection

- The Scappoose Rural Fire District provides fire protection for this site. Development of the site will have to comply with all applicable fire and building codes and would provide hydrants in sufficient numbers and at locations deemed appropriate by the Scappoose Rural Fire District.
- If this site were annexed it would come under the protection of the Scappoose Police Department. Increased assessment valuation would generate some tax revenue to contribute toward the cost of providing service.

Streets

- The North Road right-of-way generally has a 40-foot width and an 18-foot paved cross-section. The paved width would be required to be widened to accommodate the traffic from future development proposals. The City would require half-street improvements along the site's frontage as a condition of future development, and the City and County would require off-site improvements to widen the section of North Road between the site and Columbia Avenue.

Schools

- Annexation and subsequent development of the site would increase school district enrollment. The local school district should receive additional revenues due to increased valuation as a result of future development to partially offset any increase in school district enrollment. The school district did not object to this application, and prior discussions have indicated that the overall student population for the district is relatively stable.

Water Service

- There is an existing City water line in Columbia Avenue to which the property would have access upon annexation, with extensions to be installed by the developer. The site could also connect to the water line planned for the Heritage Farm subdivision.

Sewer and Storm Drainage

- The nearest sanitary sewer main is in Columbia Avenue. The applicant would need to install additional sewer up North Road to tie into the existing sewer manhole in the street. The proposal to connect to planned sewer in the Heritage Farm subdivision is infeasible due to topographic constraints.

- There is no public storm drain system in the immediate vicinity of the site. The applicant would likely need to manage stormwater on site. The applicant has illustrated a potential storm tract in **Exhibit 4**. The storm drainage system would be designed to ensure that development of the site does not degrade water quality or increase water quantity draining to the Scappoose Drainage District or cause other flooding or groundwater problems.

The applicable goals and policies of the GOAL FOR PUBLIC FACILITIES AND SERVICES, and the POLICIES FOR PUBLIC FACILITIES AND SERVICES, are satisfied.

GENERAL GOALS FOR LAND USES

1) The growth of the City should be orderly and in accordance with the public health, safety and welfare, while preserving individual choice and recognizing existing patterns of development.

6) Residential living areas should be safe, attractive, and convenient, and should make a positive contribution to the quality of life and personal satisfaction of the residents; additionally, there should be sufficient areas for a wide range of housing choices.

Finding:
The subject property is located in the UGB immediately adjacent to land zoned MH and R-4 by the City. Annexation would permit development in an orderly outward expansion. Development of the subject site is required to provide the infrastructure associated with new residential development, including public streets with curbs and sidewalks. The MH zoning permits single-family residences, duplexes, tri-plexes, four-plexes, and manufactured home parks, which provide a range of housing choices.

The applicable GENERAL GOALS FOR LAND USES are satisfied.

GOAL FOR HOUSING

1) Increase the quantity and quality of housing for all citizens

2) Locate housing so that it is fully integrated with land use, transportation and public facilities

3) Not applicable

4) Protect residential areas from conflicting land uses, unnecessary through traffic, or other undesirable influences.

POLICIES FOR HOUSING

1) Maintain adequate zoning, subdivision and building codes to help achieve the City's housing goals.

7) Ensure that subdivisions provide a full array of public services at the expense of the developer.

(Policies 2 through 6 and 8-10 are not applicable to this application.)

Finding:
The proposed annexation and zoning of the site for residential uses is consistent with Goals 1, 2, and 4 because the inclusion of a 2-acre lot with the potential for additional housing will increase the quantity of residential land in the City. The proposed use does not conflict with existing land uses because the site is adjacent to existing residential uses. In addition, the new residences will not generate unnecessary through traffic or undesirable influences.

The zoning of the site for residential use is consistent with the policies of the Comprehensive Plan. The site will assist in maintaining adequate land to meet the City's housing needs and future subdivision improvements will be made at the expense of the developer. The applicable goals and policies of the GOAL FOR HOUSING and the POLICIES FOR HOUSING are satisfied.

4. **The following sections of Title 17 of the Scappoose Municipal Code (Scappoose Development Code) are applicable to this request:**

Chapter 17.22 AMENDMENTS TO THE TITLE, COMPREHENSIVE PLAN, AND MAPS
17.22.010 Purpose. The purpose of this chapter is to set forth the standards and purposes governing legislative and quasi-judicial amendments to this title, the acknowledged comprehensive plan, and the related maps.

17.22.030 Quasi--judicial amendments. Quasi-judicial amendments shall be in accordance with the procedures set forth in Chapter 17.162 and the following:
A. The commission shall make a recommendation to the Council to approve, approve with conditions or deny an application for a quasi-judicial comprehensive plan map amendment or zone changes based on the following:
1. The applicable comprehensive plan policies and map designation;
2. The change will not adversely affect the health, safety and welfare of the community;
3. The applicable standards of this title or other applicable implementing ordinances; and
4. Evidence of change in the neighborhood or community or a mistake or inconsistency with the comprehensive plan or zoning map as it relates to the subject property.
B. The council shall decide the applications on the record.
C. A quasi-judicial application may be approved, approved with conditions or denied.

Finding:
1. THE APPLICABLE COMPREHENSIVE PLAN POLICIES AND MAP DESIGNATION

As specified by Section 17.136.070 of the Scappoose Municipal Code, if this property is annexed it would automatically receive the Manufactured Housing (MH) zoning designation since the site had a "Manufactured Housing" Comprehensive Plan Map designation. The applicable comprehensive plan policies are outlined above.

2. THE CHANGE WILL NOT ADVERSELY AFFECT THE HEALTH, SAFETY AND WELFARE OF THE COMMUNITY;

The zone change to MH implements the Manufactured Housing Comprehensive Plan designation. The proposed annexation would permit new development consistent with the existing residential character, which would reinforce and enhance a residential neighborhood. The annexation and zone change could allow up to 25 dwellings, which would not adversely affect health, safety, and welfare.

3. THE APPLICABLE STANDARDS OF THIS TITLE OR OTHER APPLICABLE IMPLEMENTING ORDINANCES;

The proposed annexation and zone change are policy decisions subject to guidance by the full policy framework established by the Oregon Statewide Land Use Planning Goals and associated Oregon Administrative Rules (OAR), and by the Scappoose Comprehensive Plan and Development Code. Full discussion of the applicable standards is found in this report. The analysis demonstrates consistency and compliance with all applicable approval standards.

4. EVIDENCE OF CHANGE IN THE NEIGHBORHOOD OR COMMUNITY OR A MISTAKE OR INCONSISTENCY WITH THE COMPREHENSIVE PLAN OR ZONING MAP AS IT RELATES TO THE SUBJECT PROPERTY.

The subject site is designated Manufactured Housing in the Comprehensive Plan Map. Applying Section 17.136.070 by automatically zoning the property Manufactured Housing (MH) is consistent with the Comprehensive Plan.

Chapter 17.54 MH MANUFACTURED HOUSING

17.54.030 Permitted uses. A. In the MH zone outside of the Scappoose Creek Flood Plain, only the following uses and their accessory uses are permitted outright.
[...]
2. Duplex,
[...]
4. Manufactured homes on individual lots subject to Section 17.94.030,
[...]
6. Multifamily up to four units per lot;
[...]
9. Single-family detached residential dwelling units.
[...]
13. A single-family dwelling having a common wall with one other single-family dwelling...

Finding:
A variety of residential uses is permitted within the MH zoning district. Future development proposals would be reviewed for consistency with the permitted uses in the proposed zone. Section 17.54.030 is satisfied.

Chapter 17.88 AO PUBLIC USE AIRPORT SAFETY AND COMPATIBILITY OVERLAY ZONE

17.88.030 Imaginary surface and noise impact boundary delineation. The airport elevation, the airport noise impact boundary, the airport direct impact boundary, the airport secondary impact boundary, and the location and dimensions of the runway, primary surface, runway protection zone, approach surface, horizontal surface, conical surface and transitional surface shall be delineated for the Scappoose Industrial Airpark and shall be made part of the Official Zoning Map. All lands, waters and airspace, or portions thereof, that are located within these boundaries or surfaces, and are located within the city limits, shall be subject to the requirements of this overlay zone.

Finding:
As defined by Chapter 17.88, the site falls within the airport direct impact boundary. According to Table 17.88.1 in the Scappoose Development Code, no limitations are placed on residential development within the direct impact boundary. Section 17.88.030 is satisfied.

Chapter 17.136 ANNEXATIONS

17.136.020 Policy.
Annexations shall be considered on a case-by-case basis, taking into account the goals and policies in the Scappoose Comprehensive Plan, long range costs and benefits of annexation, statewide planning goals, this title and other ordinances of the City and the policies and regulations of affected agencies' jurisdictions and special districts.

A. It is the City's policy to encourage and support annexation where:

1. *The annexation complies with the provisions of the Scappoose Comprehensive Plan*
2. *The annexation would provide a logical service area, straighten boundaries, eliminate or preclude islands of unincorporated property, and contribute to a clear identification of the City.*
3. *The annexation would benefit the City by addition to its revenues of an amount that would be at least equal to the cost of providing service to the area.*
4. *The annexation would be clearly to the City's advantage in controlling the growth and development plans for the area.*

Finding:
The proposed annexation complies with the goals and policies of the Comprehensive Plan as previously discussed in Finding of Fact #3. The annexation is contiguous to land zoned MH and R-4 within the City, expanding the City's logical service area. Pursuant to Scappoose Municipal Code Chapter 13.12.100, sewer services are not provided outside the City limits, so annexation would allow this site to be served by the municipal sewer system. Annexation will allow the City to manage growth by providing for City inspection and approval of all development. Section 17.136.020(A) is satisfied.

B. It is the City's policy to discourage and deny annexation where:

1. *The annexation is inconsistent with the provisions of the Scappoose Comprehensive Plan.*
2. *The annexation would cause an unreasonable disruption or distortion of the current City boundary or service area.*
3. *The annexation would severely decrease the ability of the City to provide services to an area either inside or outside of the City.*
4. *Full urban services could not be made available within a reasonable time.*

Finding:
The proposal is consistent with the provisions of the Scappoose Comprehensive Plan as previously discussed. The annexation does not decrease the ability of the City to provide services and does not cause an unreasonable disruption of the current City boundary. The proposed annexation site can be served by urban services within a reasonable time and does not decrease the ability of the City to provide services. Section 17.136.020(B) is satisfied.

17.136.040 Approval standards.

A. The decision to approve, approve with modifications or deny, shall be based on the following criteria.

1. All services and facilities are available to the area and have sufficient capacity to provide service for the proposed annexation area,

Finding:
Existing municipal police services can be made available to the site immediately. The site fronts onto an existing road within the City. The property is already located within the Scappoose Rural Fire District, the Scappoose School District, the Scappoose Library District, and the Scappoose Parks and Recreation District. Telephone and electric services are already provided to neighboring properties.

Water and sewer service can be made available to the site with extensions installed by the developer. The water treatment plants and wastewater treatment plant have excess capacity to accommodate development of this and other sites.

The facility planning for the City's water and wastewater treatment facilities assumed that this site would be zoned MH. The site could be developed with approximately 25 housing units if a manufactured home park were constructed.

The wastewater flow associated with 25 residences is 3,125 gallons per day (0.003 MGD), using an average of 125 gallons per day per household.

The North Interceptor into the Wastewater Treatment Plant has a capacity of 2.3 MGD; therefore the 25 additional households would use approximately 0.1% of that capacity. The treatment plant has the capacity to accommodate the residences that could be constructed on this site.

The City's existing surface and subsurface drinking water sources can produce in excess of 1,600 gallons per minute. The Water Treatment Plant and Water Wells have the capacity to serve the additional residences from this site.

North Road currently does not meet the City's standards for local residential streets; it has a paved width of 18 feet within a 40-foot right-of-way. However, improvements would be required as conditions imposed on future development. The County Road Department would require a minimum paved width of 20 feet in accordance with their standards for local streets. Additional improvements may be identified as part of traffic impact analysis performed in conjunction with future development proposals. The Council can conclude that North Road can be made adequate with appropriate improvements.

Section 17.136.040(A).1 is satisfied.

2. *The impact upon public services which include but are not limited to police and fire protection, schools and public transportation to the extent that they shall not be unduly compromised;*

Finding:

As discussed previously, the proposed annexation will have a minimal impact on the capacity of public service providers, especially since the site is already within the service areas of the Fire District and other service providers. Section 17.136.040(A).2 is satisfied.

3. *The need for housing, employment opportunities and livability in the City and surrounding areas;*

Finding:

This annexation would provide an additional 2 acres for residential development and would also create temporary employment opportunities for the construction of streets, utilities, and structures. Section 17.136.040(A).3 is satisfied.

4. *The location of the site in relation to efficient provision of public facilities, services, transportation, energy conservation, urbanization and social impacts.*

Finding:

This site is contiguous to the existing City limits. Public services are already available to neighboring properties and use of these will improve efficiency by utilizing existing trunk lines and service lines. Water service is available to the site from Columbia Avenue or from the new street in the Heritage Farm subdivision, and police and fire protection can be supplied by the Scappoose Police Department and Scappoose Rural Fire Protection District, respectively. The site has convenient transportation access to downtown Scappoose. Increasing the supply of land for housing will benefit the City by providing additional land to meet the demand for residential development. Urbanization of the site is consistent with the City's Comprehensive Plan, and site development is not anticipated to impose adverse social impacts. Section 17.136.040(A).4 is satisfied.

17.136.070 Zoning upon annexation. Upon annexation, the area annexed shall be automatically zoned to the corresponding land use zoning classification as shown in the table below. The zoning designation shown on the table below is the city's zoning district which most closely implements the city's comprehensive plan map designation.

Comprehensive Plan	***Zoning Classification***
SR	*R-1, Low Density Residential*
GR	*R-4, Moderate Density Residential*
MH	*MH, Manufactured Home Residential*
C	*Expanded Commercial*
I	*Light Industrial*

Finding:
The site has a Comprehensive Plan designation of MH, Manufactured Housing. Upon annexation, the site would automatically be zoned MH, Manufactured Housing. The findings demonstrate that the City's infrastructure has the capacity to absorb development of this site. Section 17.136.070 is satisfied.

Chapter 17.162 PROCEDURES FOR DECISION MAKING--QUASI-JUDICIAL

17.162.090 Approval authority responsibilities. [...]
C. The planning commission shall conduct a public hearing in the manner prescribed by this chapter and shall have the authority to approve, approve with conditions, approve with modifications or deny the following development applications:
1. Recommendations for applicable comprehensive plan and zoning district designations to city council for lands annexed to the city;
2. A quasi-judicial comprehensive plan map amendment except the planning commission's function shall be limited to a recommendation to the council. The commission may transmit their recommendation in any form and a final order need not be formally adopted;
3. A quasi-judicial zoning map amendment shall be decided in the same manner as a quasi-judicial plan amendment; [...]

Finding:
The applicant has requested the concurrent review of Annexation and a Zone Change. The Planning Commission will make a recommendation to the City Council regarding the applicant's request. Based on the submitted materials and the staff report the applicant's proposal complies with the City's Comprehensive Plan and with the requirements of Title 17 of the Scappoose Municipal Code. Section 17.162.090(C) is satisfied.

RECOMMENDATION
Based on the findings of fact, the conclusionary findings for approval, and the material submitted by the applicant, the Planning Commission and staff recommend **APPROVAL** of the application ANX5-06/ZC5-06 for placement on the May 15, 2007 ballot.

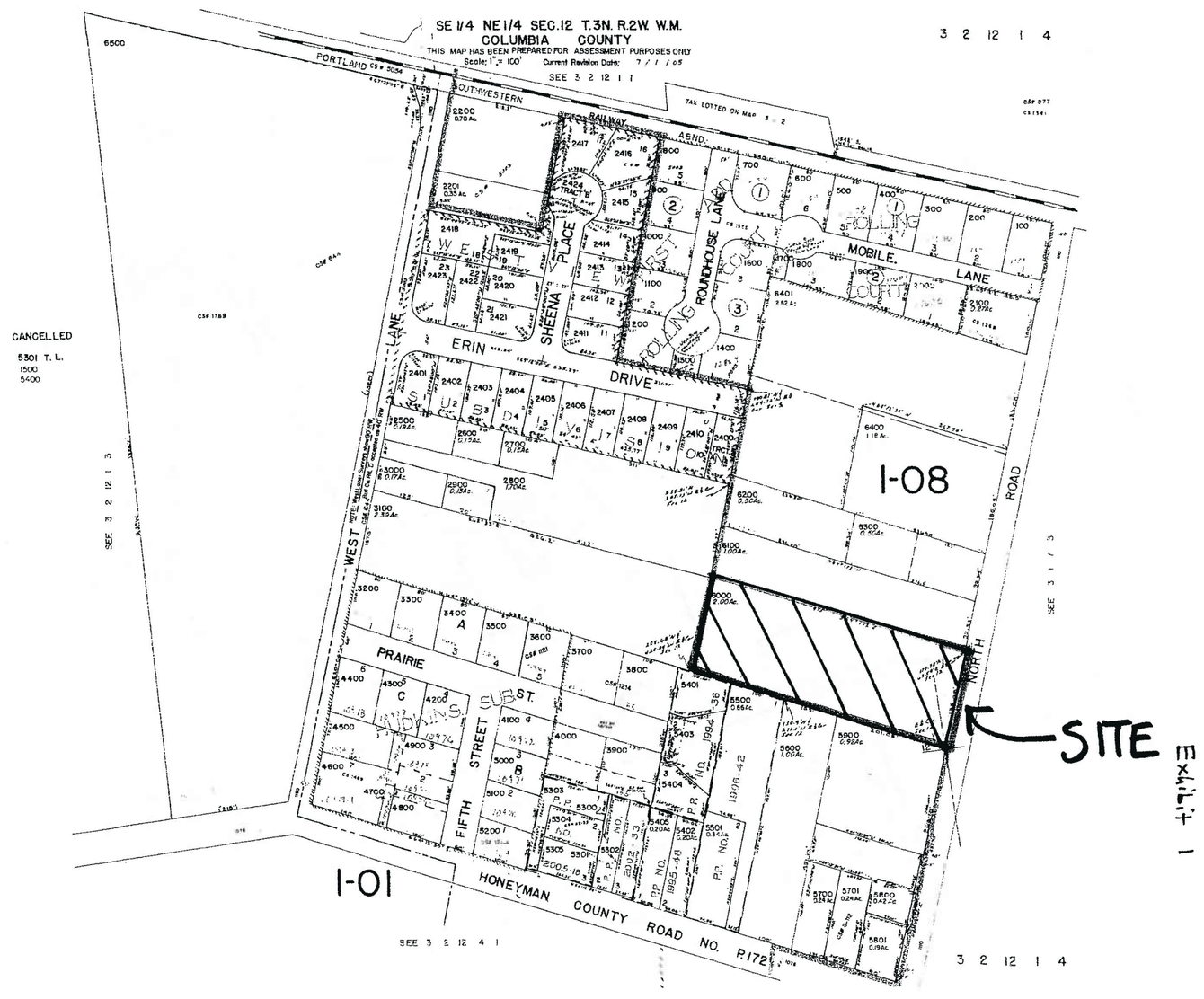

SE 1/4 NE 1/4 SEC. 12 T. 3N. R. 2W. W.M.
COLUMBIA COUNTY
THIS MAP HAS BEEN PREPARED FOR ASSESSMENT PURPOSES ONLY
Scale: 1" = 100' Current Revision Date: 7/1/05
3 2 12 1 4
SEE 3 2 12 1 1
TAX LOTTED ON MAP 3 2
PORTLAND
SOUTHWESTERN
RAILWAY
AGNO
CANCELLED
5301 T. L.
1500
5400
SEE 3 2 12 1 3
WEST
LANE
ERIN
DRIVE
SHEENA
PLACE
ROUNDHOUSE
LANE
ROLLING
MOBILE
LANE
COURT
ROAD
NORTH
I-08
SITE
Exit 1
PRAIRIE
STREET
FIFTH
HARDINS
SUBST.
I-01
HONEYMAN
COUNTY ROAD NO. R172
SEE 3 2 12 4 1
3 2 12 1 4

Exhibit 2

Excerpt from Scappoose Zoning Map
ANX 5-06/ZC 5-06
July 2006

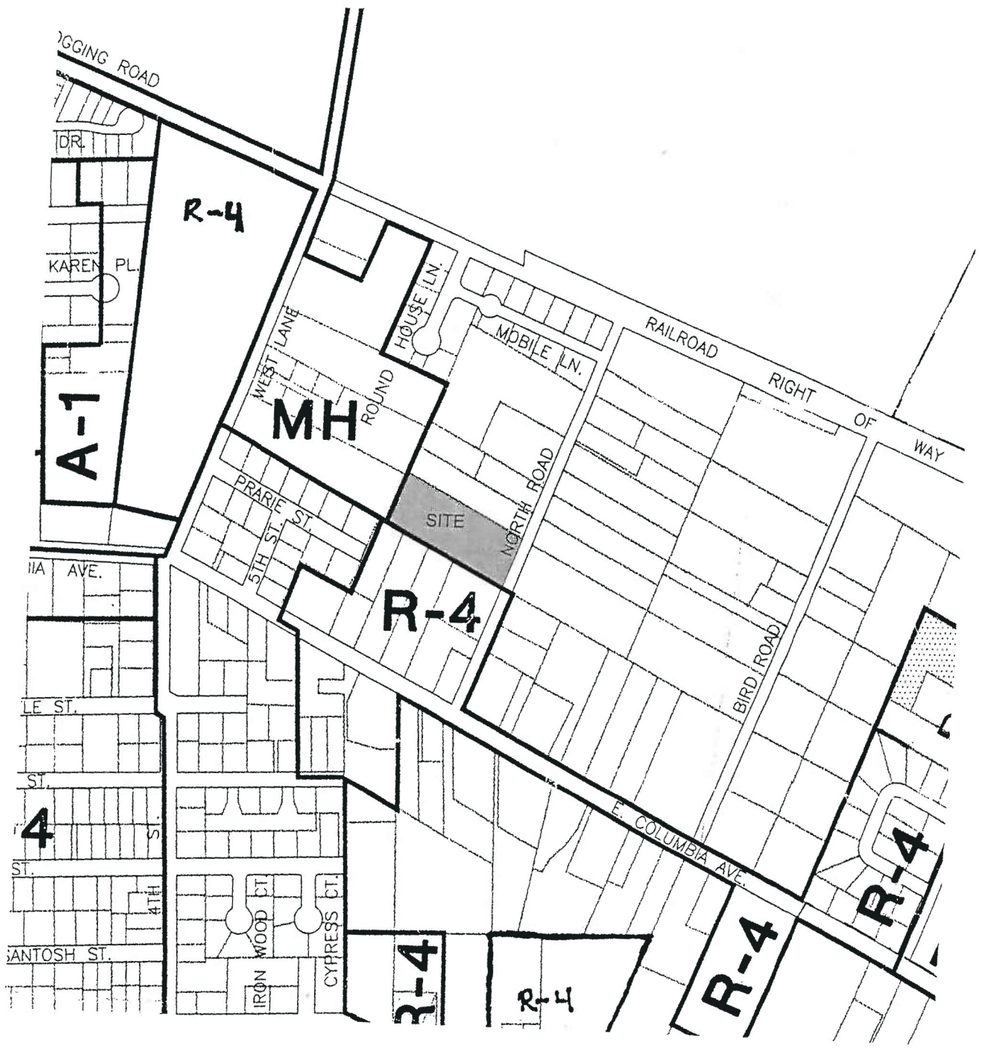


Exhibit 3

52525 North RD

Annexation Application

Scappoose, Oregon

APPLICANT:
Taurus Homes
~~19130 SW Alexander St.~~
~~Aloha, OR 97006~~
24345 NW West Union Rd
North Plains, OR 97133

APPLICANT'S REPRESENTATIVE:
Kenneth L. Sandblast, AICP
Planning Resources, Inc.
7160 SW Fir Loop, Suite 201
Portland, OR 97223
Tel: 503-684-1020
Fax: 503-684-1028

PREPARED BY:
Dan Jung
Planning Resources, Inc.
7160 SW Fir Loop, Suite 201
Portland, OR 97223
Tel: 503-684-1020
Fax: 503-684-1028

June 7, 2006

TABLE OF CONTENTS

Page

Project Summary. 1-2

Scappoose Comprehensive Plan
and Zoning and Development Ordinance
Applicable Policies. 3-9

PROJECT SUMMARY

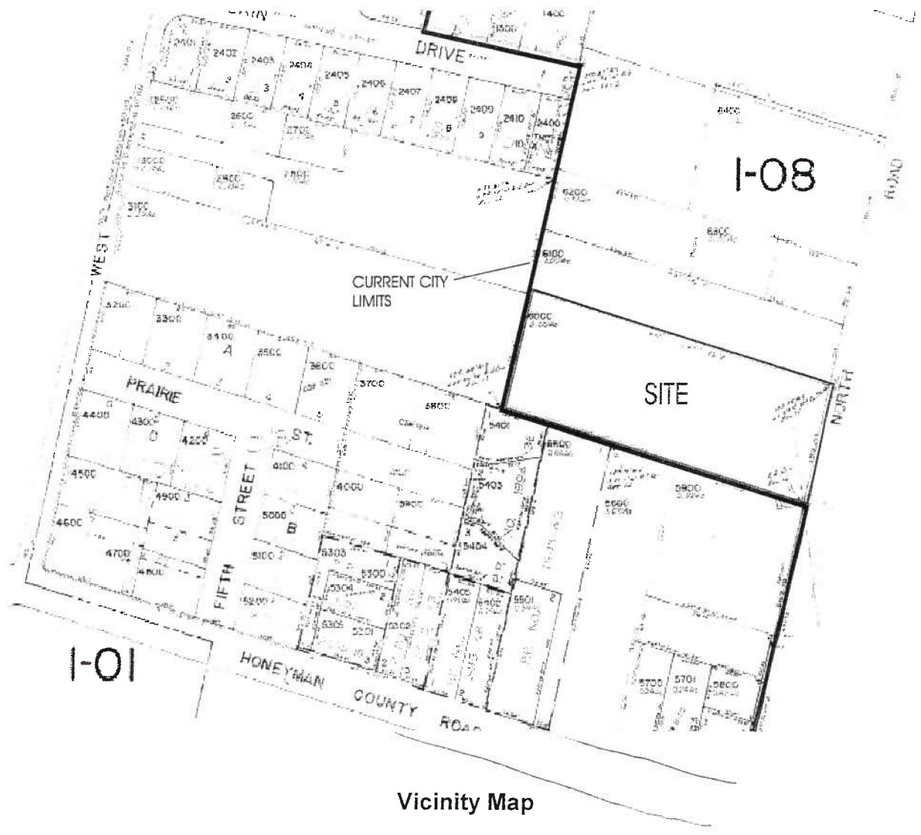
Project Description:

Location	52525 North RD.
Legal	Tax Lot 6000, T3N R2W Section 12-1-4
Comprehensive Plan	Manufactured Housing (MH)
Zoning	Proposed Zoning: Manufactured Housing (MH)
Site Size	2.00 Acres

The subject site lies west of North Road (north of Columbia Ave; south of Mobile Lane). The site contains one existing single-family residence. Vegetation consists primarily of pasture grass with number mature trees. Access is taken from North RD along the east boundary; all other property lines abut residential properties.

The site's western and southern property lines abut the current City limits. Adjacent properties within the City limits have been developed with subdivisions consistent with the City's standards. Properties to the north and east are large lots subject to Columbia County's zoning requirements.

The applicant (Taurus Homes) is also the owner of the Heritage Farm subdivision property directly west of the subject site. Heritage Farm has recently received Preliminary Plat approval, and is currently obtaining construction plan approval and final plat recording. The approved Heritage Farm plat includes a public right-of-way extension from West Lane Road, to the subject site's western boundary. This right-of-way will include essential public utilities.



Vicinity Map

FINDINGS

APPROVAL CRITERIA:
The criteria and standards that apply to this application are as follows:

City of Scappoose Development Code
Chapter 17.22 Amendments to the Title, Comprehensive Plan, and Maps
17.22.030 Quasi-Judicial Amendments.
Chapter 17.136 Annexations
Chapter 17.162 Procedures for Decision Making—Quasi-Judicial

City of Scappoose Comprehensive Plan
Goals and Policies for Public Facilities and Services, Transportation, Housing, General Goals for the City of Scappoose for Land Uses, Urban Growth Boundary, General Residential, and Suburban Residential.

The following Goals and Policies do not apply to this request: Economic and Natural Factors and Local Resources, and under the Land Use Goals and Policies, Mobile Home, Commercial, Industrial, Public and Semi-Public, Hazard Area, and Open Space.

In the following discussion of criteria and standards, code requirements are indicated by italics, response and discussion in plain text.

Chapter 17.22 Amendments to the Title, Comprehensive Plan, and Maps
17.22.030 Quasi-judicial amendments. Quasi-judicial amendments shall be in accordance with the procedures set forth in Chapter 17.162 and the following:

A. The commission shall make a recommendation to the Council to approve, approve with conditions or deny an application for a quasi-judicial comprehensive plan map amendment or zone changes based on the following:
1. The applicable comprehensive plan policies and map designation;
2. The change will not adversely affect the health, safety and welfare of the community;
3. The applicable standards of this title or other applicable implementing ordinances; and
4. Evidence of change in the neighborhood or community or a mistake or inconsistency with the comprehensive plan or zoning map as it relates to the subject property.

B. The council shall decide the applications on the record

C. A quasi-judicial application may be approved, approved with conditions or denied.
APPLICANT RESPONSE
The application involves both an annexation, as provided in Chapter 17.136, and application of the appropriate zoning designation. Both actions are to be considered by the Planning Commission, which makes a recommendation to the City Council.

Response to Criterion 1. No change to the Comprehensive Plan is proposed, as the site is within the Urban Growth Boundary and designated for residential use as part of the City's future needed land supply.

Goals and policies in the Comprehensive Plan are intended to apply to the City generally and not necessarily to a specific property or project. Goals and policies form the basis for developing implementation strategies and ordinances, and any proposal should at minimum be generally consistent with the City's overall intentions for growth and development.

The following goals and policies apply to this request:

Goals and Policies for Public Facilities and Services: In summary, goals and policies for public facilities and services require that an adequate level of services be available for new development and be directed to newly developing areas within the UGB.

Herein below public facilities will be discussed:

Streets:
The site has approximately 185-ft of frontage on North Road. The approved Heritage Farm preliminary plat identifies a new public street stub extending from West Lane Road to the western property line of the site, and an intersection extending north along the property line shared by the subject site and the Heritage Farm property. Subsequent to annexation, future development of the site will include extension of the east-west street stub to North Road, and the full improvement of the north-south street stub. The new block created by the public street extension between West Lane Road and North Road will provide better access for local residence in the surrounding neighborhoods. Currently the only vehicle access to North Road is via Columbia Ave. A new connection between North Road and West Lane Road will allow for an additional access route to all parcels on North Road.

Sanitary Sewer:
A public sanitary sewer main currently exists in West Lane Road. A lateral to this main will be extended to the west property line of the subject site, within the public right-of-way, as a part of the required public improvements associated with the Heritage Farm subdivision. This line can be extended to serve future development of the site at the time of development. Additionally, Columbia Ave, south of the site, contains a public sanitary sewer main. If necessary, this line can be extended up North Road to serve the site.

Domestic Water:
A public water line currently exists in West Lane Road. A lateral to this line will be extended to the west property line of the subject site, within the public right-of-way, as a part of the required public improvements associated with the Heritage Farm subdivision.

Stormwater:
Soil conditions in the area are generally amicable to stormwater management infiltration systems – as demonstrated by the proposed Heritage Farm storm tract. Future development will submit stormwater management design plans for review and approval with the City of Scappoose.

Schools:
The site is served by the City of Scappoose School District 1J. According to the City of Scappoose Comprehensive Plan, the Scappoose School district encompasses 118 square miles including areas outside of the City limits but within Multnomah and Washington Counties. The site is well served by schools for all grades. Additional impact to the system because of the

proposed development is not expected, the overall student population for the district continues to be stable.

Police Protection:

In the Fall of 2003, the current population of the City of Scappoose was 5,260 with 32,000 vehicles driving along Hwy 30 through Scappoose everyday. The Scappoose Police Department is comprised of a Chief of Police, Lieutenant, eight sworn police officers, one office specialist, and a reserve unit of four volunteer officers and a police chaplain. According to the City of Scappoose Comprehensive Plan (1991), factors to consider when assessing adequate police protection include: rate of growth, increase in traffic problems and types of families moving into the area. To be able to assess the impact the proposed development would have on the existing police department these factors will be discussed.

Rate of Growth. The proposed development requests approval for annexation into the City of Scappoose with a proposed zoning of MH, Moderate Density Residential. The annexation of the site into the City could potentially allow for the development of approximately 14 single-family homes. The rate of growth examined from 1960 to 1991 showed that the population to have tripled in this time-period. The consensus in 1991 was to curb growth. However, growth in the area was attributed to the City's proximity to Portland and the attractiveness of the area. It was suggested that the negative impact to the area was not so much the rate of growth but the reaction of the growth to build multi-family dwellings rather than single-family dwellings which significantly changes the characteristic of the City. The development proposed in this case supports the housing and population goals outlined in the City's Comprehensive Plan to allow growth and re-establish home ownership in the area. The housing goal for the area would support single-family housing.

Traffic: The site is located north of Columbia Ave and east of West Lane Road. Currently the only vehicle access to North Road is via Columbia Ave. Extension of the right-of-way as depicted on Heritage Farm – Future Street Plan will improve the traffic pattern, and emergency vehicle access, by creating a second route to North Road.

Types of Families. The City's comprehensive plan outlines the MH Zone as moderate density residential and high density manufactured homes in manufactured home parks. This density will encourage families with one or two adults employed in the household and encourage "suburban-type" living. There is no detailed demographic information available for the City, but a likely conclusion to make is that a family–oriented moderate-density area is less likely to generate crimes that impact police services.

Fire Protection – Fire protection is provided by Scappoose Rural Fire District. According to details from 1991 Comprehensive Plan, the district currently has five engines, two tankers, two ambulances, one brush unit, one rescue and two utility vehicles that are in excellent condition. The combined fire and ambulance service area is 100 square miles with a population of 11,000. The current I.S.O. rating is 4 in the City and 8 in rural areas. The station is located at 52751 Columbia River Hwy less than 1 mile from the site. The impact to the fire protection services is relatively low given the expectation of growth in the area and access to the site. The Fire Department intends to convert to a regular full time paid department by 2010.

The proposed annexation supports these goals and policies, by providing a logical and orderly extension of streets and public facilities from temporary terminations at the site's boundaries. Discussion with representatives of the City raised no areas of concern for capacity or system deficiency, and the site is within the UGB where the City expects to expand to provide services.

Therefore, these goals and policies are supported by the proposal.

Goals and Policies for Transportation: In summary, goals and policies of the city call for connectivity and provision of alternative means for traveling between destinations. The proposed annexation fits within the overall framework of the City's Transportation System Plan, by allowing connections between local streets temporarily terminated at the site's west boundary. New streets will be constructed to city standards and will include, as required, sidewalks for pedestrians in addition to travel-ways for vehicles including bicycles.

Therefore, these goals and policies are supported by the proposal.

Goals and Policies for Housing: The City's goal is to provide adequate housing for all residents. Policies carry out this goal by maintaining an adequate supply of buildable land and requiring new development concurrent with provision of public facilities and services.

The site is within the City's UGB and is, therefore, part of the land designated for future residential development. Because public facilities and services are available, including an east-west street connection, the applicant believes that the timing is appropriate for the City to annex the site so that development in compliance with the City's requirements can occur.

General Goals for the City of Scappoose for Land Uses: The City has established general goals that, succinctly stated, call for the orderly development of land uses, compatible relationships with adjoining uses, and a balancing of uses, including housing that meets the needs of residents.

Goals and Policies for the Urban Growth Boundary: The City's goals and policies call for maintaining an adequate supply of buildable land and designating locations of uses to maintain harmonious and balanced relationships. These goals and policies are largely beyond the reach of any single property owner, and the applicant notes only that the site is designated for future residential use. Annexation would enable the land to be used as planned.

Goals and Policies for General Residential: The City's goals and policies are aimed at providing higher density development in the areas of the community where supporting facilities such as shopping and transportation routes are established. In addition, the City aims to protect residential uses from intrusive uses that would harm livability.

Goals and Policies for Suburban Residential: New moderate density residential or high density manufactured home development within the City limits will be required to make provisions for streets, public sewer, and public water, along with other necessary facilities. New development within the Suburban Residential area will provide opportunities for a range of housing choices, while maintaining a suburban character.

This discussion of applicable goals and policies demonstrates that the proposed annexation complies with the City's Comprehensive Plan.

Response to Criterion 2: No adverse impact on the community's health, safety or welfare is anticipated, as the request is consistent with the Comprehensive Plan and necessary public facilities are readily available, with capacity, to serve the site.

Response to Criterion 3: The applicable standards of the Development Code are discussed in this development, and are shown to be satisfied.

Response to Criterion 4: The change in the community that justifies the proposed annexation and zoning designation has to do with growth and the need for additional land for new housing. Scappoose, like many communities within commuting range of the Portland metropolitan area, has experienced an increase in population as available, affordable land there has been developed. This sort of change, that is, growth in Scappoose, was anticipated when the site was included within the UGB.

The applicable criteria of this section are shown to be satisfied.

Chapter 17.136 Annexations
This chapter provides both policies and process for consideration and approval of annexations.

17.136.020 Policy. Annexations shall be considered on a case-by-case basis, taking into account the goals and policies in the Scappoose comprehensive plan, long range costs and benefits of annexation, statewide planning goals, this title and other ordinances of the city and the policies and regulations of affected agencies' jurisdictions and special districts.

A. It is the city's policy to encourage and support annexation where:
1. The annexation complies with the provisions of the Scappoose comprehensive plan;
2. The annexation would provide a logical service area, straighten boundaries, eliminate or preclude islands of unincorporated property, and contribute to a clear identification of the city;
3. The annexation would benefit the city by addition to its revenues of an amount that would be at least equal to the cost of providing services to the area;
4. The annexation would be clearly to the city's advantage in controlling the growth and development plans for the area.

B. It is the city's policy to discourage and deny annexation where:
1. The annexation is inconsistent with the provisions of the Scappoose comprehensive plan;
2. The annexation would cause an unreasonable disruption or distortion of the current city boundary or service area;
3. The annexation would severely decrease the ability of the city to provide services to an area either inside or outside of the city;
4.Full urban services could not be made available within a reasonable time.

APPLICANT RESPONSE
The proposed annexation is consistent with the City's comprehensive plan. As previously discussed, the proposal complies with plan policies and is within the City's UGB. It is part of the supply of land intended to provide for the City's growth.

As discussed, the site is located with a street stubbed to the west property line. Utilities are available and can be extended to serve new development. Therefore, it would not be logical to skip over this site, and would leave a gap, where public facilities and services were not extended to and through this site.

The site would be zoned MH upon annexation, and would accommodate future development of approximately 14 new residences on this 2 acre site, which amounts to a minor increment of the city's service costs. Further, as the site is within the UGB and its development is anticipated

through capital facilities planning and construction of capacities, annexing the site would allow its development with uses that would produce revenue to pay for previous expenditures.

The proposed annexation supports the City's adopted plan and policies, as represented by the comprehensive plan and the established UGB. Therefore, it would be to the City's advantage to annex the area.

The "disadvantages" listed in Section B are opposite to the criteria in Section A, discussed in the previous paragraphs. The proposed annexation is consistent with the City's comprehensive plan, provides for a logical and orderly extension of the City's boundary and public services, and urban services can be made available to new development by extending existing public services.

Therefore, the proposed annexation is consistent with the City's policies.

17.136.030 Administration and approval process.
This section outlines the approval process for an annexation. The City requires an application, and hearings before the Planning Commission and City Council before a decision by the Council. If approved, the annexation is referred to voters at the next election.

By and large, the City manages the process. The applicant's responsibility is to provide an application that satisfies submission requirements of Sec. 17.136.050 and to demonstrate that the proposal complies with Approval standards of Sec. 17.136.040.

17.136.040 Approval standards.
A. The decision to approve, approve with modification or deny, shall be based on the following criteria:

1. All services and facilities are available to the area and have sufficient capacity to provide service for the proposed annexation area;

2. The impact upon public services which include but are not limited to police and fire protection, schools and public transportation to the extent that they shall not be unduly compromised;

3. The need for housing, employment opportunities and livability in the city and surrounding areas;

4. The location of the site in relation to efficient provision of public facilities, services, transportation, energy conservation, urbanization and social impacts.

APPLICANT RESPONSE
As noted above all necessary services and facilities are available to the site,

As noted, the area proposed for annexation would add approximately 14 new dwellings. This minor increase in population would not have a major impact on provision of public services.

Connections to the City's road network have been provided at the site's west property line, anticipating future extensions of streets and connections for new and existing residents.

The annexation and subsequent development of this site is needed to provide housing opportunities for the City's anticipated population. It is reasonable to expand the City's

boundaries within the established UGB, when services are available and can be reasonably extended.

As previously noted, the site already has links to existing public utilities and facilities through the streets stubbed to the west and Columbia Ave to the south. These connections were established to facilitate future development on the site, and to enable future growth and development along the City's boundary.

For these reasons, and the reasons listed in response to Sec. 17.22.030, this proposal satisfies the approval criteria.

17.136.050 Application submission requirements
APPLICANT RESPONSE
An application has been submitted that satisfies requirements of this section.

17.136.060 Annexation initiated by city.
APPLICANT RESPONSE
This annexation is initiated by the property owner.

17.136.070 Zoning upon annexation.
APPLICANT RESPONSE
The Comprehensive Plan designation for the area is MH – Manufactured Housing, which requires the zoning designation of Manufactured Housing (Chapter 17.54) be applied to the site upon annexation.

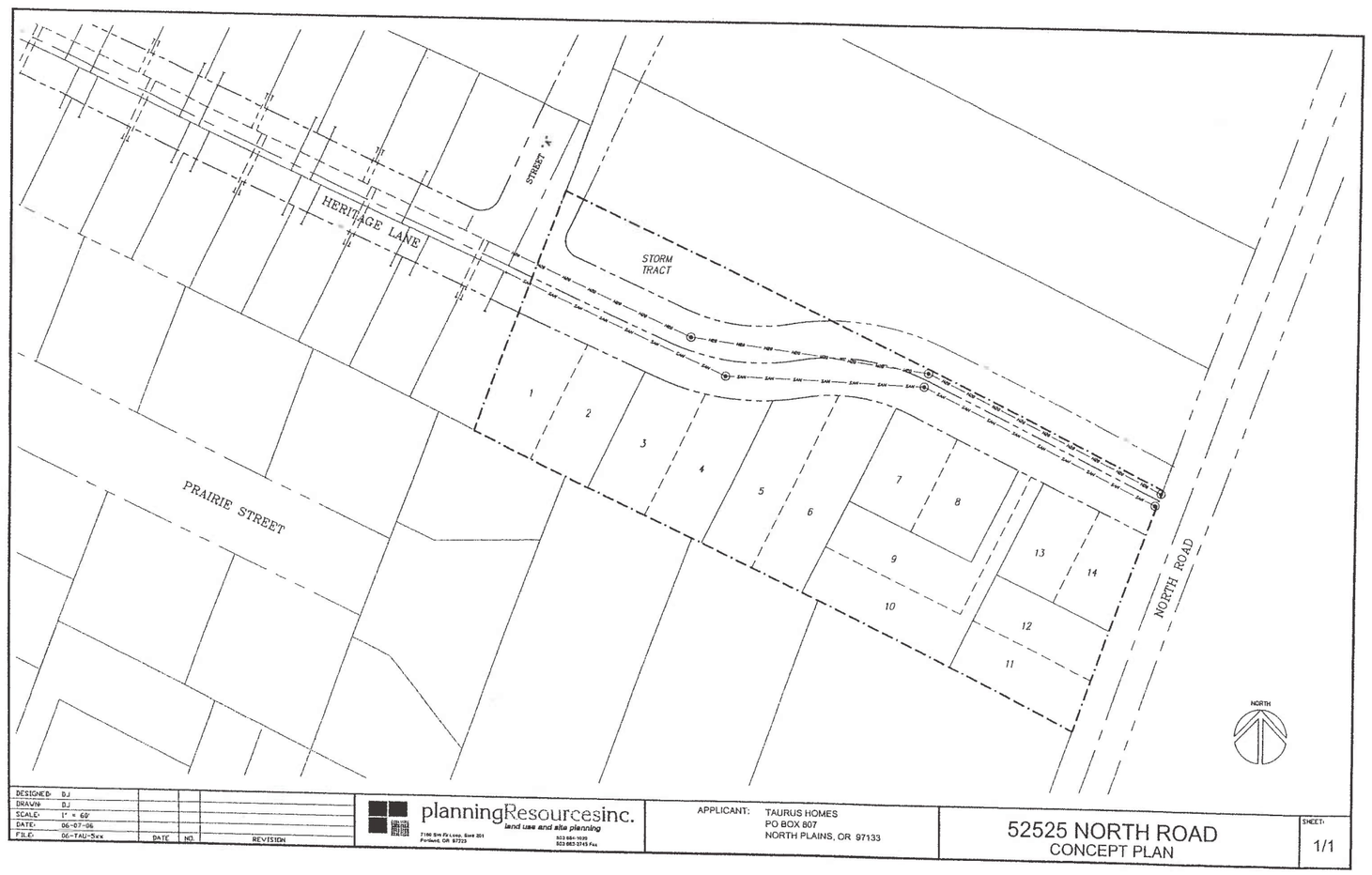
17.136.080 Annexation of non-conforming uses.
APPLICANT RESPONSE
No non-conforming use is involved. This section does not apply.

Chapter 17.162 Procedures for Decision Making—Quasi-Judicial
APPLICANT RESPONSE
This Chapter sets forth the procedures for decision-making, including requirements for notice and public hearings. These requirements will be applied through the review process.

CONCLUSION

The foregoing narrative describes the proposed annexation and designation of Manufactured Housing zoning, and discusses the City's applicable criteria and standards. The proposal has been shown to satisfy applicable requirements identified in the City's Development Code, including pertinent policies in the Comprehensive Plan and. Therefore, the proposed annexation should be approved.

Reasonable conditions of approval could be applied to the decision to approve an annexation. However, a more appropriate time for consideration of conditions would be once the annexation has been approved, through the review of a development proposal when the actual impacts of a project can be determined.



DESIGNED: SJ			
DRAWN: SJ			
SCALE: 1" = 60'			
DATE: 06-07-06			
FILE: 06-140-Sve	DATE	NO	REVISION

planningResourcesinc.
land use and site planning
7190 SW Fir Loop, Suite 201
Portland, OR 97223
503 684 1005
503 684 0743 Fax

APPLICANT: TAURUS HOMES
PO BOX 807
NORTH PLAINS, OR 97133

52525 NORTH ROAD
CONCEPT PLAN

SHEET: 1/1

DESIGNED: DJ			PLT: 04-241-Ex4
DRAWN: DJ			DATE: 04-01-24
SCALE: 1" = 60'	-		
DATE: 04-01-24			
SHEET: 1/1			

REVISION	NO.	DATE

planningResourcesinc.
land use and data planning
1700 SW 6th Street, Suite 201
Redmond, OR 97756
503-923-1037
503-923-2104 fax

APPLICANT: TAURUS HOMES
PO BOX 607
NORTH PLAINS, OR 97133

52525 NORTH ROAD
CONCEPT PLAN

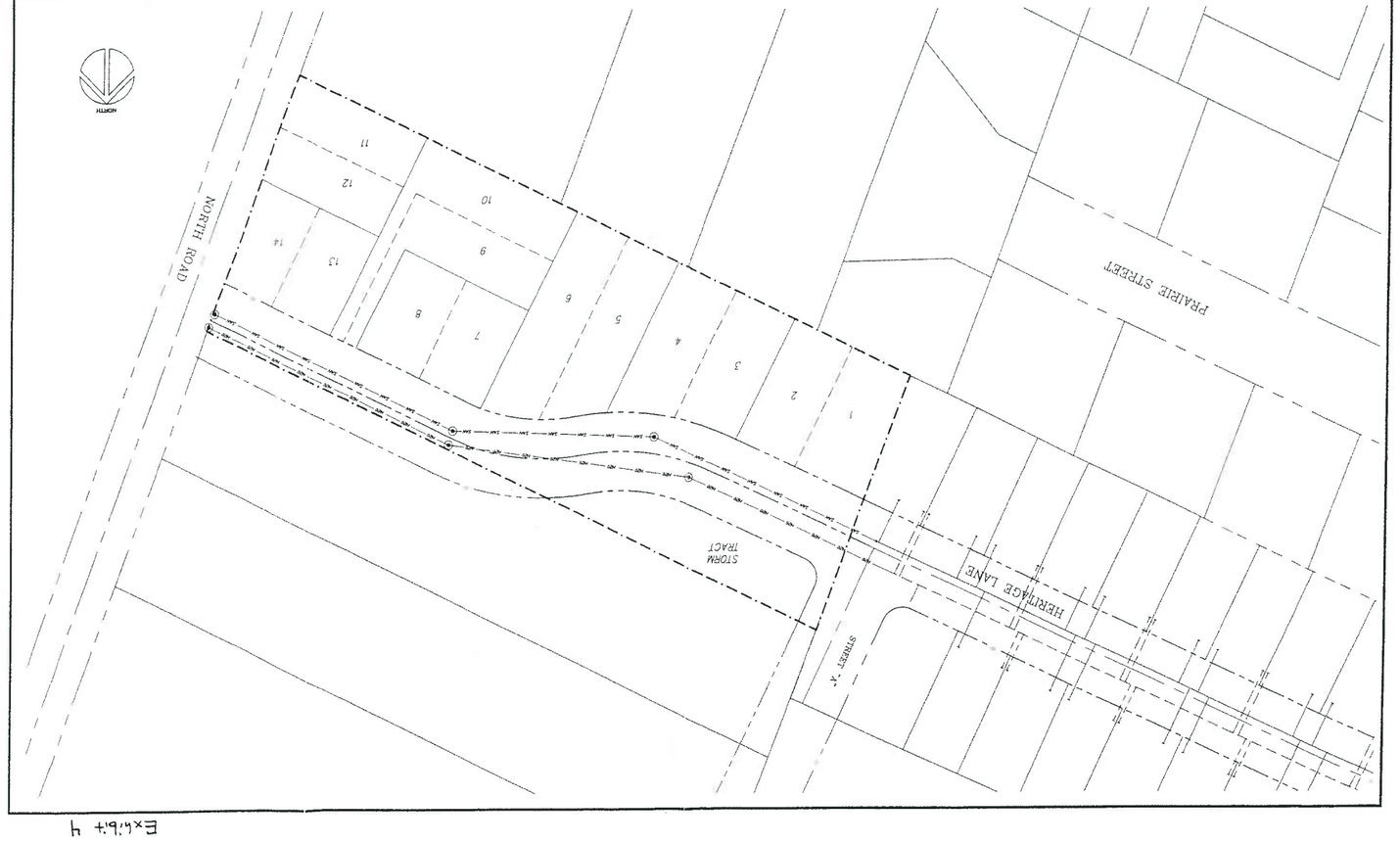


Exhibit 4

Exhibit 5

Anthony I. & Donna K. Ceruti
52488 North Road ◆ Scappoose, OR 97056 ◆ 503/543-5693

July 23, 2006

City of Scappoose
Planning Commission
33568 E. Columbia Avenue
Scappoose, Oregon 97056

RE: Docket #ANX 5-06/ZC 5-06
Proposed Taurus Homes Annexation and Subdivision

We strongly object to the rezoning of North Road from a "Suburban Residential" zone to a "Manufactured Home, Moderate Density Residential." When we purchased our home, this suburban residential zoning and the lack of crowding was the reason why we moved to Scappoose. I'm sure that this reason might be the same reason why the majority of our elected officials purchased their homes. Please deny this rezoning.

We also strongly object to the proposed road connection to North Road. We believe that North Road needs to be fully improved to applicable City standards, including sidewalks, curbs, gutters, bike lanes and street lights. These improvements need to extend all the way from the proposed new connection to Columbia Boulevard.

Until these improvements are implemented, only emergency vehicles and local residents should be allowed access on North Road. Construction traffic should be prohibited until the necessary provisions and improvements are made. Construction vehicles make numerous trips to achieve their goals. The wear and tear on existing roads and the danger to existing residents are a major concern. There are many children in the neighborhood and their safety, along with the other residents, should be first and foremost on the City's (and elected official's) priority list. In addition, construction vehicles should not be allowed to turnaround, back in to or otherwise trespass on private property driveways of current, taxpaying/voting residents of North Road.

Another concern to be addressed is the additional residential traffic that will come with the new houses. North Road isn't very wide and the children have a tendency to meander down the middle of it when they're coming to and from school and/or friends' houses, etc. The existing residents are aware of this fact and we look out for the kids. The additional traffic caused by the new housing will be a major hazard to these children and other pedestrian (and bike traffic). This is a violation of Criteria 2 to the zone change criteria "The change will not adversely affect the health, safety and welfare of the community."

Additional construction concerns come from illegal dumping of construction debris. This could be a potential problem for existing residents and how to mitigate the problem before it becomes a problem needs to be addressed.

Another item that should be addressed is a playground for the children from the "approximately 14 new residences on this 2 acre site" and other existing neighborhood children. If we're to be inconvenienced by new houses in the neighborhood, make improvements that will make it livable. Instead of 14 houses, why not make it 12 or 13 and put in a playground?

Please submit these written comments into the public records of the decision-making process of this rezoning.

Thank you,

Anthony I. Ceruti

Donna K. Ceruti

Exhibit 6

Hello my name is Jim Reichel, I live on 52548 North Rd

I received notice of the new subdivision that will include a road that connects West Lane to North Rd by way of Erin St.

I want to express my thoughts and concerns about 30-40+ new vehicles a day using North Rd to/from Columbia Blvd as well as construction equipment accessing the site from North Rd.

The Planning Commission and the developer have stated, that we, the current residents of North Road will benefit from this new access road (Erin St).

I have to tell you in my experience, as a contractor who builds new roads in subdivisions, the only residents that will benefit from using Erin St to North Rd to and from Columbia Blvd, are the new residents of the subdivision.

As a homeowner on North Rd, what I see is a traffic problem on North Rd to Columbia Blvd as 30-40+ vehicles a day use North Rd to access Columbia Blvd. Current proposal includes only 200 feet of improvement to North Rd…that is there will be no road improvements (no widening, no sidewalks, no curbs) all the way to Columbia Blvd. Currently, if you walk on North Rd – you walk in the street. It is a potential hazard now, imagine school kids walking to and from the bus stop in the middle of the road to get to the corner of Columbia & North with an additional 30-40 cars coming and going. The developer needs to improve North Rd to Columbia for everyone's safety…The City of Scappoose will require that Erin Rd be built per City of Scappoose specifications, dumping Erin Rd onto a narrow, rural county road to access Columbia Blvd without making improvement to North Rd just doesn't make good safety sense.

Construction vehicle access is another issue we should look at carefully. North Rd was not built to the specifications that the city/county would require now. Road maintenance needs to conduct a study to determine if North Rd in its present state, can adequately accommodate 30-40+ more vehicles a day and constant construction traffic during the building phase. Once all construction is complete will North Rd still be in the same state (no damage) as it is now? I hardly think so – and who will be responsible for its repair??

I think the residents of North Rd should resist any construction access onto North Rd and if during the construction of the new subdivision North Rd sustains damage, the owners of subdivision should be liable for repairs. The current residents of North Rd have paid taxes to build and maintain North Rd for the volume there now - we should not in any way have to incurr damage, safety issues, or costs that will come from the new subdivision; the developer should bear all the costs since they, and the City of Scappoose will realize the benefits ($$)

Jim L Reichel
503-781-3595

Exhibit 7

RECEIVED
AUG 18 2006
BY:

Heather Viereck
52621 North Road
Scappoose OR 97056

August 17, 2006

Council Member
Scappoose City Council
33568 East Columbia Ave
Scappoose OR 97056

Dear Council Member:

As a resident of North Road for the last 28 years, I have a few concerns about the pending annexation and development of the Unger property. Although it is inevitable for growth to happen, I believe that the safety of the children and adults that walk and drive along the road should be taken into consideration. As it is now, when children are walking home from the school bus stop, which is at the junction of Columbia Avenue and North Road, they end up walking in the road due the limited space and no sidewalks. There is barely enough room for two cars to pass at the same time. When you put all this together and add more traffic from construction and more houses, it is a recipe for disaster.

It would be greatly appreciated if the road could be widened and sidewalks put in, at the very least from the edge of the Unger's property. Thank you for your time.

Sincerely,

Heather Ka Viereck

Exhibit 8

RECEIVED
AUG 18 2006
BY:

Mike and Kathy Johnson
52561 North Road
Scappoose OR 97056

August 17, 2006

Council Member
Scappoose City Council
33568 East Columbia Ave
Scappoose OR 97056

Dear Council Member:

We have lived on North Road for 33 years and have watched this neighborhood grow with no improvements to North Road. Besides our residence, we also own 52559 North Road and another lot on Mobile Lane at the end of North Road. We have no desire to go into the city.

The amount of children that walk this road to and from school, ride their bikes and simply play along with adults that walk along North Road is great and is only going to grow with the development of the trail at the end of North Road. The corner of North Road and Columbia Avenue needs to be fully developed with sidewalks, widening of the road and proper road drainage. This is to only provide safety to those already living on North Road and to compensate for the added traffic which will occur when the Unger's development is finished.

Thank you for your time and consideration.

Sincerely,

Mike and Kathy Johnson

Exhibit 9

RECEIVED
10:45a
AUG 18 2006
BY.

August 17, 2006

11-residents have signed below

Council Members

From the members of our neighborhood:
N.R.C.A. (North Road Community Association)
52660 North Road
Scappoose, OR. 97056

Scappoose City Council,
We the undersigned are residents of the North Rd. area, as some of us may not live directly on North Road.___ this road is the access to our homes. We will be greatly affected by the proposal of the annexation of the Unger property as it is currently being proposed to the council for approval.

The amount of children who walk and play in this area have increased over the years, and we are worried about their safety. We would like to ask that the council not allow construction traffic to access or use North Road during the development phase. We would suggest they use the road that will enter from West Lane into the new sub-division of Heritage Farm, and leave the same direction. After the Sub-division is complete then open the entrance to North Road.

We would also like to ask the council to change the zoning before it goes for the vote of the public, from MHR (Mobile Home Residence) zoning with the county to R-1 with the City of Scappoose, before it goes to the vote of the people.

We are also concerned about the added damage traffic would do to our road, and who would be responsible for the repairs?

Safety is our biggest concern not just with traffic issues, but also with the potential increase of criminal activity due to easier access if the north end of North Road is opened up as rumored. Currently not many people drive through here, and we like it this way.

Sincerely,

Signed: Residents of the North Rd. area

1. David Sleigham 34032 mobile lane
2. , 34032 mobile lane MARCI Sleightam
3. Mike Harrington 34033 Mobile LANE MIKE HARRINGTON

4. DAVID LAMBERT 34029 MOBILE LN David Lambert
5. Trenee Lambert 34029 Mobile Ln. Renee Lambert
6. BILL MATHISEN 34005 Mobile LN Bill Mathisen
7. ~~Bonnie Wallis~~ 34006 Mobile LN. Bonnie Wallis
8. Benny WALLS 34006 mobil LN Bennywalls
9. Robert + Lori Miller 52612 North rd Robert Miller
10. PatricK + Susan McKean 52669 N. RD ~~Patrick~~ Susan J. McKean
11.
12.
13.
14.
15.
16.
17.
18.
19.
20.
21.

Exhibit 10

August 18, 2006

RECEIVED
AUG 18 2006
10:45am
BY:

Council Members

Carolynn Collie
52660 North Road

Dear Scappoose Council Members,
I am deeply concerned about the various issues, concerning the new sub-division that is being proposed, and the City Council is being asked to accept as is, some of these concerns have already been brought to your attention by our community members at your last City Council meeting.

As a long time member of this North Road community (33 years) I have seen many changes here, all for the good. Many of the faces have changed over the years, but only three new homes have been added to the area, so the resident dwellings have not changed in numbers much, and traffic levels have stayed pretty much the same. The only increase I've seen is in the amount of children who now live here and play here. I raised five children here and never had to worry about their safety. We stayed here because it was, and still is, a great and safe place to live. Crime is also deterred, because of the inaccessibility to the area.

I want Mr. Unger to be able to retire from his place and too, enjoy where he goes from here. We're (Gary, my husband and I) not against the new sub-division, only that the traffic flow goes out from the new development south toward Columbia Avenue, after the development is completed. Until the development is completed we would like all construction traffic and resident traffic from the "Heritage Farms" development to flow in and out through to West Lane road.

Keeping the traffic from the new development toward the south end of North road, would insure the safety of the majority of the members of North road area. We are asking that no traffic, other than the residents of North road, Mobile Lane, and Roundhouse Lane., be sent at anytime north to a proposed opening to the Crown Zellerbach (C.Z.) road, which is designated as a "Linear Park Path." If this were to happen the safety of everyone would be jeopardized. The new development that is proposed north of the Crown Z. road has plenty of room to access west to West Lane road, or behind Walkers property to "C.Z." road and then maybe move the gate of the linear path east of a new opening behind Walker's property, then the traffic that would only use about 200 feet of the "C.Z." road.

Most of the children live north of the proposed development, please keep the traffic moving south, but I do ask for the improvements to be done all the way to Columbia Ave.

I do have to say that over the years I have had near misses, many times, at the intersection of North road and Columbia Ave., when I'm coming up to the stop sign, and a car is

turning on to North road. They cut the corner to short and don't see me as I approach the sign, because of the large laurel bushes. This corner needs to be taken care of too. Also proper drainage needs to be put in place, for the tremendous amount of water that collects at this intersection.

Thank you for your time in this community and for listening to our concerns.

Sincerely,
Carolynn Collie

Carolynn Collie
52660 North Road
Scappoose, Or. 97056
503-543-2417

Exhibit 11

Jaicilynn Collie
52660 North Rd.
Scappoose, OR. 97056
August 16, 2006

RECEIVED
AUG 18 2006
10:45 am
BY:

City Council Members
Scappoose City Council
33568 East Columbia Ave.
Scappoose, OR. 97056

Dear City Council Member,

I am twenty-three years old and have lived my whole life on North Rd. I have seen some changes here in my twenty-three years, in fact my parents brought about some of those changes, which brought a different look to the neighborhood. I have always felt safe growing up here in this quiet community of North Rd. I'm not against new growth, what I am concerned about is not only my safety, you see I'm a runner and I run or walk this road everyday, but for the safety of all the children now growing up along this road. There are considerably more children than when I was growing up. I think a count was taken and there are about 35- 37 children now living here in this area, and this does not include myself or two of my siblings who still live here as young adults.

The roads here are very narrow, and there are no side walks. I run at different times of the day, so I encounter different flows of traffic. What is scary is when two cars meet each other, normally they have to drive on the grass on the sides of the road to pass, and when I'm running they have to come to a complete stop until I pass. I take all the safety precautions I can, in wearing the right equipment and such to help prevent an accident, but one never knows, and now with the added increase of construction traffic and residential traffic on to North Road, it greatly increases my fear.

I under stand that when this piece of property is voted into the city that it will be zoned M.H. (mobile home?), which would give opportunity for more dwelling spaces to be put in a smaller space than what the rest of the neighborhood has. In order to lessen the amount of traffic onto North road , couldn't the zoning be changed before it goes to the people for a vote, to maybe a zoning that has a lesser amount of houses that could be built on it?

The school bus wouldn't come and pick us up when I was in school, we had to walk to the end of the road and wait along Columbia Ave., where it was dangerous to stand.

Please make sure the kids are safe.

This road is not adequate for the increased amount of traffic.

Sincerely,

Jaicilynn Collie

Exhibit 12

RECEIVED
AUG 18 2006
10:45 am
BY:

August 18, 2006

Dear City Council Members,

My name is Jim Reichel; I live at 52548 North Road. I am strongly opposed to any new street that would connect to North Road from any new subdivision, without street improvements to widen North Road from the new entrance all the way to Columbia Blvd prior to any construction activity.

The main reason for my concerns are as North Road is now, it's only 15 feet wide. The city, county, and/or school district won't even allow any school bus service on North Road. The kids have to walk to the corner of North Road & Columbia Blvd for bus service. It would seem very dangerous to allow new traffic on a sub-standard road from construction equipment, construction workers, and eventually the new residents without improvements.

I understand that the urban growth boundaries are moving into the county right of ways; the city should be concerned with the issues that result from extra traffic on these sub-standard county roads. These roads, in a lot of cases, such as with North Road, are marginally maintained now, imagine the damage after a year or two of construction traffic and equipment. I hope the city, in this, and its further planning for new development, would insist that development applicants are made to improve any county rural road to at *least* county standards from the site of new development to the nearest main intersection *before* any construction begins.

With the annexation of development property, The City of Scappoose should have the obligation to protect future city residents, as well as the existing county residents from poor planning by allowing developers to use sub-standard county roads for access into their new developments. The new city residents are going to be just as concerned about safety on North Road as I am now, let's be pro-active and prior to annexation make it clear that road improvements will happen before any development begins.

Sincerely,

Jim Reichel
52548 North Road
Scappoose, OR 97056
503 781 3596

Exhibit 13

RECEIVED
AUG 18 2006
10:45am
BY:

August 18, 2006

Scappoose City Council Members,

I live on North Road. There's not much to brag about about North Road, except it is home to 30+ county residents who travel this poorly maintained, narrow road daily and like it just the way it is. But change is around the corner, actually, in the middle of the block and I for one am concerned.

The pending annexation of the Unger property has brought neighbors out, out to meet one another, out to speak out about a common concern - safety on North Road. Heck, many of us have attended our first planning commission and city council meetings ever! I can honestly tell you that probably no one really had given safety a second thought till now. Why would we? It's our kids walking up and down the road, riding their bikes, playing hopscotch - why worry, because it's our neighbor that's driving by them - the same neighbor we wave to in their yards. We know to look out. North Road is 15 feet wide, it's a dead end, and has no street lights - you have to be careful of children & animals because there's little room for error.

First and foremost my concerns are about safety. North Road, as it is now, is 15 feet wide, that isn't wide enough for the school bus to travel down safely and pick up the school kids. North Road kids have to walk to the corner of North Road & Columbia Blvd, there are no sidewalks, they usually walk down the middle of the road, moving over into the grass when/if a car needs to pass. There are no street lights on North Road either, making the winter months walks all that more dangerous in the dark.

Now think forward to a road opened to North Road. Initially this road will provide construction access for the new housing development. Construction traffic and equipment will become common place for at least 2 years during construction. Added traffic to an already poorly maintained county road and the inadequate intersection of North Road & Columbia Blvd seems to be playing Russian roulette with the safety of existing county residents, construction workers, and eventually new city residents. If a school bus can't safely come down North Road to pick up school children...how will a dump truck or any other construction equipment safely travel on North Road in its current state?? In all good conscience, can the City of Scappoose overlook a dilapidated county road for the sake of new revenues generated by new city residents? I sincerely hope not.

North Road is on the fringe on annexation, literally a county island in a city sea. I have no vote in annexation of 180 feet of North Road, yet will be impacted the most by the added traffic. I implore you, make road improvements to the next busiest intersection mandatory prior to development, and annex with the stipulation that it will be low density housing zoning, keeping with our existing neighborhood. Or, keep the high density zoning and no access allowed onto North Road by either construction vehicles or the new residents - and leave our narrow 15 foot county road to its 30+ residents.

Sincerely,

Karen Blow

Karen Blow
52548 North Road
Scappoose, OR 97056
360 921 2940

Exhibit 14

RECEIVED
AUG 18 2006
10:45
BY:

August 18, 2006

City Counsel:

As a resident at 52637 North Rd I feel that the proposed open of North Rd to a new sub-division that is planned across from the old Crown Zellerback Rd has not been study enough at this time to determine the impact on the existing residents of North Rd.

If the city wants to annex Mr. Ungers property into the city I have no objections. However to put on the same proposal to go about a half a mile a way and attach the opening of North Rd would be ill advised at this time.

With over 35 children and two day cares using this narrow road the impact would be devastating to the neighbor-hood.

My five-year-old grand son lives at the Brookshire Apartments. There is no place for him to play baseball or ride a bike. He comes to one of the few places left in Scappoose where he can play with out fear of cars and heavy traffic. We always are with him while he rides his bike but others using the street are not watched as close.

We have older people use the road for walks and bicycling. The reason is that it is not a through road and they don't have to worry about traffic. Plus the beauty of the flowers plants and yards the residents provide for their viewing. I am afraid we would lose all of this if North Rd becomes a through fare for some other sub-division.

Please consider our neighborhood when making your decision.

Thank you for considering my concerns.

Jeri Waite
52637 North Rd.
Scappoose OR. 97056
Tel 503-543-5058

Exhibit 15

RECEIVED
AUG 18 2006
10:45
08/17/06 BY:

Jenna Collie
52660 North Rd.
Scappoose, OR 97056

Council Member
Scappoose City Council
33568 East Columbia Ave.
Scappoose, OR 97056

Dear City Council Members,

I am a current resident on North Rd. in Scappoose, and have lived on this road my whole life. My parents were always comfortable with us riding our bikes without worry of traffic. One of my favorite places to go was the logging road, it was an endless place to ride, and the blackberries are free! When I found out that the road is being considered as a through road for an industrial area my heart sunk. I still use this road for running, long bike rides, and just time alone to pray, and be by myself. I hope you can consider how valuable this road would be if it were used as a trail. Oregon is known for its beautiful forests and trails. I personally love traveling all over Oregon to find new trails. If this is a trail, and it extends to Vernonia and I heard it could possibly reach the coast, you can just imagine how many people would come to this area because of this mighty trail that reaches from the river to the coast. I've seen horseback riders, bikers, walkers, runners, grandparents and their grandkids, fishermen, families, and more on this safe, beautiful and quiet road. If North road is extended to the logging road, it would make north road more unsafe for children. There are two daycares on this road and children playing all the time. I am a voice/piano teacher, and in the fall I will have students coming to my home for lessons. They are grade school and high school age, and some may be walking, or biking. This trail could give us a bigger place on the map. It's beautiful! If you haven't walked or taken your bike down it, please take the time to do so and see what I'm talking about.

Thank you for listening,

Jenna R. Collie

Exhibit 16

Helen Bekavac
52428 North Rd
Scappoose, Or 97056-3416

RECEIVED
AUG 18 2006
10:45 a
BY:

August 17, 2006

Scappoose City Council
33568 E. Columbia Ave.
Scappoose, Or 97056

Dear Council Members:

Because I enjoy living in Scappoose I can understand others wishing to come to this area. That requires more housing. Some new developments, the proposed annexation of the Unger property on North Road and the development plan for that property present some concerns for those of us who live on North Road.

The road is inadequate for the use it gets now and could not possibly accommodate construction equipment use. There is also the question of safety, children must walk along this narrow road to Columbia Ave to meet their school bus.

An R-1 zoning for the development, rather than MH, would blend into the neighborhood better and perhaps reduce additional traffic to a degree. Safety on this substandard road is a very serious concern.

Sincerely,

Helen Bekavac

Exhibit 17

RECEIVED
AUG 18 2006
10:45 a
BY:

August 17, 2006

Council Members:

From Junior Peal
52637 North Rd.

Scappoose City Counsel. As a North Rd resident I am concerned about the proposal that is taking place on North
Rd.

I have no problem with the annexation of Mr. Unger's property. He has held this property to sell for his retirement.

Because of the narrowness of the North Rd off of Columbia Blvd. I would like to see the new developer use the West Lane entrance while development of the new sub-division is being built. After the paved streets and curbs in the new sub-division have been established it would only be appropriate to widen and put at least one side walk to Columbia Blvd. This is only a additionally 146 feet.
There is not at this time room for large equipment or trucks to use North Rd.

I would also ask that the opening of North Rd as a access road across the old Crow Zellerback road to a new planned sub-division be taken off the proposed annexation of Mr. Ungers property.

I think a study of the impact of what will happen to an already existing neighbor- hood has not been fully study. It also will be in conflict with the existing Crown Zelleback Linear Trail that was given to Columbia County.

Mr. Tony Hyde of the County Commissioners who is in charge of the Linear Trail has not done a study to see if this is in direct conflict with the old Rd. Mr. John Hinkle and Mr. Loni Welter have given Mr. Hyde a proposal of what Scappoose City would like but as residents we have not heard at this time the results of that meeting.

I would like to thank you for your time and would like to work with you to make our community a better place for all to live. For the people who already live in this community and for the new people who will be moving to Scappoose.

Sincerely
Junior Peal
52637 North Rd.
Scappoose, Or 97056
Tel 503-543-5058

Junior Peal

Exhibit 18

RECEIVED
AUG 18 2006
BY: 10:45 a

Carson Collie
52660 North RD.
August 17, 2006

City Council Members
Scappoose City Council
33568 East Columbia Ave.
Scappoose, OR. 97056

Dear City Council Members,

I have lived in this neighborhood since February 17th 1989. I have seen some changes in Scappoose and it upsets me, but I know things change. North Road has even seen its own changes over the seventeen years that I've lived here, yet it has always been a fun place to live, play, and grow-up. Now that I'm driving I realize the road I rode my bike on, in my younger days, is a lot smaller than I remember it, and there are more kids on the road riding and playing. It's not real safe!

One of the dangerous parts of North Road, I see as a new driver is at the end of North Road, where it meets with Columbia Avenue, turning right onto Columbia is difficult, because of the trees that block the vision of the traffic heading west on Columbia Ave. Also, when approaching the stop sign at the end of North Road, I have had cars turning onto North Road from Columbia Avenue almost hit me, because they can't see me, due to the tall hedges to the west side of North Road, and because the road is so narrow.

I want the "Logging Road" (C.Z. Road) to be used as a "park path" for pedestrians; bikers; and horse riders only, not for motorized vehicles, and leaving the gates, at each end of this path, where they currently are. Please do not suggest opening the south end of North Road to more traffic. It would create more safety problems.

Thank you for listening to my concerns.

Sincerely,

Carson Collie

Exhibit 19

RECEIVED
AUG 18 2006
BY: 1:08 pm

Linda di Pietro
25626 North Road
Scappoose, OR 97056
August 17, 2006

Council Member
Scappoose City Council
33568 E. Columbia Ave.
Scappoose, OR 97056

Dear Council Member:

On behalf of the North Road Community Association I would like to thank you for your time and assistance given at the August 7th City Council meeting. I personally felt we were listened to and there was a genuine interest and willingness to be helpful and patient as we learn how to advocate for our neighborhood.

Through this process I hope it is understood that we do not want to interfere with annexation of the North Road property, but instead to do what we can to voice our concerns with the potential impact development of this property will have upon each of us. While the annexation of this property represents a single decision for the council, for us it also ties into plans for the properties north of the Crown Zellerback Road and the Linear Trail.

With all of this in mind I would like to remind you of our worries concerning the potential dangers and damage that will exist if North Road is used during the construction phase of the development. Roughly 35 children live throughout this neighborhood and many walk all the way to Columbia Avenue to catch their bus. During the winter months it is dark as the children walk to their bus stop. Our street and neighborhood cannot handle the impact of the construction process. Please don't allow this when the time comes.

I would also like to ask that when annexation of the North Road property is approved by the City Council that the zoning not be MH. A zoning of R-1 would be a much better match with the neighborhood. I realize that for Taurus Homes this would mean building different and fewer homes, but if a higher density housing development is built it will result in an increase in the number of cars and foot traffic. The builder will be required to make some street improvements, but it would be unfair to ask that they be responsible for improving the entire street. I would be satisfied with the ½ street improvements from their property to Columbia Avenue if the property is zoned R-1. I don't believe that the ½ street improvement will be enough to truly address the safety concerns MH zoning will create, as it also represents a greater increase in population.

Again I'd like to thank you for your careful attention to our concerns and look forward to working with you on the progress surrounding our neighborhood.

Sincerely,

Linda di Pietro

Linda di Pietro

Exhibit 20

RECEIVED
AUG 18 2006
BY:

Russ and Annette Jacobsen
52538 North Road
Scappoose, Oregon 97056

August 17, 2006

Judie Ingham
Scappoose City Council
33568 East Columbia Ave
Scappoose, Oregon 97056

Dear Judie:

We are writing you today to voice our concerns regarding the proposed Taurus Homes Annexation and Subdivision at 52525 North Road.

We live across the street on the north side and have strong concerns about what another access point to North Road will do to the quiet, small country road that we currently have. Our concerns include the time during the development and the effect of increased traffic after construction.

Our first concern is the safety of our children if construction equipment and trucks are running up and down the already narrow country road. Our children, ages 6 and 12, go to and from the corner of North Road and Columbia Avenue to get on and off the bus for school. North Road children, including ours, play on the road because it is such a nice peaceful country road. There are two daycares and many families on this road, so many children walk down to the bus.

Second, we are concerned that our road will not be able to survive the increased traffic that a through street would create. During the long process of construction, if large vehicles are going back and forth, the road will deteriorate rapidly. The impact will be even worse during winter months. Since the road is very narrow, the residents on this road drive down the middle and slow or stop to let others by when coming upon other vehicles going in the opposite direction.

We don't mind development, but would prefer that there is no access to North Road at all from the pending development. All the construction coming and going onto North Road will be too much traffic. After construction, there will be at least 40 new vehicles accessing our little country road and dramatically increase the danger for our children. They can access the subdivision via Columbia and 5th Street or West Lane and Crown Zellerbach. If we cannot have that blocked off then we will definitely need improvements from the new development up to Columbia Avenue in order to keep our road safe and in fair condition.

We appreciate your time in listening to our concerns.

Sincerely,

Russell C Jacobsen
Annette Jacobsen

Russ and Annette Jacobsen

Exhibit 21

TAURUS HOMES INC
FINE HOMES & COMMUNITIES

August 29, 2006

Dear Mr. Unger

Please accept this letter as a formal notification from Taurus Homes to relinquish our contract obligations to your property at 52525 North Road, Scappoose Oregon due to feasibility requirements not meeting contract requirements. If you have any questions please feel free to contact us at 503-647-9444.

Sincerely,
Chuck Mitchell
Land development manager

29345 NW West Union Rd North Plains, OR 97133 503.647.9444 ph 503. 647.9445 fx
CCB#136009 www.taurushomes.com Equal Housing Opportunity

Exhibit 22
(page 1 of 2)

To The Members of The Council,

Concerning The ANNEXATION And Sale of My land. Taurus Homes have backed out of The contract And are no longer interested in buying My land because of The actions of This Council. However, I still would like To be Annexed into This city.

My intention Now is To replace My existing Home with A Two bedroom Manufactured Home on The existing Site, using About one half Acre.

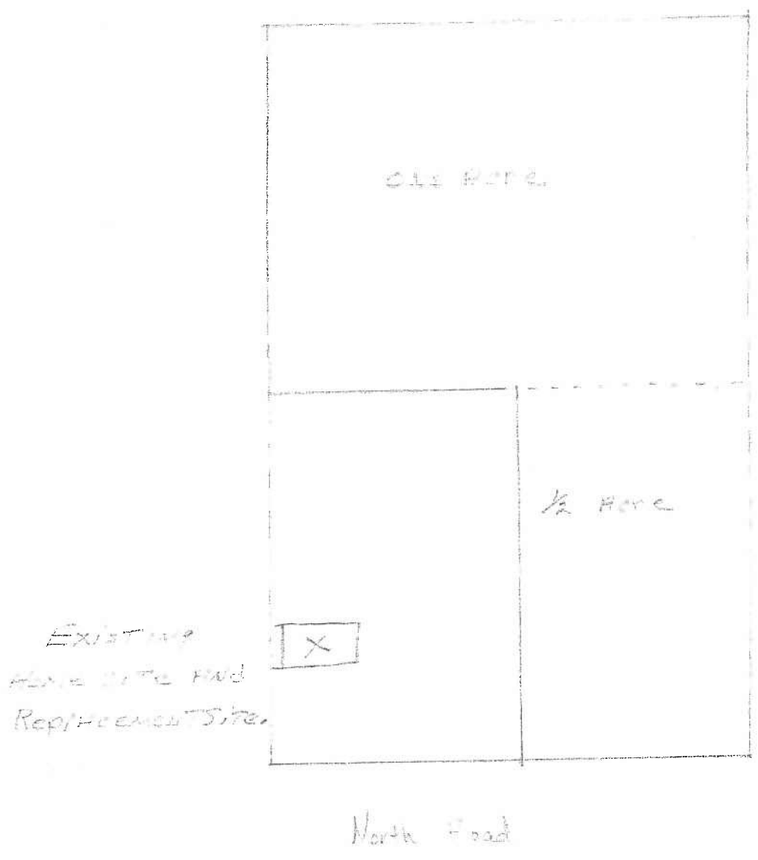
Then if possible Hook up To city water And Sewer.

After THAT, in The future I Hope To divide The remaining land into Three or Four Sites for Sale As home sites. With My land being in The urban growth boundary, City limits Next door And My Neighbors Not being AGAINST This ANNEXATION, Hopefully I can recoup My losses And HAVE A Home To live in.

So I Hope The council will grANT My request For ANNEXATION And Allow it To go forward To A VoTe OF The people.

Thank You
Don R Unger
503 543 6539

Location: [illegible] North Road
Tax Lot 6000, T3N R4W Section 18-1-4



CITY OF SCAPPOOSE
33568 EAST COLUMBIA AVENUE
SCAPPOOSE, OREGON 97056
(503) 543-7146
FAX: (503) 543-7182

DEPT OF
JUN 2 1 2007
LAND CONSERVATION
AND DEVELOPMENT

June 19, 2007

DLCD
550 Capitol St. NE, Suite 235
Salem, Oregon 97301-2552

Re: Annexation into the City of Scappoose

On the May 15, 2007 ballot there were five applications for annexation that were passed by the citizens of Scappoose. As per Oregon Revised Statutes I am sending you the following:

1) Resolution proclaiming the annexations.
2) The Legal Descriptions
3) The Voting Abstract
4) Copies of the application to annex, from the landowners (also included staff reports)
5) A copy of the Ordinance approving the annexation, which the Council adopted before the election, which also includes re-zoning information.

If you have any questions, please do not hesitate to contact me at 503-543-7146.

Sincerely,

Susan M Pentecost
City Recorder

RESOLUTION NO. 07-09

A RESOLUTION PROCLAIMING CERTAIN PROPERTIES ANNEXED TO THE CITY.

WHEREAS, according to the abstract provided by the Columbia County Elections Officer and attached hereto as Exhibit A, five measures proposing to annex five properties to the City of Scappoose ("City") were approved by a majority of votes cast within the City at the May 15, 2007 election; and

WHEREAS, as required by ORS 222.170(3), legal descriptions of the properties are attached hereto as Exhibit B and incorporated herein by reference;

NOW, THEREFORE, the City Council ("Council") of the City of Scappoose proclaims as follows:

> The properties approved for annexation by the City's voters on May 15, 2007, and described in Exhibit B to this Resolution, are hereby annexed to the City.

Passed and adopted by the Council and signed by me, and the City Recorder in authentication of its passage this 18th day of June, 2007.

Scott Burge, Mayor

ATTEST:

Susan M. Pentecost, City Recorder

COLUMBIA COUNTY

OREGON

EXHIBIT A

ELIZABETH E. HUSER
County Clerk of Columbia County
Courthouse, 230 Strand St., St. Helens, Oregon 97051-2041
Telephone: (503) 397-3796
(503) 397-7214 - Elections

Recording, Dog Control, Elections, Board of Equalization

I certify that the votes recorded on the following abstract correctly summarize the tally of votes cast at the Special District Election held on Tuesday, May 15, 2007.

Dated this 29th day of May, 2007.

Elizabeth E. Huser
Columbia County Clerk

NUMBERED KEY CANVASS | SPECIAL DISTRICT ELECTION | OFFICIAL CANVASS

RUN DATE:05/29/07 09:03 AM | MAY 15, 2007 | REPORT-EL52 PAGE 0060

COLUMBIA COUNTY, OREGON
WITH 4 OF 4 PRECINCTS REPORTING

5-166 CITY OF SCAPPOOSE
Vote For 1

	VOTES	PERCENT		VOTES	PERCENT
01 = Yes	736	74.19	03 = OVER VOTES	0	
02 = No	256	25.81	04 = UNDER VOTES	45	

	01	02	03	04
0031 31	152	55	0	9
0032 32	138	51	0	8
0033 33	248	81	0	18
0034 34	198	69	0	10

NUMBERED KEY CANVASS | SPECIAL DISTRICT ELECTION | OFFICIAL CANVASS

RUN DATE:05/29/07 09:03 AM | MAY 15, 2007 | REPORT-EL52 PAGE 0061

COLUMBIA COUNTY, OREGON
WITH 4 OF 4 PRECINCTS REPORTING

5-171 CITY OF SCAPPOOSE
Vote For 1

	VOTES	PERCENT		VOTES	PERCENT
01 = Yes	754	75.78	03 = OVER VOTES	0	
02 = No	241	24.22	04 = UNDER VOTES	42	

	01	02	03	04
0031 31	160	50	0	6
0032 32	135	49	0	13
0033 33	260	71	0	16
0034 34	199	71	0	7

NUMBERED KEY CANVASS | SPECIAL DISTRICT ELECTION | OFFICIAL CANVASS

RUN DATE:05/29/07 09:03 AM | MAY 15, 2007 | REPORT-EL52 PAGE 0062

COLUMBIA COUNTY, OREGON
WITH 4 OF 4 PRECINCTS REPORTING

5-172 CITY OF SCAPPOOSE
Vote For 1

	VOTES	PERCENT		VOTES	PERCENT
01 = Yes	733	73.89	03 = OVER VOTES	0	
02 = No	259	26.11	04 = UNDER VOTES	45	

	01	02	03	04
0031 31	152	55	0	9
0032 32	132	56	0	9
0033 33	258	70	0	19
0034 34	191	78	0	8

NUMBERED KEY CANVASS | SPECIAL DISTRICT ELECTION | OFFICIAL CANVASS

RUN DATE:05/29/07 09:03 AM | MAY 15, 2007 | REPORT-EL52 PAGE 0063

COLUMBIA COUNTY, OREGON

WITH 4 OF 4 PRECINCTS REPORTING

5-173 CITY OF SCAPPOOSE

Vote For 1

	VOTES	PERCENT
01 = Yes	715	72.08
02 = No	277	27.92

	VOTES
03 = OVER VOTES	0
04 = UNDER VOTES	45

	01	02	03	04
0031 31	151	57	0	8
0032 32	131	53	0	13
0033 33	245	85	0	17
0034 34	188	82	0	7

NUMBERED KEY CANVASS | SPECIAL DISTRICT ELECTION | OFFICIAL CANVASS

RUN DATE:05/29/07 09:03 AM | MAY 15, 2007 | REPORT-EL52 PAGE 0064

COLUMBIA COUNTY, OREGON

WITH 4 OF 4 PRECINCTS REPORTING

5-174 CITY OF SCAPPOOSE

Vote For 1

	VOTES	PERCENT
01 = Yes	739	73.90
02 = No	261	26.10

	VOTES
03 = OVER VOTES	0
04 = UNDER VOTES	37

	01	02	03	04
)031 31	153	55	0	8
)032 32	136	54	0	7
)033 33	260	72	0	15
)034 34	190	80	0	7

EXHIBIT B

Legal description of property to be annexed and zoned Low Density Residential

Columbia County Assessor Map No. 3107-033-01500

Beginning at a point which is 318.83 feet North and 16.33 feet West of the Southeast corner of Section 12, Township 3 North, Range 2 West, Willamette Meridian, Columbia County, Oregon; thence North 3°35'03" West a distance of 599.33 feet to the Northwest corner of the Robert L. Mikesh tract, as described in County Clerk's Instrument No. 92-7876 and the **true point of beginning** of the parcel herein described; thence South 64°19'09" East along the Northerly line of said Mikesh tract a distance of 328.79 feet; thence South 20°06' West a distance of 177.73 feet; thence North 64°35'01" West a distance of 246.32 feet to the West line of said Mikesh tract; thence North 3°35'03" West a distance of 204.07 feet to the true point of beginning.

Legal description of property to be annexed and zoned Low Density Residential

Columbia County Assessor Map No. 3107-032-01900

A tract of land in the Southwest quarter of Section 7, Township 3 North, Range 1 West, Willamette Meridian, Columbia County, Oregon being more particularly described as follows:

Beginning at the West quarter corner of said Section 7; thence South 376.31 feet; thence East 646.51 feet to a 5/8" iron rod with yellow plastic cap marked "REYNOLDS LAND SURVEYING, INC." on the West line of the Virginia Bird and Learle Smith tract as described in Instrument No. 01-12240, Clerk's Records, Columbia County, Oregon and the **true point of beginning** of the following described tract; thence South 69°13'27" East a distance of 239.81 feet to a 5/8" iron rod with yellow plastic cap marked "REYNOLDS LAND SURVEYING, INC." on the West right of way line of Bird Road; thence South 20°06'00" West, along said West right of way line, a distance of 399.75 feet to the North right of way line of Honeyman Road; thence North 64°13'30" West, along said North right of way line, a distance of 240.98 feet to the Southwest corner of said Virginia Bird and Learle Smith tract; thence North 20°06'00" East, along the West line of said Bird and Smith tract, a distance of 378.75 feet to the true point of beginning.

Legal description of property to be annexed and zoned Manufactured Housing

Columbia County Assessor Map No. 3201-033-01900

The following described real property situated in the State of Oregon, County of Columbia;

That portion of the Southwest quarter of Section 1 Township 3 North, Range 2 West of the Willamette Meridian and being a portion of Bell Crest Tract described as follows;

Beginning at the most Southwesterly corner of Tract 7, Bell Crest Tract as per the plat on file and of record in the County Clerks Office, Columbia County Oregon and running thence South 68° 39' East a distance of 334.36 feet to the Southeast corner of Tract 6 of said Bell Crest Tract; Thence North 52° 53' East along the Easterly line of said Tract 6, a distance of 410.76 feet to the Southerly line of Goss No. 2; Thence North 37° 07' West along the Southerly line of said Goss No. 2, a distance of 149.99 feet to the Easterly line of Tract 7; Thence North 52° 53' East along said Easterly line a distance of 325.84 feet to the Southerly right of way line of the Scappoose to Vernonia Highway; Thence North 37° 07" West along said line a distance of 135.00 feet to the Northwest corner of Tract 7, Bell Crest Tract; Thence South 52° 53' West along the West line of said Tract 7, a distance of 911.48 feet to the point of beginning.

The above described tract contains 4.27 acres.

Legal description of property to be annexed and zoned Low Density Residential

Columbia County Assessor Map No. 3107-032-04000

That certain tract of land situated in the Southwest quarter of Section 7, Township 3 North, Range 1 West, Willamette Meridian, Columbia County, Oregon, more particularly described as follows:

Beginning at an iron pipe set South 896.56 feet and East 716.92 feet from the quarter corner on the East side of Section 12, Township 3 North, Range 2 West of the Willamette Meridian, Columbia County, Oregon, said point being on the Southerly right of way line of Honeyman County Road; thence along said Southerly right of way line of said County road North 64° 14' West 222.0 feet to the Northwest corner of that certain tract as described in deed from R.B. Jones et ux to Alex Fisher et ux recorded October 10, 1946 in Book 89, page 227, Deed Records of Columbia County, Oregon, said point being the True Point of Beginning of the tract to be described herein; thence South 20° 06' West, along the West line of said Fisher tract a distance of 290.5 feet; thence North 64° 14' West a distance of 150.0 feet; thence North 20° 06' East a distance of 290.5 feet to the Southerly right of way line of Honeyman County Road; thence South 64° 14' East, along the said right of way line of said County Road a distance of 150.0 feet to the point of beginning.

Legal description of property to be annexed and zoned Manufactured Housing

Columbia County Assessor Map No. 3212-014-06000

A tract of land in the Northeast quarter of Section 12, Township 3 North, Range 2 West of the Willamette Meridian, City of Scappoose, Columbia County, Oregon more particularly described as follows:

Beginning at the a quarter corner on the East side of said Section 12; thence N 67°13'30" W 473 feet to an iron pipe; thence N 20°06' E 185.08 feet to an iron pipe; thence S 64°13'30" E 473 feet to an iron pipe; thence S 20°06' W 185.08 feet to the point of beginning

Containing 2.0 acres more or less.

ORDINANCE NO. 784

AN ORDINANCE RELATING TO LAND USE, APPROVING ANNEXATION OF PROPERTY TO THE CITY OF SCAPPOOSE, AMENDING THE ZONING MAP, AND CALLING AN ELECTION

WHEREAS, an application was filed by Donald Unger to annex property described in Exhibit A, attached hereto and incorporated herein, to the City of Scappoose; and

WHEREAS, pursuant to Section 17.136.070 of the Scappoose Municipal Code, the property described in Exhibit A would automatically be zoned Manufactured Housing (MH) upon annexation due to the property's "Manufactured Housing" Comprehensive Plan designation; and

WHEREAS, hearings were held pursuant to Scappoose Municipal Code Chapters 17.22 and 17.136; and

WHEREAS, pursuant to Section 17.136.030 of the Scappoose Municipal Code, annexations must be referred to the voters of the City for approval; now therefore,

THE CITY OF SCAPPOOSE ORDAINS AS FOLLOWS:

Section 1. The application to annex the property described in Exhibit A is hereby approved, subject to approval by the voters of the City. Pursuant to ORS 222.160, the Exhibit A property will be declared by Resolution to be annexed to the City of Scappoose if the Columbia County Elections Officer certifies that the majority of voters in the City approve the measure.

Section 2. Pursuant to Scappoose Municipal Code Chapter 17.136, annexation of the Exhibit A property will be submitted to Columbia County to be placed on the May 15, 2007 ballot. The ballot title for such question is herein adopted, and attached hereto as Exhibit B.

Section 3. In support of the above annexation and zone change, the City Council hereby adopts the findings, conclusions and recommendations of the Staff Report dated October 23, 2006, attached as Exhibit C attached hereto and incorporated herein.

Section 4. The annexation approved by this Ordinance shall take effect upon the date of certification of the election approving the annexation.

Section 5. Upon certification of the election on annexation, the City Manager is directed to conform the City Zoning Map to the provisions of this ordinance.

PASSED AND ADOPTED by the City Council this 6th day of November, 2006, and signed by me in authentication of its passage.

CITY OF SCAPPOOSE, OREGON

Glenn E. Dorschler, Mayor

First Reading: October 16, 2006
Second Reading: November 6, 2006

Attest:

Susan Pentecost, City Recorder

Exhibit A
Legal description of property to be annexed and zoned Manufactured Housing

Columbia County Assessor Map No. 3212-014-06000

A tract of land in the Northeast quarter of Section 12, Township 3 North, Range 2 West of the Willamette Meridian, City of Scappoose, Columbia County, Oregon more particularly described as follows:

Beginning at the a quarter corner on the East side of said Section 12; thence N 67°13'30" W 473 feet to an iron pipe; thence N 20°06' E 185.08 feet to an iron pipe; thence S 64°13'30" E 473 feet to an iron pipe; thence S 20°06' W 185.08 feet to the point of beginning

Containing 2.0 acres more or less.

Exhibit B
Ballot Title

NOTICE OF CITY MEASURE ELECTION

City of Scappoose
(Name of City)

Notice is hereby given that on Tuesday, May 15, 2007 (Day of week) (Date of election), a measure election will be held in the City of Scappoose, in Columbia County, Oregon. (Name of county)

The following shall be the ballot title of the measure to be submitted to the City's voters on this date:

CAPTION (10 Words)

ANNEXATION OF NORTH ROAD PROPERTY TO THE CITY OF SCAPPOOSE

QUESTION (20 Words)

Shall the described property be annexed to the City of Scappoose?

SUMMARY (175 Words)

Donald Unger has requested that the City annex property.

This measure, if approved, would annex approximately 2 acres to the City of Scappoose. The property is located at 52525 North Road. The property is described as Columbia County Assessor Map No. 3212-014-06000. The property is located in the Urban Growth Boundary and is contiguous to Scappoose City limits. Annexation would cause the property to be placed on the City's tax rolls and would result in additional revenues to the City.

The following authorized city official hereby certifies the above ballot title is true and complete, which includes completion of the ballot title challenge process.

Signature of authorized city official (not required to be notarized) | Date signed

Printed name of authorized city official | Title

City of Scappoose

Council Action & Status Report

Date Submitted:	10/23/06
Agenda Date Requested:	11/6/06
To:	Scappoose City Council
Through:	Planning Commission
From:	Brian Varricchione, E.I.T. City Planner & Assistant City Engineer
Subject:	Request by Donald Unger to annex 2 acres on North Road

Type of Action Requested:

[ ] **Resolution** [X] **Ordinance**

[ ] **Formal Action** [ ] **Report Only**

Issue: Donald Unger has requested annexation and a corresponding zone change to Manufactured Housing (MH) for approximately 2 acres. The Planning Commission recommended approval of the request. City Council continued the hearing from August 7 to August 21 and again to October 16. At the October 16 hearing, the Council approved a motion to annex the property and zone it as specified in the attached ordinance.

Analysis:
Donald Unger has submitted an application (Docket # ANX5-06/ZC5-06) to annex 2 acres located at 52525 North Road. According to Section 17.136.070 of the Scappoose Development Code, because the parcel has a Manufactured Housing (MH) Comprehensive Plan designation, upon annexation the land shall automatically be zoned Manufactured Housing (MH).

The Planning Commission held a public hearing regarding this request on July 27, 2006. The Commission voted to forward a recommendation of approval to the City Council. City Council held hearings on August 7 and August 21. Representatives from North Road voiced concerns regarding the potential impact of subsequent development, particularly stemming from increased traffic. Council

continued the hearing to October 16. The property owner has submitted a letter stating that Taurus Homes is no longer involved with his property. The staff report has been amended to include the additional findings adopted by the Council at the October 16 hearing.

On October 16, Council voted to approve the application. An ordinance to approve the annexation and zone change is attached. Approval of the ordinance would refer the annexation to the electorate for their consideration in May 2007.

Options:

1. Approve the application, adopt the findings in ANX 5-06/ZC 5-06 staff report dated October 23, 2006, and adopt the proposed ordinance, thereby placing the annexation on the May 15, 2007 ballot.

2. Adopt findings demonstrating that the application does not comply with the Scappoose Municipal Code and deny the application.

Recommendation: Staff recommends that the Council approve the application and adopt the Ordinance as presented.

Suggested Motion: N/A (second reading of the ordinance)

DRAFT

ORDINANCE NO. 784

AN ORDINANCE RELATING TO LAND USE, APPROVING ANNEXATION OF PROPERTY TO THE CITY OF SCAPPOOSE, AMENDING THE ZONING MAP, AND CALLING AN ELECTION

WHEREAS, an application was filed by Donald Unger to annex property described in Exhibit A, attached hereto and incorporated herein, to the City of Scappoose; and

WHEREAS, pursuant to Section 17.136.070 of the Scappoose Municipal Code, the property described in Exhibit A would automatically be zoned Manufactured Housing (MH) upon annexation due to the property's "Manufactured Housing" Comprehensive Plan designation; and

WHEREAS, hearings were held pursuant to Scappoose Municipal Code Chapters 17.22 and 17.136; and

WHEREAS, pursuant to Section 17.136.030 of the Scappoose Municipal Code, annexations must be referred to the voters of the City for approval; now therefore,

THE CITY OF SCAPPOOSE ORDAINS AS FOLLOWS:

Section 1. The application to annex the property described in Exhibit A is hereby approved, subject to approval by the voters of the City. Pursuant to ORS 222.160, the Exhibit A property will be declared by Resolution to be annexed to the City of Scappoose if the Columbia County Elections Officer certifies that the majority of voters in the City approve the measure.

Section 2. Pursuant to Scappoose Municipal Code Chapter 17.136, annexation of the Exhibit A property will be submitted to Columbia County to be placed on the May 15, 2007 ballot. The ballot title for such question is herein adopted, and attached hereto as Exhibit B.

Section 3. In support of the above annexation and zone change, the City Council hereby adopts the findings, conclusions and recommendations of the Staff Report dated October 23, 2006, attached as Exhibit C attached hereto and incorporated herein.

Section 4. The annexation approved by this Ordinance shall take effect upon the date of certification of the election approving the annexation.

Section 5. Upon certification of the election on annexation, the City Manager is directed to conform the City Zoning Map to the provisions of this ordinance.

PASSED AND ADOPTED by the City Council this _____ day of _____, 2006, and signed by me in authentication of its passage.

CITY OF SCAPPOOSE, OREGON

DRAFT

Glenn E. Dorschler, Mayor

First Reading: October 16, 2006
Second Reading:

Attest:

Susan Pentecost, City Recorder

Exhibit A
Legal description of property to be annexed and zoned Manufactured Housing

Columbia County Assessor Map No. 3212-014-06000

A tract of land in the Northeast quarter of Section 12, Township 3 North, Range 2 West of the Willamette Meridian, City of Scappoose, Columbia County, Oregon more particularly described as follows:

Beginning at the a quarter corner on the East side of said Section 12; thence N 67°13'30" W 473 feet to an iron pipe; thence N 20°06' E 185.08 feet to an iron pipe; thence S 64°13'30" E 473 feet to an iron pipe; thence S 20°06' W 185.08 feet to the point of beginning

Containing 2.0 acres more or less.

Exhibit B
Ballot Title

NOTICE OF CITY MEASURE ELECTION

City of Scappoose
(Name of City)

Notice is hereby given that on Tuesday, May 15, 2007 (Day of week) (Date of election), a measure election will be held in the City of Scappoose, in Columbia County, Oregon. (Name of county)

The following shall be the ballot title of the measure to be submitted to the City's voters on this date:

CAPTION (10 Words)

ANNEXATION OF NORTH ROAD PROPERTY TO THE CITY OF SCAPPOOSE

QUESTION (20 Words)

Shall the described property be annexed to the City of Scappoose?

SUMMARY (175 Words)

Donald Unger has requested that the City annex property.

This measure, if approved, would annex approximately 2 acres to the City of Scappoose. The property is located at 52525 North Road. The property is described as Columbia County Assessor Map No. 3212-014-06000. The property is located in the Urban Growth Boundary and is contiguous to Scappoose City limits. Annexation would cause the property to be placed on the City's tax rolls and would result in additional revenues to the City.

The following authorized city official hereby certifies the above ballot title is true and complete, which includes completion of the ballot title challenge process.

Signature of authorized city official (not required to be notarized) — Date signed

Printed name of authorized city official — Title

EXHIBIT C

CITY OF SCAPPOOSE

33568 EAST COLUMBIA AVENUE
SCAPPOOSE, OREGON 97056
(503) 543-7146
FAX: (503) 543-7182

ANX5-06/ZC5-06 October 23, 2006
Unger Property: North Road Annexation and Zone Change

CITY OF SCAPPOOSE STAFF REPORT

Request: Approval of an application for annexation and a corresponding zone change to Manufactured Housing (MH) for approximately 2 acres.

Location: The subject parcel is located at 52525 North Road. The site consists of property described as Columbia County Assessor Map No. 3212-014-06000. See attached Vicinity Map (**Exhibit 1**).

Applicant: Donald Unger

Owner(s): Donald Unger

EXHIBITS

1. Vicinity Map
2. Excerpt from Scappoose Zoning Map
3. Narrative (from Taurus Homes)
4. Concept Plan for future development (from Taurus Homes)
5. Letter from Anthony & Donna Ceruti, dated July 23, 2006
6. Letter from James Reichel (undated)
7. Letter from Heather Viereck, dated August 17, 2006
8. Letter from Mike and Kathy Johnson, dated August 17, 2006
9. Letter from North Road Community Association, dated August 17, 2006
10. Letter from Carolynn Collie, dated August 18, 2006
11. Letter from Jaicilynn Collie, dated August 18, 2006
12. Letter from Jim Reichel, dated August 18, 2006
13. Letter from Karen Blow, dated August 18, 2006
14. Letter from Jeri Waite, dated August 18, 2006
15. Letter from Jenna Collie, dated August 18, 2006
16. Letter from Helen Bohanon, dated August 17, 2006
17. Letter from Junior Peal, dated August 17, 2006
18. Letter from Carson collie, dated August 17, 2006
19. Letter from Linda di Pietro, dated August 17, 2006
20. Letter from Russ and Annette Jacobsen, dated August 17, 2006
21. August 29, 2006 Letter from Taurus Homes to Donald Unger, relinquishing contract obligations
22. Letter from Don R. Unger (undated)

SUBJECT SITE

- The subject site consists of one parcel with an area of 2 acres. The parcel is located on the west side of North Road. The site is immediately east of the Heritage Farm subdivision approved by the Planning Commission. See **Exhibit** 1, Vicinity Map.

- The subject site is designated as Manufactured Housing (MH) on the Comprehensive Plan map. The site is adjacent to City Limits on the south and west sides. Adjoining properties within the City are zoned Moderate Density Residential (R-4) to the south and MH to the west (see **Exhibit 2**). Adjoining properties outside City Limits are zoned Mobile Home Residential (MHR) to the north and Single Family Residential, 10,000 square foot minimum lot size (R-10) to the east.

- The site is within the boundaries of the Scappoose Rural Fire Protection District and the Scappoose Public School District. The site is currently under the police protection of the Columbia County Sheriff's Department.

- According to Flood Insurance Rate Map (FIRM) 41009C0463 the property is located outside the 100-year floodplain and outside the Scappoose Drainage District. The Scappoose Local Wetlands Inventory Map dos not illustrate wetlands within the property.

- The site is nearly level and has existing structures and a number of mature evergreen trees.

OBSERVATIONS

CONCURRENT ANNEXATION AND ZONE CHANGE APPLICATIONS

- The site is currently zoned Mobile Home Residential (MHR) by Columbia County. According to Section 17.136.070 of the Scappoose Development Code, because the parcel has a Manufactured Housing (MH) Comprehensive Plan designation, upon annexation the land shall automatically be zoned Manufactured Housing (MH). The applicant has not requested an amendment to the Comprehensive Plan map.

- Taurus Homes submitted the original narrative and conceptual development plan for the site (see **Exhibits 3** and **4**). However, Taurus Homes has indicated to the property owner that they are no longer involved with the site (see **Exhibit 21**). The property owner submitted a letter stating a continued interest in annexation (**Exhibit 22**).

PROPOSED RESIDENTIAL USE

- Taurus Homes and the property owner indicated an intention to subdivide the site in the future if the voters approve the annexation (**Exhibit 3**). A conceptual development plan included as **Exhibit 4** illustrates a total of 14 single-family attached residential lots. Mr. Unger's letter states that he may partition the land in the future using a different layout (**Exhibit 22**).

- The MH zone also permits duplexes, tri-plexes, four-plexes, and manufactured home parks. This application has been analyzed based on the most intense development that could occur,

which would be a manufactured home park. Assuming the street layout were similar to that illustrated in **Exhibit 4**, the site could potentially be developed with up to 25 manufactured housing units in a manufactured home park. The site could therefore support a total of 25 units rather than the 14 units illustrated in the conceptual development plan.

- Future development proposals will be required to apply for Planning Commission approval (either Tentative Subdivision Plan Review, Partition, or Site Development Review, depending on the use) to ensure compliance with the Scappoose Development Code and Public Works Design Standards. Staff would observe that the proposed layout would need refinement to account for the existing sewer line and neighborhood traffic circulation.

STREET SYSTEM AND TRANSPORTATION IMPACTS

- The site has frontage on North Road, which has a paved width of approximately 18 feet and a 40-foot right-of-way adjacent to the site. The City's amended Transportation System Plan (TSP) designates North Road as a Local Residential street, for which the standard right-of-way (ROW) is 54 feet. Additional ROW dedication and street improvements would be required as a part of a development proposal following annexation. The City's standard practice is to require half-street improvements as minimum conditions of development proposals, to be installed and funded by developers. In this instance, due to the narrow cross section of the existing pavement, the applicant would be required to perform additional improvements between the site and Columbia Avenue, a distance of over 400 feet. Both the City's Public Works Design Standards and the County Road Department standards require a roadway with a minimum paved width of 20 feet between a development and the nearest improved right-of-way (i.e., East Columbia Avenue).

- The concept plan illustrated a potential new public street connecting to a street stub that will be constructed with the Heritage Farm subdivision. The proposed layout does not meet the City's 600-foot limitation on block length. Revisions to the layout would be made at the time of development.

- The site is accessed by North Road, connecting to Highway 30 via East Columbia Avenue. Traffic could also travel to West Lane Road on the new street through the Heritage Farm subdivision and then connect to the highway via Columbia Avenue or Crown Zellerbach Road.

- Staff has used standard trip generation ratios published by the Institute of Transportation Engineers to estimate traffic levels from future development. If the site were developed as illustrated on **Exhibit 4** with 14 single-family residences, the site could be expected to generate approximately 135 average daily trips, 14 of them during the evening peak hour. If the site were developed with a manufactured home park (the most intense development under the MH zone), the site could be expected to generate approximately 120 average daily trips, 14 of them during the evening peak hour.

- Development of the subject site could be anticipated to require a traffic study in accordance with Section 5.0013 of the Scappoose Public Works Design Standards, which states that:

> *The City's Engineer will require a traffic analysis report as determined by the type of development and its potential impact to existing street systems. A traffic analysis will generally be required for a development, 1) when it will generate 1,000 vehicle trips per weekday or more, or 2) when a development's location, proposed site plan, and traffic characteristics could affect traffic safety, access management, street capacity, or known traffic problems or deficiencies in a development's study area.*

Development proposals may need to be accompanied by analysis of traffic impacts to ensure that the affected streets and intersections have adequate capacity to accommodate increased traffic.

- The City's Transportation System Development Charges (SDC's) are directly related to the volume of traffic generated by specific types of use. The SDC's collected from development can be used to pay for improvements to projects included in the City's Transportation System Plan.

- Full discussion of the traffic impacts associated with the annexation and zone change is found in Findings of Fact #2, Transportation Planning Rule.

UTILITIES & STORM DRAINAGE

- Electricity, telephone, and gas are provided to adjacent residential properties and could be made available through the extension of nearby lines and public service infrastructure. Water can be extended from Columbia Avenue or West Lane Road and sewer can be extended from the existing sewer manhole in North Road.

- The applicant will be responsible for managing stormwater at the time of development. The concept plan (**Exhibit 4**) depicts a potential stormwater tract in the northwest corner of the site.

- The site is outside the Scappoose Drainage Improvement District but naturally drains in that direction. Any development proposals will have to ensure that development of the site does not degrade water quality or increase water quantity draining to the Scappoose Drainage Improvement Company. This evaluation would be made at the time of a review of a specific development proposal.

PUBLIC & PRIVATE AGENCIES AND PUBLIC NOTICE

- The City of Scappoose City Manager, Engineering, Building, and Police Departments; Columbia County Road Department, Planning Department, and Board of Commissioners; the Scappoose Drainage Improvement Company; Scappoose Rural Fire Protection District; the Scappoose School District; the Oregon Department of Transportation (Region 1); and the Oregon Department of Land Conservation and Development have been provided an opportunity to review the proposal. Comments from these organizations have been incorporated into this staff report. ODOT had no objection to the annexation. The Scappoose Drainage Improvement Company had no objection but stated that their concern was water quantity and quality.

- Notice of this request was mailed to property owners located within 200 feet of the subject site on July 12, 2006. Notice was also posted on the property on July 7 and published in the local newspaper on July 12, 19, and 26 and August 2. Nearby residents have submitted letters expressing concerns abut the potential for future development and the associated traffic, and several members of the public spoke in opposition to the proposal at the July 27 Planning Commission hearing. Residents of North Road spoke at the August 7 City Council hearing to express concerns about the impact of development on their neighborhood, with particular concerns about traffic. Residents observed that North Road is narrow and that school buses will not travel down it at this time. A second City Council hearing was held on August 21 and several members of the public submitted verbal and written testimony. At that time, the hearing was continued to October 16. Copies of the letters submitted by neighbors are attached as **Exhibits 5-20**.

APPLICABILITY OF STATEWIDE PLANNING GOALS

A number of Oregon's 19 Statewide Planning Goals and Guidelines apply to this application, as discussed in the *Findings of Fact.*

FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR APPROVAL

1. **The following Statewide Planning Goals have been considered by the City of Scappoose as they pertain to this request:**

A. Citizen Involvement (Goal 1)

Objective: *To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.*

Finding:
The City's acknowledged Comprehensive Plan & Development Code includes citizen involvement procedures with which the review of this application will comply. This process allows for citizens to communicate their input into the zoning map amendment review conducted by the City at public hearings or by submitting written comments. The City of Scappoose Planning Commission reviewed the proposed annexation and zoning map amendment on July 27, 2006 and recommended that the City Council approve the application. The City Council held hearings on August 7, 2006 and August 21, 2006 and continued the hearing to October 16. Several members of the public spoke at the Planning Commission and City Council hearings. The Applicant posted site notices on July 7, the City mailed notices to nearby property owners on July 12, and notice was published in the newspaper on July 12, 19, and 26 and August 2. This process complies with the Goal.

B. Land Use Planning (Goal 2)

Objective: *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.*

Finding:
The procedural requirements for annexation and zone changes are contained in the Scappoose Municipal Code, which involve assessment of the application's merits, notice to affected parties, and public hearings. The proposal is to change the zoning designation of urban land within the Urban Growth Boundary, in compliance with Goal 2. Notice of the annexation and zoning map amendment has been provided by the City of Scappoose to the Oregon Department of Land Conservation and Development (DLCD) as required. The City's decision is based on findings of fact.

C. Agricultural Lands (Goal 3)

Objective: *To preserve and maintain agricultural lands.*

Finding:
This Goal is not applicable because the site is within the City of Scappoose Urban Growth Boundary and no identified agricultural resources are located on site. The site is designated for residential development in the Comprehensive Plan and is currently zoned for residential use by Columbia County.

D. Forest Lands (Goal 4)

Objective: *To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.*

Finding:
This Goal is not applicable because the site is within the City of Scappoose Urban Growth Boundary and no identified forest resources are located on site. The site is designated for residential development in the Comprehensive Plan and is currently zoned for residential use by Columbia County.

E. Open Spaces, Scenic and Historic Areas and Natural Resources (Goal 5)

Objective: *To protect natural resources and conserve scenic and historic areas and open spaces.*

Finding:
There are no identified Goal 5 resources on or near the site. The subject site is not designated as open space, a scenic or historic area, or a natural resource area by the City of Scappoose and does not contain any known significant open space, scenic, historic, or natural resources. The proposed annexation and zone change do not conflict with this Goal.

F. Air, Water and Land Resources Quality (Goal 6)

Objective: *To maintain and improve the quality of the air, water and land resources of the state.*

Finding:
The site is currently planned for residential use. If the annexation were approved, the site would be subject to City regulations that do not allow off-site impacts from noise, vibration, odors, glare, or other "nuisance" effects. The potential harmful effects on air, water and land resource quality is limited. The annexation and zone change proposal will therefore have no significant impact with respect to this Goal.

G. Areas Subject to Natural Disasters and Hazards (Goal 7)

Objective: *To protect people and property from natural hazards.*

Finding:
The subject site is not located within a mapped flood plain, potential flood hazard, potential landslide hazard, or earthquake hazard area. The proposal to zone the subject property for residential development is consistent with avoidance of natural disasters and hazards under Goal 7.

H. Recreational Needs (Goal 8)

Objective: *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.*

Finding:
The site is presently designated for residential development on the Comprehensive Plan and has not been planned for recreational opportunities. The requested annexation and zone change to Manufactured Housing (MH) will not result in a reduction in land planned or reserved for recreational use. Consequently, the proposed Annexation and Zone Change will have no significant impact on the City's planning for recreational needs.

I. Economic Development (Goal 9)

Objective: *To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.*

Finding:
The site is presently designated for residential development on the Comprehensive Plan and has not been planned for economic development.

J. Housing (Goal 10)

Objective: *To provide for the housing needs of citizens of the state.*

Finding:
The property proposed for annexation is designated Manufactured Housing on the Comprehensive Plan map. The proposed annexation and zone change to Manufactured Housing (MH) would increase the residential land supply within City Limits and would allow more intense development than currently permitted under County regulations. Furthermore, the site could only connect to City water or sewer if it were inside City Limits. If the site is developed with single-family attached residences, up to 14 units

could be constructed, whereas if the site were developed with a manufactured home park, up to 25 dwellings could be sited.

K. Public Facilities and Services (Goal 11)

Objective: *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.*

Finding:
The subject property lies within the Urban Growth Boundary (UGB) and therefore requires the extension of public facilities and services at the developer's expense. Water will be available in the Heritage Farm subdivision, sanitary sewer can be extended from the existing sewer manhole in North Road, and storm drainage facilities would be constructed as conditions of approval for future subdivision applications.

L. Transportation (Goal 12)

Objective: *To provide and encourage a safe, convenient and economic transportation system.*

Finding:
This Goal requires the City to prepare and implement a Transportation System Plan (TSP). The Scappoose TSP assumed that this site would be developed under the City's Manufactured Housing Comprehensive Plan and Zoning designations. The site falls into Traffic Analysis Zone #12, which is an area bounded by West Lane, Columbia Avenue, Bird Road, and the Crown Zellerbach logging road. In 1995, this area had a population of 196 people, and the TSP projected a population of 817 in the year 2015 based on the Comprehensive Plan designations. Street classifications were chosen accordingly.

The TSP classifies North Road as a Local Residential street, which requires a 54-foot right-of-way width and a 32-foot pavement width. North Road does not currently meet this standard: it generally has a paved with of 18 feet and a right-of-way width of 40 feet. At the time of development, the applicant would need to perform half-street improvements on North Road to meet the City standard. The Columbia County Road Department's standards require at least 20 feet of paving on local roads. The County will require appropriate off-site improvements to existing County roads when development results in a major increase in traffic. Similarly, the City Public Works Design Standards require developments on unimproved substandard streets to be responsible for constructing a continuous 20-foot street to the nearest publicly owned improved street. Traffic analysis would be required at the time of development of this area to determine the improvements required to ensure that North Road is adequate to protect health and safety and ensure efficient traffic circulation.

Traffic projections from future development have been computed using standard trip generation ratios published by the Institute of Transportation Engineers. If the site were developed as illustrated on **Exhibit 4** with 14 single-family residences, the site could be expected to generate approximately 135 average daily trips, 14 of them during the evening peak hour. If the site were developed with a manufactured home park (the most intense development under the MH zone), the site could be expected to generate approximately 120 average daily trips, 14 of them during the evening peak hour. The City does not anticipate that this level of development would cause failure of the local street network, provided that the applicant installs appropriate street improvements at the time of development. The applicant would need to submit a traffic study with future development proposals to analyze individual intersections and street segments.

Additional findings are found in Findings of Fact #2, Transportation Planning Rule.

M. Energy Conservation (Goal 13)

Objective: *To conserve energy.*

1. Land use plans should be based on utilization of the following techniques and implementation devices which can have a material impact on energy efficiency:
a. Lot size, dimension, and siting controls;
b. Building height, bulk and surface area;
c. Density of uses, particularly those which relate to housing densities;
d. Availability of light, wind and air;
e. Compatibility of and competition between competing land use activities; and
f. Systems and incentives for the collection, reuse and recycling of metallic and nonmetallic waste.

Finding:
The site is located immediately adjacent to existing residential areas. The proposed MH zoning would permit development in accordance with the Comprehensive Plan with the potential to create an energy-efficient land use pattern within the City's Urban Growth Boundary.

N. Urbanization (Goal 14)

Objective: *To provide for an orderly and efficient transition from rural to urban land use.*

Finding:
The subject property is within the Urban Growth Boundary and no expansion of the UGB is proposed. The proposed annexation and zone change is the first step in the transition from rural to urbanized land as foreseen in the Comprehensive Plan. Development of the site will trigger requirements for the developer to provide infrastructure, including necessary sewer lines, storm drainage lines, water line extensions, and street improvements.

O. Other Goals

Finding:
The following goals are not applicable to this application:

- Willamette River Greenway (Goal 15)
- Estuarine Resources (Goal 16)
- Coastal Shorelands (Goal 17)
- Beaches and Dunes (Goal 18)
- Ocean Resources (Goal 19)

2. **The following Administrative Rule has been considered by the City of Scappoose as it pertains to this request:**

TRANSPORTATION PLANNING RULE
OAR 660 Division 12 – Transportation Planning:

660-012-0060 Plan and Land Use Regulation Amendments
(1) Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided in section (2) of this rule to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. A plan or land use regulation amendment significantly affects a transportation facility if it would:

(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);

(b) Change standards implementing a functional classification system; or

(c) As measured at the end of the planning period identified in the adopted transportation system plan:

(A) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

(B) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or

(C) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.

Finding:
Analysis of the transportation impacts from the proposed annexation and zone change can be divided into four subtopics:

1. Traffic likely to be generated from development;
2. Impact of development-generated traffic on local street segments;
3. Impact of development-generated traffic on affected intersections; and
4. Transportation impact conclusions.

1. Traffic likely to be generated from development
The most intense development of the site would consist of a manufactured home park with approximately 25 units. Based on standard trip generation ratios published by the Institute of Transportation Engineers, this level of development can be expected to generate approximately 120 average daily trips, 14 of them during the evening peak hour.[1]

The Transportation System Plan (TSP) analyzed traffic throughout the City. The Traffic Analysis Zone (TAZ) bounded by West Lane, Columbia Avenue, Bird Road, and the Crown Zellerbach Road encompasses the site. Based on the projected development densities envisioned in the Comprehensive Plan, the TSP anticipated that population would grow from 196 in 1995 to 817 in 2015. The annexation of this site and the application of the MH zoning are consistent with the Comprehensive Plan and the level of development analyzed in the TSP.

2. Impact of development-generated traffic on local street segments
Traffic to and from the site will utilize North Road or the new street through the Heritage Farm subdivision. Connections to Highway 30 may be made either via Columbia Avenue or via West Lane and Crown Zellerbach Road. Columbia Avenue, West Lane Road, and Crown Zellerbach Road are classified as Major Collectors and North Road and the new street on site are designated as Local Residential streets.

This proposal does not "significantly affect" the impacted street segments (as defined by the Transportation Planning Rule) because the annexation and zoning are consistent with the TSP traffic assumptions. However, future development of the site may require additional improvements to North Road to maintain safety. The existing North Road right-of-way has a minimum width of 40 feet and a paved width of 18 feet. The County and the City would require a minimum paved width of 20 feet along North Road between the site and East Columbia Avenue. Full determination of the required improvements would be deferred until the time of development of property in this area.

The affected street segments appear to have adequate capacity to accommodate large volumes of traffic. North Road would require improvements at the time of development

[1] The following trip generation ratios were used:
Single-family residences: 9.57 average daily trips and 1.01 PM peak hour trips per unit
Manufactured home park: 4.81 average daily trips and 0.56 PM peak hour trips per unit

to accommodate increased traffic, but the capacity-controlling facility will be the individual intersections, particularly the traffic signal at the Columbia Avenue/Highway 30 intersection and/or Crown Zellerbach Road/Highway 30 intersection (discussed below).

3. Impact of development-generated traffic on affected intersections
Traffic from development is likely to primarily impact five intersections discussed below.

a. North Road/East Columbia Avenue intersection

This is a 3-leg intersection with a stop sign on the North Road leg. The City does not have daily, morning peak hour, or evening peak hour traffic data for this location. However, it is not anticipated that additional traffic from development of the site would cause this intersection to fall below the City's standards requiring a Level of Service "E" or better for the minor approach at unsignalized intersections. This location does have poor sight lines due to vegetation and North Road has a narrow cross section, so improvements may be required to alleviate safety concerns as part of the construction of any future development. The proposed annexation and zone change does not "significantly affect" this intersection as defined by the Transportation Planning Rule.

b. East Columbia Avenue/West Lane intersection

This is a 4-leg intersection with stop signs on the north and south legs. The City does not have daily, morning peak hour, or evening peak hour traffic data for this location. However, it is not anticipated that additional traffic from development of the site would cause this intersection to fall below the City's standards requiring a Level of Service "E" or better for the minor approach at unsignalized intersections. Geometric improvements will be made at this location as part of the construction of the Harmony Park subdivision, which will improve safety at the intersection. The proposed annexation and zone change does not "significantly affect" this intersection.

c. West Lane Road/Crown Zellerbach Road intersection

This is a 3-leg stop-controlled intersection. The City does not have daily, morning peak hour, or evening peak hour traffic data for this location. However, it is not anticipated that additional traffic from development of the site would cause this intersection to fall below the City's standards requiring a Level of Service "E" or better for the minor approach at unsignalized intersections. Crown Zellerbach Road was designed with turn lanes at its intersection with West Lane Road. Signal conduit was previously installed at the intersection of West Lane Road and Crown Zellerbach Road in anticipation of the possibility that at some point in the future, traffic signals may be required at that location. It is unlikely that traffic would meet warrants for signalized intersections at these locations due to the annexation and zone change. The proposed annexation and zone change does not "significantly affect" this intersection.

d. Highway 30/Columbia Avenue intersection

This is a 4-leg signal-controlled intersection. The Scappoose Rail Corridor Study (Kittelson & Associates, October 2002) indicates that the Highway 30/Columbia Avenue intersection will operate at a Level of Service "B" in the morning peak hour under the "base growth" and "full growth" scenarios, with a Level of Service "C" in the morning and evening peak hours under the "full growth" scenario (Figures 3-3, 3-4, 3-5, and 3-6). The Rail Corridor Study stated that the intersection currently operates with a volume-to-capacity (V/C) ratio of 0.74, which meets ODOT's mobility standard of 0.75. The same study indicates that even with no additional development of this site, this intersection will operate at a V/C ratio of 0.89 in the future in the "base growth" scenario and a V/C ratio of 0.94 in the "full growth" scenario. ODOT Region 1 has jurisdiction over this intersection and has stated that this proposal has no significant effect on Highway 30. The proposed annexation and zone change does not "significantly affect" this intersection.

e. Crown Zellerbach Road/Highway 30 intersection

This is a 4-leg signal-controlled intersection. The Scappoose Rail Corridor Study (Kittelson & Associates, October 2002) indicates that the Highway 30/Crown Zellerbach Road intersection will operate at a Level of Service "B" in the morning and evening peak hours under the "base growth" scenario, with a Level of Service "C" in the morning and evening peak hours under the "full growth" scenario (Figures 3-3, 3-4, 3-5, and 3-6). As discussed for previous annexation applications, airport-area development may generate more traffic than the Rail Corridor Study anticipated (on the order of 525 peak hour trips rather than 225 peak hour trips). The additional trips would not materially degrade the operation of this intersection. This intersection is under the jurisdiction of ODOT, and ODOT previously determined that the planned improvements to West Lane and the prior improvements to Crown Zellerbach Road "are sufficient to avoid degradation of the ODOT mobility standards for the Hwy 30 intersection at Crown Zellerbach Road." ODOT Region 1 has jurisdiction over this intersection and has stated that this proposal has no significant effect on Highway 30. The proposed annexation and zone change does not "significantly affect" this intersection.

4. Transportation impact conclusions

Based on trip generation levels applicable to the MH zone, the City finds that the proposed annexation and zone change are consistent with the land uses envisioned by the Comprehensive Plan and the Transportation System Plan. Development of the site will generate on the order of 14 evening peak hour trips, which will have a minor impact on affected street segments and intersections.

Therefore, the proposed annexation and zone change are consistent with the Comprehensive Plan and TSP and would not require a change in the functional classification or street standards.

As spelled out by Section 5.0013 of the Scappoose Public Works Design Standards, specific development proposals would trigger the requirement for traffic analysis reports identifying projected trip generation levels, recommendations for public improvements, and access management. Any mitigation strategies prompted by the results of the traffic analysis reports would be installed as conditions of development.

3. The following Goals and Policies from the Scappoose Comprehensive Plan are applicable to this request:

GOAL FOR PUBLIC FACILITIES AND SERVICES

1) Provide the public facilities and services which are necessary for the well being of the community and which help guide development into conformance with the Comprehensive Plan.

2) Direct public facilities and services, particularly water and sewer systems, into the urban growth area.

3) Ensure that the capacities and patterns of utilities and other facilities are adequate to support the residential densities and intensive land use patterns of the Comprehensive Plan.

4) Avoid the provision or expansion of public utilities and facilities in sparsely settled non-urban areas, when this would tend to encourage development or intensification of uses, or to create the need for additional urban services.

Goals 5-11 are not applicable to this application.

POLICIES FOR PUBLIC FACILITIES AND SERVICES

1) Design urban facilities and services, particularly water and sewer systems, to eventually serve the designated urban growth area; also, ensure that services are provided to sufficient vacant property to meet anticipated growth needs; also, develop a design review process to insure that public services and facilities do not unreasonably degrade significant fish and wildlife habitats.

9) Control local flooding and groundwater problems through the use of existing storm drainage systems and construction of new facilities in accordance with the Scappoose Storm Drain System Master Plan.

19) Approve annexations of new residential lands, except in the case of a health hazard, only when:

1. *There is sufficient capacity in the sewer, water, street, school, fire, and police systems to service the potential additional populace.*
2. *Sufficient in-filling of vacant land has occurred to warrant an expansion.*

Policies 2-8, 10-18 and 20-27 are not applicable to this application.

Finding:
The City Engineer, City Manager, Chief of Police, Fire Chief, and school Superintendent were provided with the opportunity to determine whether sufficient capacity exists for needed facilities and services. No objection to this annexation has been expressed by City Departments or public service agencies. The public facility requirements must be met at the time that the applicant proposes a development plan. All plans and improvements are subject to review by the City Engineer and must conform to the requirements of the Scappoose Municipal Code and the Public Works Design Standards and Standard Specifications.

Fire & Police Protection

- The Scappoose Rural Fire District provides fire protection for this site. Development of the site will have to comply with all applicable fire and building codes and would provide hydrants in sufficient numbers and at locations deemed appropriate by the Scappoose Rural Fire District.
- If this site were annexed it would come under the protection of the Scappoose Police Department. Increased assessment valuation would generate some tax revenue to contribute toward the cost of providing service.

Streets

- The North Road right-of-way generally has a 40-foot width and an 18-foot paved cross-section. The paved width would be required to be widened to accommodate the traffic from future development proposals. The City would require half-street improvements along the site's frontage as a condition of future development, and the City and County would require off-site improvements to widen the section of North Road between the site and Columbia Avenue.

Schools

- Annexation and subsequent development of the site would increase school district enrollment. The local school district should receive additional revenues due to increased valuation as a result of future development to partially offset any increase in school district enrollment. The school district did not object to this application, and prior discussions have indicated that the overall student population for the district is relatively stable.

Water Service

- There is an existing City water line in Columbia Avenue to which the property would have access upon annexation, with extensions to be installed by the developer. The site could also connect to the water line planned for the Heritage Farm subdivision.

Sewer and Storm Drainage

- The nearest sanitary sewer main is in Columbia Avenue. The applicant would need to install additional sewer up North Road to tie into the existing sewer manhole in the street. The proposal to connect to planned sewer in the Heritage Farm subdivision is infeasible due to topographic constraints.

- There is no public storm drain system in the immediate vicinity of the site. The applicant would likely need to manage stormwater on site. The applicant has illustrated a potential storm tract in **Exhibit 4**. The storm drainage system would be designed to ensure that development of the site does not degrade water quality or increase water quantity draining to the Scappoose Drainage District or cause other flooding or groundwater problems.

The applicable goals and policies of the GOAL FOR PUBLIC FACILITIES AND SERVICES, and the POLICIES FOR PUBLIC FACILITIES AND SERVICES, are satisfied.

GENERAL GOALS FOR LAND USES

1) The growth of the City should be orderly and in accordance with the public health, safety and welfare, while preserving individual choice and recognizing existing patterns of development.

6) Residential living areas should be safe, attractive, and convenient, and should make a positive contribution to the quality of life and personal satisfaction of the residents; additionally, there should be sufficient areas for a wide range of housing choices.

Finding:
The subject property is located in the UGB immediately adjacent to land zoned MH and R-4 by the City. Annexation would permit development in an orderly outward expansion. Development of the subject site is required to provide the infrastructure associated with new residential development, including public streets with curbs and sidewalks. The MH zoning permits single-family residences, duplexes, tri-plexes, four-plexes, and manufactured home parks, which provide a range of housing choices.

The applicable GENERAL GOALS FOR LAND USES are satisfied.

GOAL FOR HOUSING

1) Increase the quantity and quality of housing for all citizens

2) Locate housing so that it is fully integrated with land use, transportation and public facilities

3) Not applicable

4) Protect residential areas from conflicting land uses, unnecessary through traffic, or other undesirable influences.

POLICIES FOR HOUSING

1) Maintain adequate zoning, subdivision and building codes to help achieve the City's housing goals.

7) Ensure that subdivisions provide a full array of public services at the expense of the developer.

(Policies 2 through 6 and 8-10 are not applicable to this application.)

Finding:
The proposed annexation and zoning of the site for residential uses is consistent with Goals 1, 2, and 4 because the inclusion of a 2-acre lot with the potential for additional housing will increase the quantity of residential land in the City. The proposed use does not conflict with existing land uses because the site is adjacent to existing residential uses. In addition, the new residences will not generate unnecessary through traffic or undesirable influences.

The zoning of the site for residential use is consistent with the policies of the Comprehensive Plan. The site will assist in maintaining adequate land to meet the City's housing needs and future subdivision improvements will be made at the expense of the developer. The applicable goals and policies of the GOAL FOR HOUSING and the POLICIES FOR HOUSING are satisfied.

4. **The following sections of Title 17 of the Scappoose Municipal Code (Scappoose Development Code) are applicable to this request:**

Chapter 17.22 AMENDMENTS TO THE TITLE, COMPREHENSIVE PLAN, AND MAPS
17.22.010 Purpose. The purpose of this chapter is to set forth the standards and purposes governing legislative and quasi-judicial amendments to this title, the acknowledged comprehensive plan, and the related maps.

17.22.030 Quasi--judicial amendments. Quasi-judicial amendments shall be in accordance with the procedures set forth in Chapter 17.162 and the following:
A. The commission shall make a recommendation to the Council to approve, approve with conditions or deny an application for a quasi-judicial comprehensive plan map amendment or zone changes based on the following:
1. The applicable comprehensive plan policies and map designation;
2. The change will not adversely affect the health, safety and welfare of the community;
3. The applicable standards of this title or other applicable implementing ordinances; and
4. Evidence of change in the neighborhood or community or a mistake or inconsistency with the comprehensive plan or zoning map as it relates to the subject property.
B. The council shall decide the applications on the record.
C. A quasi-judicial application may be approved, approved with conditions or denied.

Finding:
1. THE APPLICABLE COMPREHENSIVE PLAN POLICIES AND MAP DESIGNATION

As specified by Section 17.136.070 of the Scappoose Municipal Code, if this property is annexed it would automatically receive the Manufactured Housing (MH) zoning designation since the site had a "Manufactured Housing" Comprehensive Plan Map designation. The applicable comprehensive plan policies are outlined above.

2. THE CHANGE WILL NOT ADVERSELY AFFECT THE HEALTH, SAFETY AND WELFARE OF THE COMMUNITY;

The zone change to MH implements the Manufactured Housing Comprehensive Plan designation. The proposed annexation would permit new development consistent with the existing residential character, which would reinforce and enhance a residential neighborhood. The annexation and zone change could allow up to 25 dwellings, which would not adversely affect health, safety, and welfare.

3. THE APPLICABLE STANDARDS OF THIS TITLE OR OTHER APPLICABLE IMPLEMENTING ORDINANCES;

The proposed annexation and zone change are policy decisions subject to guidance by the full policy framework established by the Oregon Statewide Land Use Planning Goals and associated Oregon Administrative Rules (OAR), and by the Scappoose Comprehensive Plan and Development Code. Full discussion of the applicable standards is found in this report. The analysis demonstrates consistency and compliance with all applicable approval standards.

4. EVIDENCE OF CHANGE IN THE NEIGHBORHOOD OR COMMUNITY OR A MISTAKE OR INCONSISTENCY WITH THE COMPREHENSIVE PLAN OR ZONING MAP AS IT RELATES TO THE SUBJECT PROPERTY.

The subject site is designated Manufactured Housing in the Comprehensive Plan Map. Applying Section 17.136.070 by automatically zoning the property Manufactured Housing (MH) is consistent with the Comprehensive Plan.

Chapter 17.54 MH MANUFACTURED HOUSING

17.54.030 Permitted uses. A. In the MH zone outside of the Scappoose Creek Flood Plain, only the following uses and their accessory uses are permitted outright:
[...]
2. Duplex;
[...]
4. Manufactured homes on individual lots subject to Section 17.94.030;
[...]
6. Multifamily up to four units per lot;
[...]
9. Single-family detached residential dwelling units.
[...]
13. A single-family dwelling having a common wall with one other single-family dwelling...

Finding:
A variety of residential uses is permitted within the MH zoning district. Future development proposals would be reviewed for consistency with the permitted uses in the proposed zone. Section 17.54.030 is satisfied.

Chapter 17.88 AO PUBLIC USE AIRPORT SAFETY AND COMPATIBILITY OVERLAY ZONE

17.88.030 Imaginary surface and noise impact boundary delineation. The airport elevation, the airport noise impact boundary, the airport direct impact boundary, the airport secondary impact boundary, and the location and dimensions of the runway, primary surface, runway protection zone, approach surface, horizontal surface, conical surface and transitional surface shall be delineated for the Scappoose Industrial Airpark and shall be made part of the Official Zoning Map. All lands, waters and airspace, or portions thereof, that are located within these boundaries or surfaces, and are located within the city limits, shall be subject to the requirements of this overlay zone.

Finding:
As defined by Chapter 17.88, the site falls within the airport direct impact boundary. According to Table 17.88.1 in the Scappoose Development Code, no limitations are placed on residential development within the direct impact boundary. Section 17.88.030 is satisfied.

Chapter 17.136 ANNEXATIONS

17.136.020 Policy.
Annexations shall be considered on a case-by-case basis, taking into account the goals and policies in the Scappoose Comprehensive Plan, long range costs and benefits of annexation, statewide planning goals, this title and other ordinances of the City and the policies and regulations of affected agencies' jurisdictions and special districts.

A. It is the City's policy to encourage and support annexation where:

1. *The annexation complies with the provisions of the Scappoose Comprehensive Plan*
2. *The annexation would provide a logical service area, straighten boundaries, eliminate or preclude islands of unincorporated property, and contribute to a clear identification of the City.*
3. *The annexation would benefit the City by addition to its revenues of an amount that would be at least equal to the cost of providing service to the area.*
4. *The annexation would be clearly to the City's advantage in controlling the growth and development plans for the area.*

Finding:
The proposed annexation complies with the goals and policies of the Comprehensive Plan as previously discussed in Finding of Fact #3. The annexation is contiguous to land zoned MH and R-4 within the City, expanding the City's logical service area. Pursuant to Scappoose Municipal Code Chapter 13.12.100, sewer services are not provided outside the City limits, so annexation would allow this site to be served by the municipal sewer system. Annexation will allow the City to manage growth by providing for City inspection and approval of all development. Section 17.136.020(A) is satisfied.

B. It is the City's policy to discourage and deny annexation where:

1. *The annexation is inconsistent with the provisions of the Scappoose Comprehensive Plan.*
2. *The annexation would cause an unreasonable disruption or distortion of the current City boundary or service area.*
3. *The annexation would severely decrease the ability of the City to provide services to an area either inside or outside of the City.*
4. *Full urban services could not be made available within a reasonable time.*

Finding:
The proposal is consistent with the provisions of the Scappoose Comprehensive Plan as previously discussed. The annexation does not decrease the ability of the City to provide services and does not cause an unreasonable disruption of the current City boundary. The proposed annexation site can be served by urban services within a reasonable time and does not decrease the ability of the City to provide services. Section 17.136.020(B) is satisfied.

17.136.040 Approval standards.

A. The decision to approve, approve with modifications or deny, shall be based on the following criteria:

1. All services and facilities are available to the area and have sufficient capacity to provide service for the proposed annexation area;

Finding:
Existing municipal police services can be made available to the site immediately. The site fronts onto an existing road within the City. The property is already located within the Scappoose Rural Fire District, the Scappoose School District, the Scappoose Library District, and the Scappoose Parks and Recreation District. Telephone and electric services are already provided to neighboring properties.

Water and sewer service can be made available to the site with extensions installed by the developer. The water treatment plants and wastewater treatment plant have excess capacity to accommodate development of this and other sites.

The facility planning for the City's water and wastewater treatment facilities assumed that this site would be zoned MH. The site could be developed with approximately 25 housing units if a manufactured home park were constructed.

The wastewater flow associated with 25 residences is 3,125 gallons per day (0.003 MGD), using an average of 125 gallons per day per household.

The North Interceptor into the Wastewater Treatment Plant has a capacity of 2.3 MGD; therefore the 25 additional households would use approximately 0.1% of that capacity. The treatment plant has the capacity to accommodate the residences that could be constructed on this site.

The City's existing surface and subsurface drinking water sources can produce in excess of 1,600 gallons per minute. The Water Treatment Plant and Water Wells have the capacity to serve the additional residences from this site.

North Road currently does not meet the City's standards for local residential streets: it has a paved width of 18 feet within a 40-foot right-of-way. However, improvements would be required as conditions imposed on future development. The County Road Department would require a minimum paved width of 20 feet in accordance with their standards for local streets. Additional improvements may be identified as part of traffic impact analysis performed in conjunction with future development proposals. The Council can conclude that North Road can be made adequate with appropriate improvements.

Section 17.136.040(A).1 is satisfied.

2. *The impact upon public services which include but are not limited to police and fire protection, schools and public transportation to the extent that they shall not be unduly compromised;*

Finding:

As discussed previously, the proposed annexation will have a minimal impact on the capacity of public service providers, especially since the site is already within the service areas of the Fire District and other service providers. Section 17.136.040(A).2 is satisfied.

3. *The need for housing, employment opportunities and livability in the City and surrounding areas;*

Finding:

This annexation would provide an additional 2 acres for residential development and would also create temporary employment opportunities for the construction of streets, utilities, and structures. Section 17.136.040(A).3 is satisfied.

4. *The location of the site in relation to efficient provision of public facilities, services, transportation, energy conservation, urbanization and social impacts.*

Finding:

This site is contiguous to the existing City limits. Public services are already available to neighboring properties and use of these will improve efficiency by utilizing existing trunk lines and service lines. Water service is available to the site from Columbia Avenue or from the new street in the Heritage Farm subdivision, and police and fire protection can be supplied by the Scappoose Police Department and Scappoose Rural Fire Protection District, respectively. The site has convenient transportation access to downtown Scappoose. Increasing the supply of land for housing will benefit the City by providing additional land to meet the demand for residential development. Urbanization of the site is consistent with the City's Comprehensive Plan, and site development is not anticipated to impose adverse social impacts. Section 17.136.040(A).4 is satisfied.

17.136.070 Zoning upon annexation. Upon annexation, the area annexed shall be automatically zoned to the corresponding land use zoning classification as shown in the table below. The zoning designation shown on the table below is the city's zoning district which most closely implements the city's comprehensive plan map designation.

Comprehensive Plan	***Zoning Classification***
SR	*R-1, Low Density Residential*
GR	*R-4, Moderate Density Residential*
MH	*MH, Manufactured Home Residential*
C	*Expanded Commercial*
I	*Light Industrial*

Finding:
The site has a Comprehensive Plan designation of MH, Manufactured Housing. Upon annexation, the site would automatically be zoned MH, Manufactured Housing. The findings demonstrate that the City's infrastructure has the capacity to absorb development of this site. Section 17.136.070 is satisfied.

Chapter 17.162 PROCEDURES FOR DECISION MAKING--QUASI-JUDICIAL

17.162.090 Approval authority responsibilities. [...]
C. The planning commission shall conduct a public hearing in the manner prescribed by this chapter and shall have the authority to approve, approve with conditions, approve with modifications or deny the following development applications:
1. Recommendations for applicable comprehensive plan and zoning district designations to city council for lands annexed to the city;
2. A quasi-judicial comprehensive plan map amendment except the planning commission's function shall be limited to a recommendation to the council. The commission may transmit their recommendation in any form and a final order need not be formally adopted;
3. A quasi-judicial zoning map amendment shall be decided in the same manner as a quasi-judicial plan amendment; [...]

Finding:
The applicant has requested the concurrent review of Annexation and a Zone Change. The Planning Commission will make a recommendation to the City Council regarding the applicant's request. Based on the submitted materials and the staff report the applicant's proposal complies with the City's Comprehensive Plan and with the requirements of Title 17 of the Scappoose Municipal Code. Section 17.162.090(C) is satisfied.

RECOMMENDATION
Based on the findings of fact, the conclusionary findings for approval, and the material submitted by the applicant, the Planning Commission and staff recommend **APPROVAL** of the application ANX5-06/ZC5-06 for placement on the May 15, 2007 ballot.

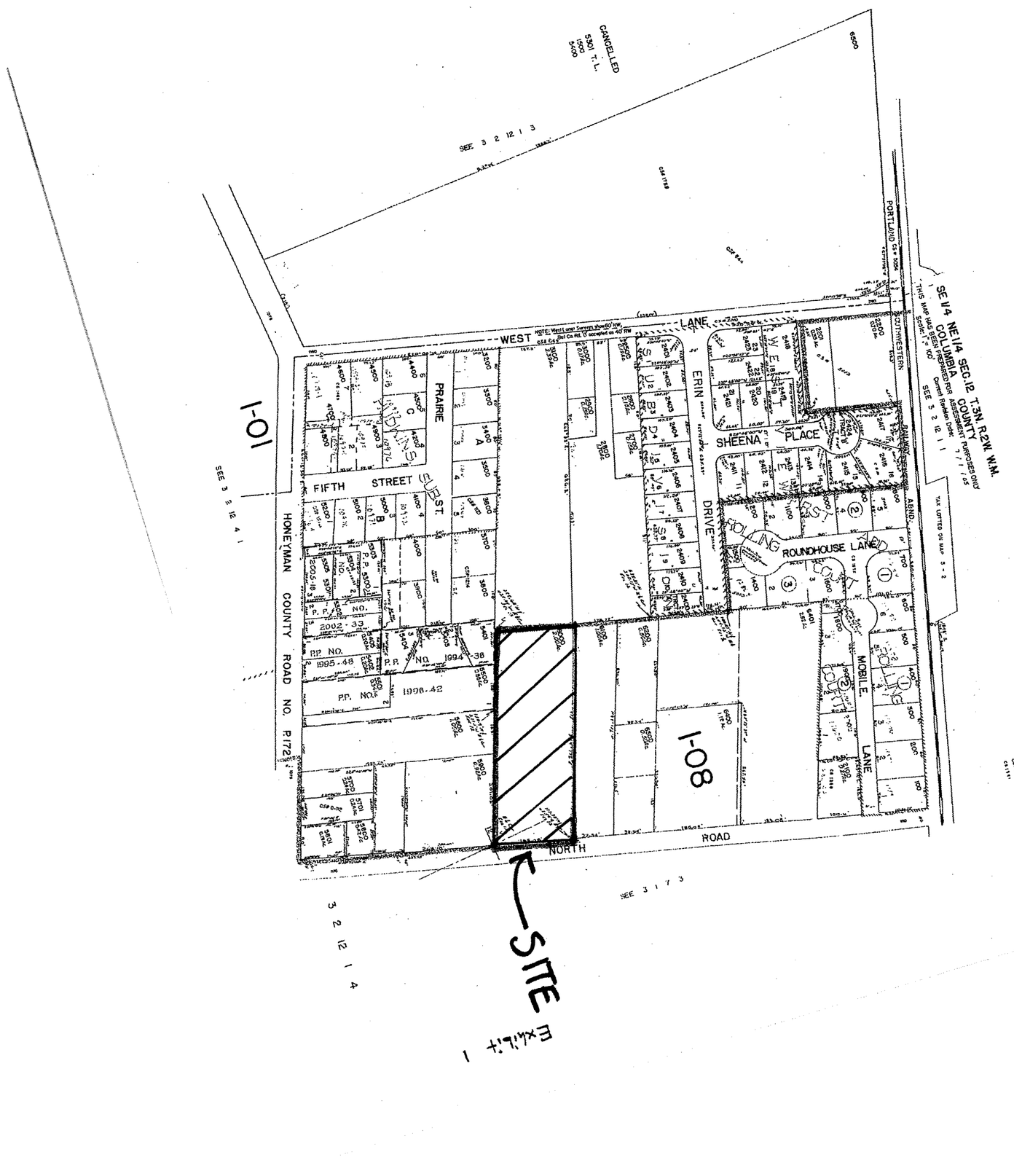

SE 1/4 NE 1/4 SEC. 12 T.3N R.2W. W.M.
COUNTY
COLUMBIA
THIS MAP HAS BEEN PREPARED FOR ASSESSMENT PURPOSES ONLY
Current Revision Date: 7/1/05
SCALE 1" = 100'
SEE 3 2 12 1 1
CANCELLED
5301 T.L.
1500
5400
SEE 3 2 12 1 3
6500
PORTLAND Cs # 3004
SOUTHWESTERN
WEST LANE
NOTE: West Lane Sewer shown 60' NW
Old Co Rd. 17 accepted as 40' RW
ERIN
PLACE
SHEENA
DRIVE
ROLLING
ROUNDHOUSE LANE
MOBILE
LANE
I-01
I-08
FIFTH STREET
EAST
PRAIRIE
HONEYMAN COUNTY ROAD NO. R172
NORTH
ROAD
P.P. NO. 1995-48
P.P. NO. 1994-36
P.P. NO. 1996-42
P.P. NO. 2002-35
P.P. NO. 5302
SEE 3 2 12 4 1
SEE 3 1 7 3
3 2 12 1 4
3 2 12 1 4
SITE
Exhibit 1

Exhibit 2

Excerpt from Scappoose Zoning Map
ANX 5-06 / ZC 5-06
July 2006

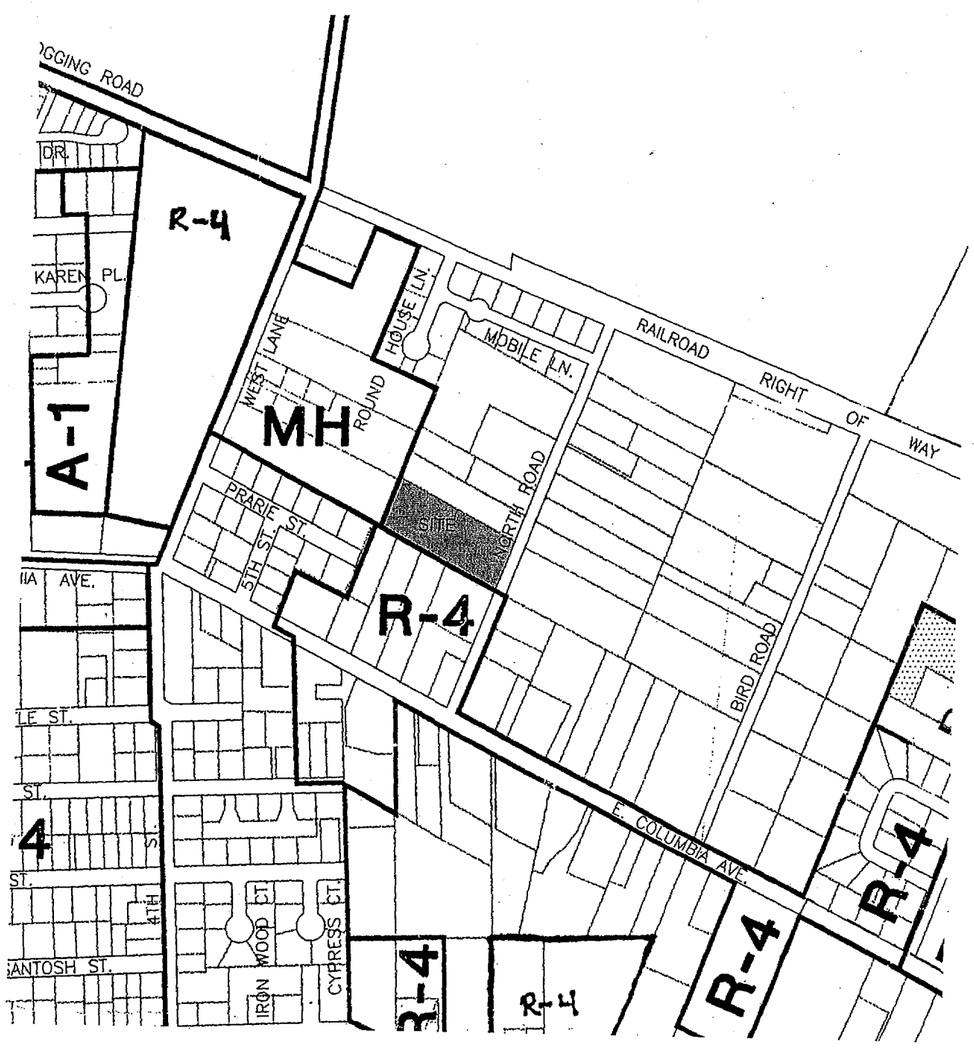


Exhibit 3

52525 North RD

Annexation Application

Scappoose, Oregon

APPLICANT:
Taurus Homes
~~19130 SW Alexander St.~~ 29345 NW West Union Rd
~~Aloha, OR 97006~~ North Plains, OR 97133

APPLICANT'S REPRESENTATIVE:
Kenneth L. Sandblast, AICP
Planning Resources, Inc.
7160 SW Fir Loop, Suite 201
Portland, OR 97223
Tel: 503-684-1020
Fax: 503-684-1028

PREPARED BY:
Dan Jung
Planning Resources, Inc.
7160 SW Fir Loop, Suite 201
Portland, OR 97223
Tel: 503-684-1020
Fax: 503-684-1028

June 7, 2006

planningResourcesinc.

TABLE OF CONTENTS

Page

Project Summary.....1-2

Scappoose Comprehensive Plan
and Zoning and Development Ordinance
Applicable Policies.....3-9

PROJECT SUMMARY

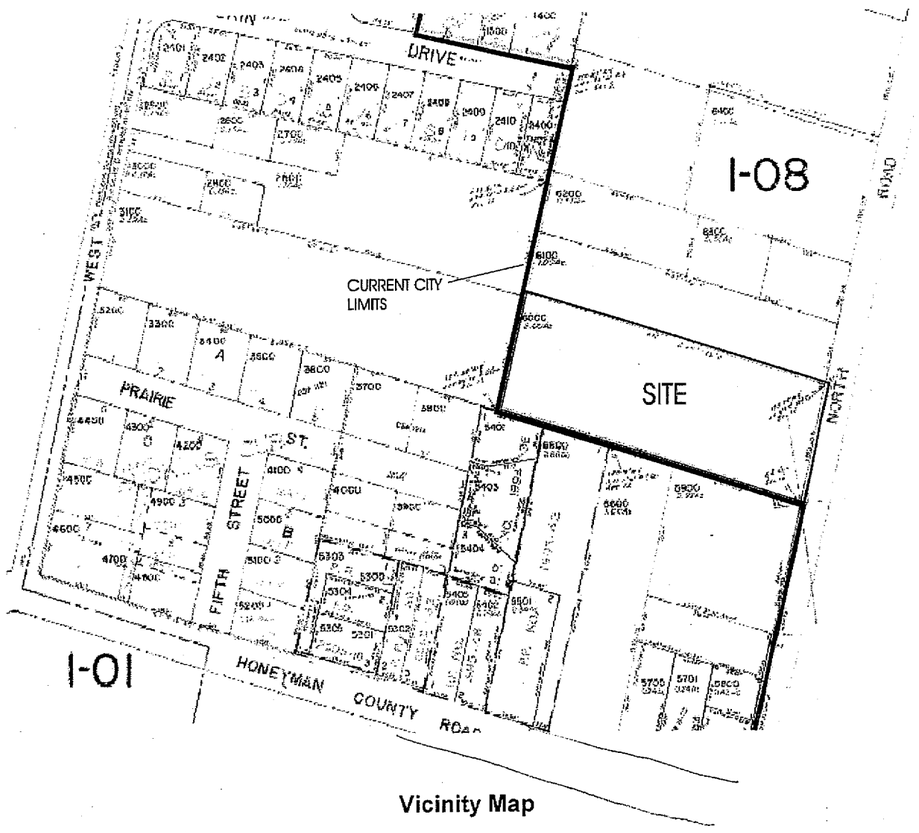
Project Description:

Location	52525 North RD.
Legal	Tax Lot 6000, T3N R2W Section 12-1-4
Comprehensive Plan	Manufactured Housing (MH)
Zoning	Proposed Zoning: Manufactured Housing (MH)
Site Size	2.00 Acres

The subject site lies west of North Road (north of Columbia Ave; south of Mobile Lane). The site contains one existing single-family residence. Vegetation consists primarily of pasture grass with number mature trees. Access is taken from North RD along the east boundary; all other property lines abut residential properties.

The site's western and southern property lines abut the current City limits. Adjacent properties within the City limits have been developed with subdivisions consistent with the City's standards. Properties to the north and east are large lots subject to Columbia County's zoning requirements.

The applicant (Taurus Homes) is also the owner of the Heritage Farm subdivision property directly west of the subject site. Heritage Farm has recently received Preliminary Plat approval, and is currently obtaining construction plan approval and final plat recording. The approved Heritage Farm plat includes a public right-of-way extension from West Lane Road, to the subject site's western boundary. This right-of-way will include essential public utilities.



Vicinity Map

FINDINGS

APPROVAL CRITERIA:
The criteria and standards that apply to this application are as follows:

City of Scappoose Development Code
- Chapter 17.22 Amendments to the Title, Comprehensive Plan, and Maps
  - 17.22.030 Quasi-Judicial Amendments.
- Chapter 17.136 Annexations
- Chapter 17.162 Procedures for Decision Making—Quasi-Judicial

City of Scappoose Comprehensive Plan

Goals and Policies for Public Facilities and Services, Transportation, Housing, General Goals for the City of Scappoose for Land Uses, Urban Growth Boundary, General Residential, and Suburban Residential.

The following Goals and Policies do not apply to this request: Economic and Natural Factors and Local Resources, and under the Land Use Goals and Policies, Mobile Home, Commercial, Industrial, Public and Semi-Public, Hazard Area, and Open Space.

In the following discussion of criteria and standards, code requirements are indicated by italics, response and discussion in plain text.

Chapter 17.22 Amendments to the Title, Comprehensive Plan, and Maps
17.22.030 Quasi-judicial amendments. Quasi-judicial amendments shall be in accordance with the procedures set forth in Chapter 17.162 and the following:

A. The commission shall make a recommendation to the Council to approve, approve with conditions or deny an application for a quasi-judicial comprehensive plan map amendment or zone changes based on the following:

1. *The applicable comprehensive plan policies and map designation;*
2. *The change will not adversely affect the health, safety and welfare of the community;*
3. *The applicable standards of this title or other applicable implementing ordinances; and*
4. *Evidence of change in the neighborhood or community or a mistake or inconsistency with the comprehensive plan or zoning map as it relates to the subject property.*

B. The council shall decide the applications on the record

C. A quasi-judicial application may be approved, approved with conditions or denied.

APPLICANT RESPONSE

The application involves both an annexation, as provided in Chapter 17.136, and application of the appropriate zoning designation. Both actions are to be considered by the Planning Commission, which makes a recommendation to the City Council.

Response to Criterion 1: No change to the Comprehensive Plan is proposed, as the site is within the Urban Growth Boundary and designated for residential use as part of the City's future needed land supply.

Goals and policies in the Comprehensive Plan are intended to apply to the City generally and not necessarily to a specific property or project. Goals and policies form the basis for developing implementation strategies and ordinances, and any proposal should at minimum be generally consistent with the City's overall intentions for growth and development.

The following goals and policies apply to this request:

Goals and Policies for Public Facilities and Services: In summary, goals and policies for public facilities and services require that an adequate level of services be available for new development and be directed to newly developing areas within the UGB.

Herein below public facilities will be discussed:

Streets:
The site has approximately 185-ft of frontage on North Road. The approved Heritage Farm preliminary plat identifies a new public street stub extending from West Lane Road to the western property line of the site, and an intersection extending north along the property line shared by the subject site and the Heritage Farm property. Subsequent to annexation, future development of the site will include extension of the east-west street stub to North Road, and the full improvement of the north-south street stub. The new block created by the public street extension between West Lane Road and North Road will provide better access for local residence in the surrounding neighborhoods. Currently the only vehicle access to North Road is via Columbia Ave. A new connection between North Road and West Lane Road will allow for an additional access route to all parcels on North Road.

Sanitary Sewer:
A public sanitary sewer main currently exists in West Lane Road. A lateral to this main will be extended to the west property line of the subject site, within the public right-of-way, as a part of the required public improvements associated with the Heritage Farm subdivision. This line can be extended to serve future development of the site at the time of development. Additionally, Columbia Ave, south of the site, contains a public sanitary sewer main. If necessary, this line can be extended up North Road to serve the site.

Domestic Water:
A public water line currently exists in West Lane Road. A lateral to this line will be extended to the west property line of the subject site, within the public right-of-way, as a part of the required public improvements associated with the Heritage Farm subdivision.

Stormwater:
Soil conditions in the area are generally amicable to stormwater management infiltration systems – as demonstrated by the proposed Heritage Farm storm tract. Future development will submit stormwater management design plans for review and approval with the City of Scappoose.

Schools:
The site is served by the City of Scappoose School District 1J. According to the City of Scappoose Comprehensive Plan, the Scappoose School district encompasses 118 square miles including areas outside of the City limits but within Multnomah and Washington Counties. The site is well served by schools for all grades. Additional impact to the system because of the

proposed development is not expected, the overall student population for the district continues to be stable.

Police Protection:

In the Fall of 2003, the current population of the City of Scappoose was 5,260 with 32,000 vehicles driving along Hwy 30 through Scappoose everyday. The Scappoose Police Department is comprised of a Chief of Police, Lieutenant, eight sworn police officers, one office specialist, and a reserve unit of four volunteer officers and a police chaplain. According to the City of Scappoose Comprehensive Plan (1991), factors to consider when assessing adequate police protection include: rate of growth, increase in traffic problems and types of families moving into the area. To be able to assess the impact the proposed development would have on the existing police department these factors will be discussed.

Rate of Growth: The proposed development requests approval for annexation into the City of Scappoose with a proposed zoning of MH, Moderate Density Residential. The annexation of the site into the City could potentially allow for the development of approximately 14 single-family homes. The rate of growth examined from 1960 to 1991 showed that the population to have tripled in this time-period. The consensus in 1991 was to curb growth. However, growth in the area was attributed to the City's proximity to Portland and the attractiveness of the area. It was suggested that the negative impact to the area was not so much the rate of growth but the reaction of the growth to build multi-family dwellings rather than single-family dwellings which significantly changes the characteristic of the City. The development proposed in this case supports the housing and population goals outlined in the City's Comprehensive Plan to allow growth and re-establish home ownership in the area. The housing goal for the area would support single-family housing.

Traffic: The site is located north of Columbia Ave and east of West Lane Road. Currently the only vehicle access to North Road is via Columbia Ave. Extension of the right-of-way as depicted on Heritage Farm – Future Street Plan will improve the traffic pattern, and emergency vehicle access, by creating a second route to North Road.

Types of Families: The City's comprehensive plan outlines the MH Zone as moderate density residential and high density manufactured homes in manufactured home parks. This density will encourage families with one or two adults employed in the household and encourage "suburban-type" living. There is no detailed demographic information available for the City, but a likely conclusion to make is that a family–oriented moderate-density area is less likely to generate crimes that impact police services.

Fire Protection – Fire protection is provided by Scappoose Rural Fire District. According to details from 1991 Comprehensive Plan, the district currently has five engines, two tankers, two ambulances, one brush unit, one rescue and two utility vehicles that are in excellent condition. The combined fire and ambulance service area is 100 square miles with a population of 11,000. The current I.S.O. rating is 4 in the City and 8 in rural areas. The station is located at 52751 Columbia River Hwy less than 1 mile from the site. The impact to the fire protection services is relatively low given the expectation of growth in the area and access to the site. The Fire Department intends to convert to a regular full time paid department by 2010.

The proposed annexation supports these goals and policies, by providing a logical and orderly extension of streets and public facilities from temporary terminations at the site's boundaries. Discussion with representatives of the City raised no areas of concern for capacity or system deficiency, and the site is within the UGB where the City expects to expand to provide services.

Therefore, these goals and policies are supported by the proposal.

Goals and Policies for Transportation: In summary, goals and policies of the city call for connectivity and provision of alternative means for traveling between destinations. The proposed annexation fits within the overall framework of the City's Transportation System Plan, by allowing connections between local streets temporarily terminated at the site's west boundary. New streets will be constructed to city standards and will include, as required, sidewalks for pedestrians in addition to travel-ways for vehicles including bicycles.

Therefore, these goals and policies are supported by the proposal.

Goals and Policies for Housing: The City's goal is to provide adequate housing for all residents. Policies carry out this goal by maintaining an adequate supply of buildable land and requiring new development concurrent with provision of public facilities and services.

The site is within the City's UGB and is, therefore, part of the land designated for future residential development. Because public facilities and services are available, including an east-west street connection, the applicant believes that the timing is appropriate for the City to annex the site so that development in compliance with the City's requirements can occur.

General Goals for the City of Scappoose for Land Uses: The City has established general goals that, succinctly stated, call for the orderly development of land uses, compatible relationships with adjoining uses, and a balancing of uses, including housing that meets the needs of residents.

Goals and Policies for the Urban Growth Boundary: The City's goals and policies call for maintaining an adequate supply of buildable land and designating locations of uses to maintain harmonious and balanced relationships. These goals and policies are largely beyond the reach of any single property owner, and the applicant notes only that the site is designated for future residential use. Annexation would enable the land to be used as planned.

Goals and Policies for General Residential: The City's goals and policies are aimed at providing higher density development in the areas of the community where supporting facilities such as shopping and transportation routes are established. In addition, the City aims to protect residential uses from intrusive uses that would harm livability.

Goals and Policies for Suburban Residential: New moderate density residential or high density manufactured home development within the City limits will be required to make provisions for streets, public sewer, and public water, along with other necessary facilities. New development within the Suburban Residential area will provide opportunities for a range of housing choices, while maintaining a suburban character.

This discussion of applicable goals and policies demonstrates that the proposed annexation complies with the City's Comprehensive Plan.

Response to Criterion 2: No adverse impact on the community's health, safety or welfare is anticipated, as the request is consistent with the Comprehensive Plan and necessary public facilities are readily available, with capacity, to serve the site.

Response to Criterion 3: The applicable standards of the Development Code are discussed in this development, and are shown to be satisfied.

Response to Criterion 4: The change in the community that justifies the proposed annexation and zoning designation has to do with growth and the need for additional land for new housing. Scappoose, like many communities within commuting range of the Portland metropolitan area, has experienced an increase in population as available, affordable land there has been developed. This sort of change, that is, growth in Scappoose, was anticipated when the site was included within the UGB.

The applicable criteria of this section are shown to be satisfied.

Chapter 17.136 Annexations
This chapter provides both policies and process for consideration and approval of annexations.

17.136.020 Policy. Annexations shall be considered on a case-by-case basis, taking into account the goals and policies in the Scappoose comprehensive plan, long range costs and benefits of annexation, statewide planning goals, this title and other ordinances of the city and the policies and regulations of affected agencies' jurisdictions and special districts.

A. It is the city's policy to encourage and support annexation where:
1. The annexation complies with the provisions of the Scappoose comprehensive plan;
2. The annexation would provide a logical service area, straighten boundaries, eliminate or preclude islands of unincorporated property, and contribute to a clear identification of the city;
3. The annexation would benefit the city by addition to its revenues of an amount that would be at least equal to the cost of providing services to the area;
4. The annexation would be clearly to the city's advantage in controlling the growth and development plans for the area.

B. It is the city's policy to discourage and deny annexation where:
1. The annexation is inconsistent with the provisions of the Scappoose comprehensive plan;
2. The annexation would cause an unreasonable disruption or distortion of the current city boundary or service area;
3. The annexation would severely decrease the ability of the city to provide services to an area either inside or outside of the city;
4.Full urban services could not be made available within a reasonable time.

APPLICANT RESPONSE
The proposed annexation is consistent with the City's comprehensive plan. As previously discussed, the proposal complies with plan policies and is within the City's UGB. It is part of the supply of land intended to provide for the City's growth.

As discussed, the site is located with a street stubbed to the west property line. Utilities are available and can be extended to serve new development. Therefore, it would not be logical to skip over this site, and would leave a gap, where public facilities and services were not extended to and through this site.

The site would be zoned MH upon annexation, and would accommodate future development of approximately 14 new residences on this 2 acre site, which amounts to a minor increment of the city's service costs. Further, as the site is within the UGB and its development is anticipated

through capital facilities planning and construction of capacities, annexing the site would allow its development with uses that would produce revenue to pay for previous expenditures.

The proposed annexation supports the City's adopted plan and policies, as represented by the comprehensive plan and the established UGB. Therefore, it would be to the City's advantage to annex the area.

The "disadvantages" listed in Section B are opposite to the criteria in Section A, discussed in the previous paragraphs. The proposed annexation is consistent with the City's comprehensive plan, provides for a logical and orderly extension of the City's boundary and public services, and urban services can be made available to new development by extending existing public services.

Therefore, the proposed annexation is consistent with the City's policies.

17.136.030 Administration and approval process.
This section outlines the approval process for an annexation. The City requires an application, and hearings before the Planning Commission and City Council before a decision by the Council. If approved, the annexation is referred to voters at the next election.

By and large, the City manages the process. The applicant's responsibility is to provide an application that satisfies submission requirements of Sec. 17.136.050 and to demonstrate that the proposal complies with Approval standards of Sec. 17.136.040.

17.136.040 Approval standards.
A. The decision to approve, approve with modification or deny, shall be based on the following criteria:

1. All services and facilities are available to the area and have sufficient capacity to provide service for the proposed annexation area;

2. The impact upon public services which include but are not limited to police and fire protection, schools and public transportation to the extent that they shall not be unduly compromised;

3. The need for housing, employment opportunities and livability in the city and surrounding areas;

4. The location of the site in relation to efficient provision of public facilities, services, transportation, energy conservation, urbanization and social impacts.

APPLICANT RESPONSE
As noted above all necessary services and facilities are available to the site,

As noted, the area proposed for annexation would add approximately 14 new dwellings. This minor increase in population would not have a major impact on provision of public services.

Connections to the City's road network have been provided at the site's west property line, anticipating future extensions of streets and connections for new and existing residents.

The annexation and subsequent development of this site is needed to provide housing opportunities for the City's anticipated population. It is reasonable to expand the City's

boundaries within the established UGB, when services are available and can be reasonably extended.

As previously noted, the site already has links to existing public utilities and facilities, through the streets stubbed to the west and Columbia Ave to the south. These connections were established to facilitate future development on the site, and to enable future growth and development along the City's boundary.

For these reasons, and the reasons listed in response to Sec. 17.22.030, this proposal satisfies the approval criteria.

17.136.050 Application submission requirements
APPLICANT RESPONSE
An application has been submitted that satisfies requirements of this section.

17.136.060 Annexation initiated by city.
APPLICANT RESPONSE
This annexation is initiated by the property owner.

17.136.070 Zoning upon annexation.
APPLICANT RESPONSE
The Comprehensive Plan designation for the area is MH – Manufactured Housing, which requires the zoning designation of Manufactured Housing (Chapter 17.54) be applied to the site upon annexation.

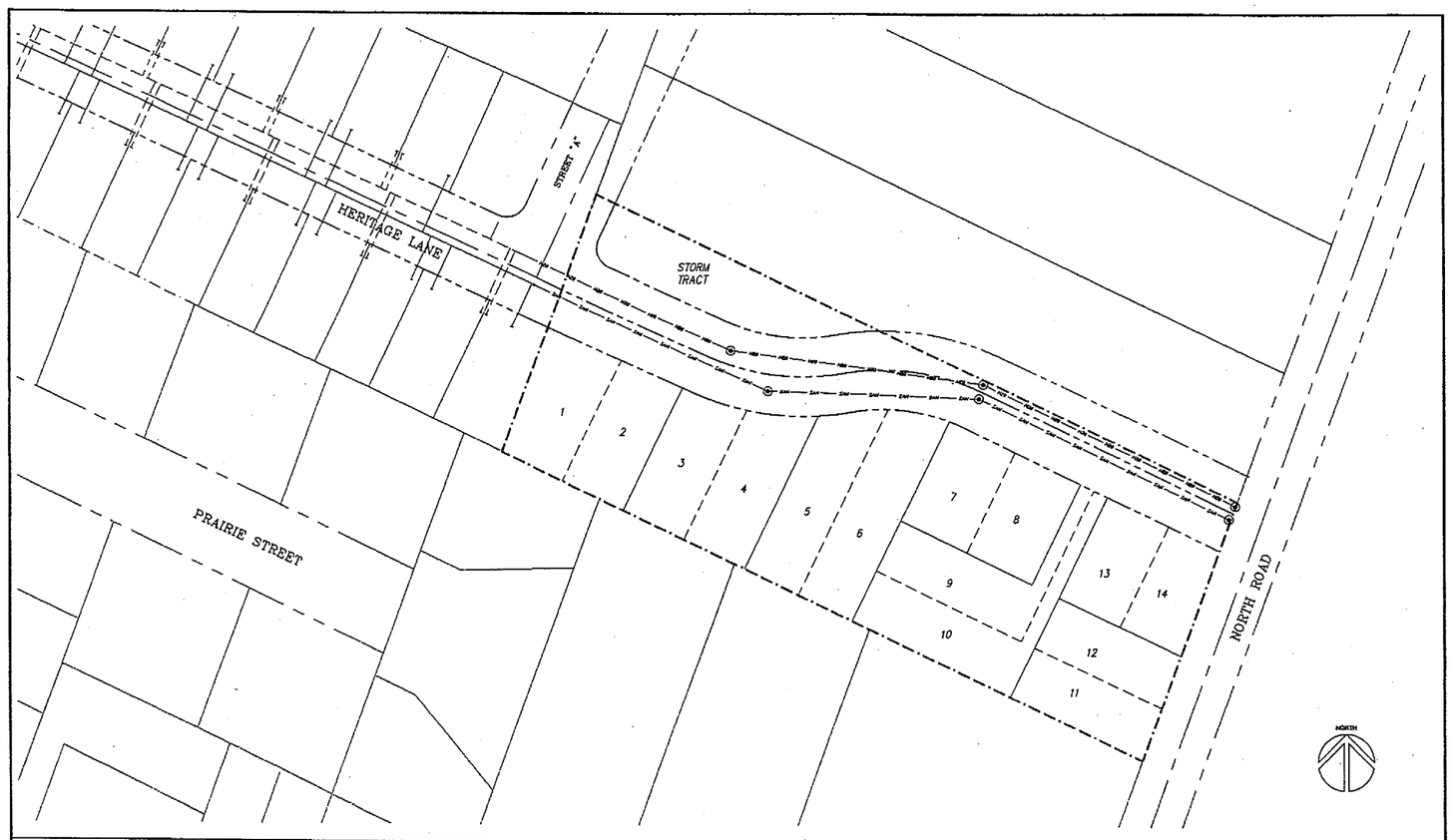
17.136.080 Annexation of non-conforming uses.
APPLICANT RESPONSE
No non-conforming use is involved. This section does not apply.

Chapter 17.162 Procedures for Decision Making—Quasi-Judicial
APPLICANT RESPONSE
This Chapter sets forth the procedures for decision-making, including requirements for notice and public hearings. These requirements will be applied through the review process.

CONCLUSION

The foregoing narrative describes the proposed annexation and designation of Manufactured Housing zoning, and discusses the City's applicable criteria and standards. The proposal has been shown to satisfy applicable requirements identified in the City's Development Code, including pertinent policies in the Comprehensive Plan and. Therefore, the proposed annexation should be approved.

Reasonable conditions of approval could be applied to the decision to approve an annexation. However, a more appropriate time for consideration of conditions would be once the annexation has been approved, through the review of a development proposal when the actual impacts of a project can be determined.



DESIGNED: DJ			
DRAWN: DJ			
SCALE: 1" = 60'			
DATE: 06-07-06			
FILE: 06-TAURUS.dwg	DATE	NO	REVISION

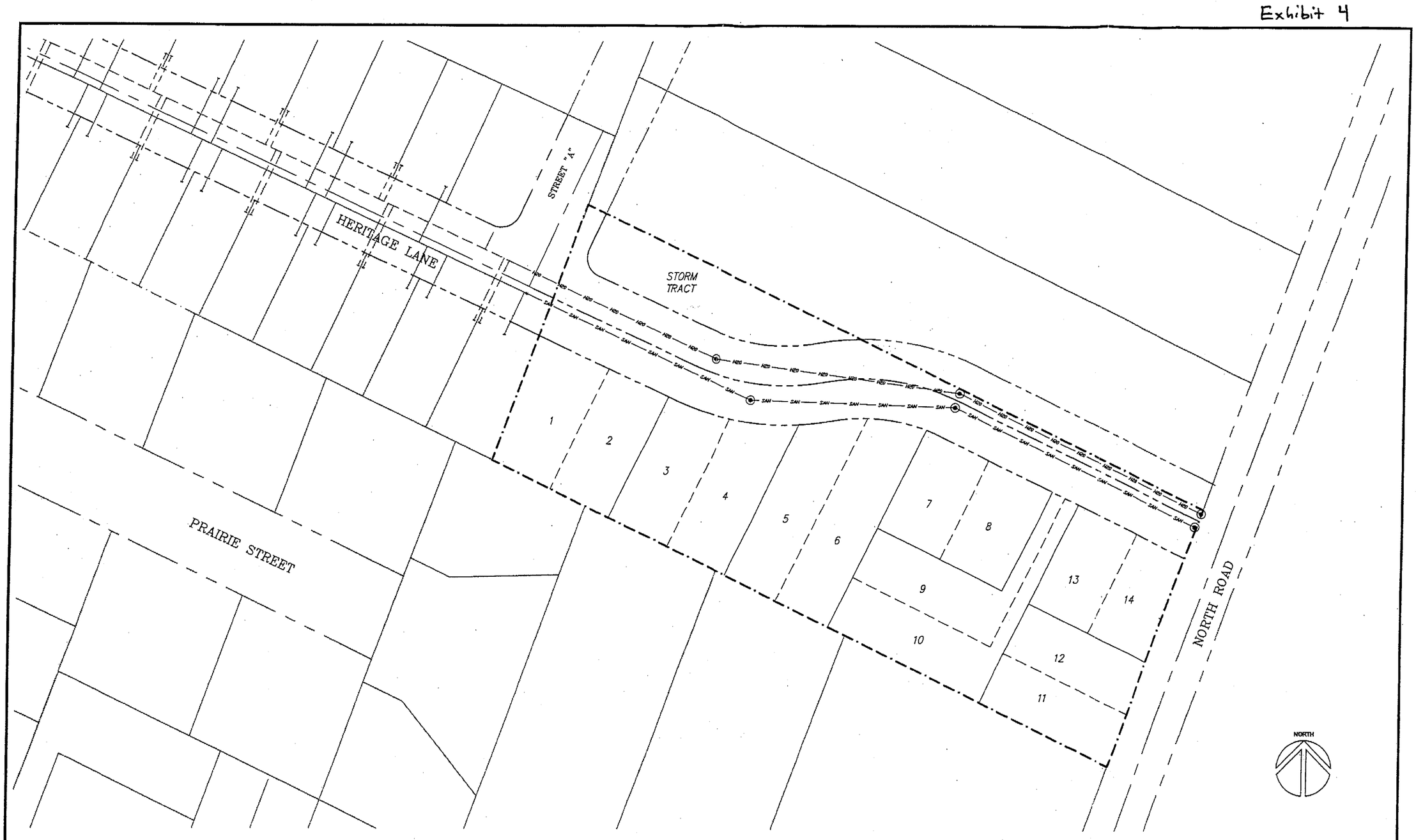
planningResourcesinc.
land use and site planning

APPLICANT: TAURUS HOMES
PO BOX 807
NORTH PLAINS, OR 97133

52525 NORTH ROAD
CONCEPT PLAN

SHEET: 1/1

Exhibit 4



DESIGNED:	DJ			
DRAWN:	DJ			
SCALE:	1" = 60'			
DATE:	06-07-06			
FILE:	06-TAU-5xx	DATE	NO.	REVISION

planningResourcesinc.
land use and site planning
7160 SW Fir Loop, Stell 201
Portland, OR 97223
503 684-1020
503 682-2745 Fax

APPLICANT: TAURUS HOMES
PO BOX 807
NORTH PLAINS, OR 97133

52525 NORTH ROAD
CONCEPT PLAN

SHEET: 1/1

Exhibit 5

Anthony I. & Donna K. Ceruti
52488 North Road ◆ Scappoose, OR 97056 ◆ 503/543-5693

July 23, 2006

City of Scappoose
Planning Commission
33568 E. Columbia Avenue
Scappoose, Oregon 97056

RE: Docket #ANX 5-06/ZC 5-06
Proposed Taurus Homes Annexation and Subdivision

We strongly object to the rezoning of North Road from a "Suburban Residential" zone to a "Manufactured Home, Moderate Density Residential." When we purchased our home, this suburban residential zoning and the lack of crowding was the reason why we moved to Scappoose. I'm sure that this reason might be the same reason why the majority of our elected officials purchased their homes. Please deny this rezoning.

We also strongly object to the proposed road connection to North Road. We believe that North Road needs to be fully improved to applicable City standards, including sidewalks, curbs, gutters, bike lanes and street lights. These improvements need to extend all the way from the proposed new connection to Columbia Boulevard.

Until these improvements are implemented, only emergency vehicles and local residents should be allowed access on North Road. Construction traffic should be prohibited until the necessary provisions and improvements are made. Construction vehicles make numerous trips to achieve their goals. The wear and tear on existing roads and the danger to existing residents are a major concern. There are many children in the neighborhood and their safety, along with the other residents, should be first and foremost on the City's (and elected official's) priority list. In addition, construction vehicles should not be allowed to turnaround, back in to or otherwise trespass on private property driveways of current, taxpaying/voting residents of North Road.

Another concern to be addressed is the additional residential traffic that will come with the new houses. North Road isn't very wide and the children have a tendency to meander down the middle of it when they're coming to and from school and/or friends' houses, etc. The existing residents are aware of this fact and we look out for the kids. The additional traffic caused by the new housing will be a major hazard to these children and other pedestrian (and bike traffic). This is a violation of Criteria 2 to the zone change criteria "The change will not adversely affect the health, safety and welfare of the community."

Additional construction concerns come from illegal dumping of construction debris. This could be a potential problem for existing residents and how to mitigate the problem before it becomes a problem needs to be addressed.

Another item that should be addressed is a playground for the children from the "approximately 14 new residences on this 2 acre site" and other existing neighborhood children. If we're to be inconvenienced by new houses in the neighborhood, make improvements that will make it livable. Instead of 14 houses, why not make it 12 or 13 and put in a playground?

Please submit these written comments into the public records of the decision-making process of this rezoning.

Thank you,

Anthony I. Ceruti

Donna K. Ceruti

Exhibit 6

Hello my name is Jim Reichel, I live on 52548 North Rd

I received notice of the new subdivision that will include a road that connects West Lane to North Rd by way of Erin St.

I want to express my thoughts and concerns about 30-40+ new vehicles a day using North Rd to/from Columbia Blvd as well as construction equipment accessing the site from North Rd.

The Planning Commission and the developer have stated, that we, the current residents of North Road will benefit from this new access road (Erin St).

I have to tell you in my experience, as a contractor who builds new roads in subdivisions, the only residents that will benefit from using Erin St to North Rd to and from Columbia Blvd, are the new residents of the subdivision.

As a homeowner on North Rd, what I see is a traffic problem on North Rd to Columbia Blvd as 30-40+ vehicles a day use North Rd to access Columbia Blvd. Current proposal includes only 200 feet of improvement to North Rd…that is there will be no road improvements (no widening, no sidewalks, no curbs) all the way to Columbia Blvd. Currently, if you walk on North Rd – you walk in the street. It is a potential hazard now, imagine school kids walking to and from the bus stop in the middle of the road to get to the corner of Columbia & North with an additional 30-40 cars coming and going. The developer needs to improve North Rd to Columbia for everyone's safety…The City of Scappoose will require that Erin Rd be built per City of Scappoose specifications, dumping Erin Rd onto a narrow, rural county road to access Columbia Blvd without making improvement to North Rd just doesn't make good safety sense.

Construction vehicle access is another issue we should look at carefully. North Rd was not built to the specifications that the city/county would require now. Road maintenance needs to conduct a study to determine if North Rd in its present state, can adequately accommodate 30-40+ more vehicles a day and constant construction traffic during the building phase. Once all construction is complete will North Rd still be in the same state (no damage) as it is now? I hardly think so – and who will be responsible for its repair??

I think the residents of North Rd should resist any construction access onto North Rd and if during the construction of the new subdivision North Rd sustains damage, the owners of subdivision should be liable for repairs. The current residents of North Rd have paid taxes to build and maintain North Rd for the volume there now - we should not in any way have to incurr damage, safety issues, or costs that will come from the new subdivision; the developer should bear all the costs since they, and the City of Scappoose will realize the benefits ($$)

Jim L Reichel
503-781-3596

Exhibit 7

RECEIVED
AUG 18 2006
BY:

Heather Viereck
52621 North Road
Scappoose OR 97056

August 17, 2006

Council Member
Scappoose City Council
33568 East Columbia Ave
Scappoose OR 97056

Dear Council Member:

As a resident of North Road for the last 28 years, I have a few concerns about the pending annexation and development of the Unger property. Although it is inevitable for growth to happen, I believe that the safety of the children and adults that walk and drive along the road should be taken into consideration. As it is now, when children are walking home from the school bus stop, which is at the junction of Columbia Avenue and North Road, they end up walking in the road due the limited space and no sidewalks. There is barely enough room for two cars to pass at the same time. When you put all this together and add more traffic from construction and more houses, it is a recipe for disaster.

It would be greatly appreciated if the road could be widened and sidewalks put in, at the very least from the edge of the Unger's property. Thank you for your time.

Sincerely,

Heather Ka Viereck

Exhibit 8

RECEIVED
AUG 18 2006
BY:

Mike and Kathy Johnson
52561 North Road
Scappoose OR 97056

August 17, 2006

Council Member
Scappoose City Council
33568 East Columbia Ave
Scappoose OR 97056

Dear Council Member:

We have lived on North Road for 33 years and have watched this neighborhood grow with no improvements to North Road. Besides our residence, we also own 52559 North Road and another lot on Mobile Lane at the end of North Road. We have no desire to go into the city.

The amount of children that walk this road to and from school, ride their bikes and simply play along with adults that walk along North Road is great and is only going to grow with the development of the trail at the end of North Road. The corner of North Road and Columbia Avenue needs to be fully developed with sidewalks, widening of the road and proper road drainage. This is to only provide safety to those already living on North Road and to compensate for the added traffic which will occur when the Unger's development is finished.

Thank you for your time and consideration.

Sincerely,

Mike and Kathy Johnson

Exhibit 9

RECEIVED
10:45a
AUG 18 2006
BY:

August 17, 2006

11-residents have signed below

Council Members

From the members of our neighborhood:
N.R.C.A. (North Road Community Association)
52660 North Road
Scappoose, OR. 97056

Scappoose City Council,
We the undersigned are residents of the North Rd. area, as some of us may not live directly on North Road.___ this road is the access to our homes. We will be greatly affected by the proposal of the annexation of the Unger property as it is currently being proposed to the council for approval.

The amount of children who walk and play in this area have increased over the years, and we are worried about their safety. We would like to ask that the council not allow construction traffic to access or use North Road during the development phase. We would suggest they use the road that will enter from West Lane into the new sub-division of Heritage Farm, and leave the same direction. After the Sub-division is complete then open the entrance to North Road.

We would also like to ask the council to change the zoning before it goes for the vote of the public, from MHR (Mobile Home Residence) zoning with the county to R-1 with the City of Scappoose, before it goes to the vote of the people.

We are also concerned about the added damage traffic would do to our road, and who would be responsible for the repairs?

Safety is our biggest concern not just with traffic issues, but also with the potential increase of criminal activity due to easier access if the north end of North Road is opened up as rumored. Currently not many people drive through here, and we like it this way.

Sincerely,

Signed: Residents of the North Rd. area

1. David Sleightam 34032 mobile lane
2. , 34032 mobile lane MARCI Sleightam
3. Mike Hannington 34033 Mobile Lane Mike Hannington

1 of 2

4. DAVID LAMBERT 34029 MOBILE LN. David Lambert
5. Trenee Lambert 34029 Mobile Ln. Yenee Lambert
6. BILL MATHISEN 34005 Mobile LN Bill Mathisen
7. Bonnie Walls 34006 Mobile LN. Bonnie Walls
8. Benny WALLS 34006 MOBIL LN Bennywalls
9. Robert + Lori Miller 52612 North rd Robert D Miller
10. Patrick + Susan McKean Lori Miller
52669 N. RD. Patrick D. McKean
11. Susan A. McKean
12.
13.
14.
15.
16.
17.
18.
19.
20.
21.

Exhibit 10

August 18, 2006

RECEIVED
AUG 18 2006
10:45a
BY:

Council Members

Carolynn Collie
52660 North Road

Dear Scappoose Council Members,
I am deeply concerned about the various issues, concerning the new sub-division that is being proposed, and the City Council is being asked to accept as is, some of these concerns have already been brought to your attention by our community members at your last City Council meeting.

As a long time member of this North Road community (33 years) I have seen many changes here, all for the good. Many of the faces have changed over the years, but only three new homes have been added to the area, so the resident dwellings have not changed in numbers much, and traffic levels have stayed pretty much the same. The only increase I've seen is in the amount of children who now live here and play here. I raised five children here and never had to worry about their safety. We stayed here because it was, and still is, a great and safe place to live. Crime is also deterred, because of the inaccessibility to the area.

I want Mr. Unger to be able to retire from his place and too, enjoy where he goes from here. We're (Gary, my husband and I) not against the new sub-division, only that the traffic flow goes out from the new development south toward Columbia Avenue, after the development is completed. Until the development is completed we would like all construction traffic and resident traffic from the "Heritage Farms" development to flow in and out through to West Lane road.

Keeping the traffic from the new development toward the south end of North road, would insure the safety of the majority of the members of North road area. We are asking that no traffic, other than the residents of North road, Mobile Lane, and Roundhouse Lane., be sent at anytime north to a proposed opening to the Crown Zellerbach (C.Z.) road, which is designated as a "Linear Park Path." If this were to happen the safety of everyone would be jeopardized. The new development that is proposed north of the Crown Z. road has plenty of room to access west to West Lane road, or behind Walkers property to "C.Z." road and then maybe move the gate of the linear path east of a new opening behind Walker's property, then the traffic that would only use about 200 feet of the "C.Z." road.

Most of the children live north of the proposed development, please keep the traffic moving south, but I do ask for the improvements to be done all the way to Columbia Ave.

I do have to say that over the years I have had near misses, many times, at the intersection of North road and Columbia Ave., when I'm coming up to the stop sign, and a car is

turning on to North road. They cut the corner to short and don't see me as I approach the sign, because of the large laurel bushes. This corner needs to be taken care of too. Also proper drainage needs to be put in place, for the tremendous amount of water that collects at this intersection.

Thank you for your time in this community and for listening to our concerns.

Sincerely,
Carolynn Collie

Carolynn Collie
52660 North Road
Scappoose, Or. 97056
503-543-2417

202

Exhibit 11

Jaicilynn Collie
52660 North Rd.
Scappoose, OR. 97056
August 16, 2006

RECEIVED
AUG 18 2006
10:45
BY:

City Council Members
Scappoose City Council
33568 East Columbia Ave.
Scappoose, OR. 97056

Dear City Council Member,

I am twenty-three years old and have lived my whole life on North Rd. I have seen some changes here in my twenty-three years, in fact my parents brought about some of those changes, which brought a different look to the neighborhood. I have always felt safe growing up here in this quiet community of North Rd. I'm not against new growth, what I am concerned about is not only my safety, you see I'm a runner and I run or walk this road everyday, but for the safety of all the children now growing up along this road. There are considerably more children than when I was growing up. I think a count was taken and there are about 35- 37 children now living here in this area, and this does not include myself or two of my siblings who still live here as young adults.

The roads here are very narrow, and there are no side walks. I run at different times of the day, so I encounter different flows of traffic. What is scary is when two cars meet each other, normally they have to drive on the grass on the sides of the road to pass, and when I'm running they have to come to a complete stop until I pass. I take all the safety precautions I can, in wearing the right equipment and such to help prevent an accident, but one never knows, and now with the added increase of construction traffic and residential traffic on to North Road, it greatly increases my fear.

I under stand that when this piece of property is voted into the city that it will be zoned M.H. (mobile home?), which would give opportunity for more dwelling spaces to be put in a smaller space than what the rest of the neighborhood has. In order to lessen the amount of traffic onto North road , couldn't the zoning be changed before it goes to the people for a vote, to maybe a zoning that has a lesser amount of houses that could be built on it?

The school bus wouldn't come and pick us up when I was in school, we had to walk to the end of the road and wait along Columbia Ave., where it was dangerous to stand.

Please make sure the kids are safe.

This road is not adequate for the increased amount of traffic.

Sincerely,

Jaicilynn Collie

Exhibit 12

RECEIVED
AUG 18 2006
10:45 am
BY:

August 18, 2006

Dear City Council Members,

My name is Jim Reichel; I live at 52548 North Road. I am strongly opposed to any new street that would connect to North Road from any new subdivision, without street improvements to widen North Road from the new entrance all the way to Columbia Blvd prior to any construction activity.

The main reason for my concerns are as North Road is now, it's only 15 feet wide. The city, county, and/or school district won't even allow any school bus service on North Road. The kids have to walk to the corner of North Road & Columbia Blvd for bus service. It would seem very dangerous to allow new traffic on a sub-standard road from construction equipment, construction workers, and eventually the new residents without improvements.

I understand that the urban growth boundaries are moving into the county right of ways; the city should be concerned with the issues that result from extra traffic on these sub-standard county roads. These roads, in a lot of cases, such as with North Road, are marginally maintained now, imagine the damage after a year or two of construction traffic and equipment. I hope the city, in this, and its further planning for new development, would insist that development applicants are made to improve any county rural road to at *least* county standards from the site of new development to the nearest main intersection *before* any construction begins.

With the annexation of development property, The City of Scappoose should have the obligation to protect future city residents, as well as the existing county residents from poor planning by allowing developers to use sub-standard county roads for access into their new developments. The new city residents are going to be just as concerned about safety on North Road as I am now, let's be pro-active and prior to annexation make it clear that road improvements will happen before any development begins.

Sincerely,

Jim Reichel
52548 North Road
Scappoose, OR 97056
503 781 3596

Exhibit 13

RECEIVED
AUG 18 2006
10:45a
BY:

August 18, 2006

Scappoose City Council Members,

I live on North Road. There's not much to brag about about North Road, except it is home to 30+ county residents who travel this poorly maintained, narrow road daily and like it just the way it is. But change is around the corner, actually, in the middle of the block and I for one am concerned.

The pending annexation of the Unger property has brought neighbors out, out to meet one another, out to speak out about a common concern - safety on North Road. Heck, many of us have attended our first planning commission and city council meetings ever! I can honestly tell you that probably no one really had given safety a second thought till now. Why would we? It's our kids walking up and down the road, riding their bikes, playing hopscotch - why worry, because it's our neighbor that's driving by them - the same neighbor we wave to in their yards. We know to look out. North Road is 15 feet wide, it's a dead end, and has no street lights - you have to be careful of children & animals because there's little room for error.

First and foremost my concerns are about safety. North Road, as it is now, is 15 feet wide, that isn't wide enough for the school bus to travel down safely and pick up the school kids. North Road kids have to walk to the corner of North Road & Columbia Blvd, there are no sidewalks, they usually walk down the middle of the road, moving over into the grass when/if a car needs to pass. There are no street lights on North Road either, making the winter months walks all that more dangerous in the dark.

Now think forward to a road opened to North Road. Initially this road will provide construction access for the new housing development. Construction traffic and equipment will become common place for at least 2 years during construction. Added traffic to an already poorly maintained county road and the inadequate intersection of North Road & Columbia Blvd seems to be playing Russian roulette with the safety of existing county residents, construction workers, and eventually new city residents. If a school bus can't safely come down North Road to pick up school children...how will a dump truck or any other construction equipment safely travel on North Road in its current state?? In all good conscience, can the City of Scappoose overlook a dilapidated county road for the sake of new revenues generated by new city residents? I sincerely hope not.

North Road is on the fringe on annexation, literally a county island in a city sea. I have no vote in annexation of 180 feet of North Road, yet will be impacted the most by the added traffic. I implore you, make road improvements to the next busiest intersection mandatory prior to development, and annex with the stipulation that it will be low density housing zoning, keeping with our existing neighborhood. Or, keep the high density zoning and no access allowed onto North Road by either construction vehicles or the new residents - and leave our narrow 15 foot county road to its 30+ residents.

Sincerely,

Karen Blow

Karen Blow
52548 North Road
Scappoose, OR 97056
360 921 2940

Exhibit 14

RECEIVED
AUG 18 2006
10:45 a
BY:

August 18, 2006

City Counsel:

As a resident at 52637 North Rd I feel that the proposed open of North Rd to a new sub-division that is planned across from the old Crown Zellerback Rd has not been study enough at this time to determine the impact on the existing residents of North Rd.

If the city wants to annex Mr. Ungers property into the city I have no objections. However to put on the same proposal to go about a half a mile a way and attach the opening of North Rd would be ill advised at this time.

With over 35 children and two day cares using this narrow road the impact would be devastating to the neighbor-hood.

My five-year-old grand son lives at the Brookshire Apartments. There is no place for him to play baseball or ride a bike. He comes to one of the few places left in Scappoose where he can play with out fear of cars and heavy traffic. We always are with him while he rides his bike but others using the street are not watched as close.

We have older people use the road for walks and bicycling. The reason is that it is not a through road and they don't have to worry about traffic. Plus the beauty of the flowers plants and yards the residents provide for their viewing. I am afraid we would lose all of this if North Rd becomes a through fare for some other sub-division.

Please consider our neighborhood when making your decision.

Thank you for considering my concerns.

Jeri Waite
52637 North Rd.
Scappoose OR. 97056
Tel 503-543-5058

Exhibit 15

RECEIVED
AUG 18 2006
10:45
BY:

08/17/06

Jenna Collie
52660 North Rd.
Scappoose, OR 97056

Council Member
Scappoose City Council
33568 East Columbia Ave.
Scappoose, OR 97056

Dear City Council Members,

I am a current resident on North Rd. in Scappoose, and have lived on this road my whole life. My parents were always comfortable with us riding our bikes without worry of traffic. One of my favorite places to go was the logging road, it was an endless place to ride, and the blackberries are free! When I found out that the road is being considered as a through road for an industrial area my heart sunk. I still use this road for running, long bike rides, and just time alone to pray, and be by myself. I hope you can consider how valuable this road would be if it were used as a trail. Oregon is known for its beautiful forests and trails. I personally love traveling all over Oregon to find new trails. If this is a trail, and it extends to Vernonia and I heard it could possibly reach the coast, you can just imagine how many people would come to this area because of this mighty trail that reaches from the river to the coast. I've seen horseback riders, bikers, walkers, runners, grandparents and their grandkids, fishermen, families, and more on this safe, beautiful and quiet road. If North road is extended to the logging road, it would make north road more unsafe for children. There are two daycares on this road and children playing all the time. I am a voice/piano teacher, and in the fall I will have students coming to my home for lessons. They are grade school and high school age, and some may be walking, or biking. This trail could give us a bigger place on the map. It's beautiful! If you haven't walked or taken your bike down it, please take the time to do so and see what I'm talking about.

Thank you for listening,

Jenna R. Collie

Exhibit 16

Helen Bekavac
52428 North Rd
Scappoose, Or 97056-3416

RECEIVED
AUG 18 2006
10:45 a
BY:

August 14, 2006

Scappoose City Council
33568 E. Columbia Ave.
Scappoose, Or 97056

Dear Council Members:

Because I enjoy living in Scappoose I can understand others wishing to come to this area. That requires more housing, hence new developments. The proposed annexation of the Unger property on North Road and the development plan for that property present some concerns for those of us who live on North Road.

The road is inadequate for the use it gets now and could not possibly accommodate construction equipment use. There is also the question of safety, children must walk along this narrow road to Columbia Ave to meet their school bus.

An R-1 zoning for the development, rather than MH, would blend into the neighborhood better and perhaps reduce additional traffic to a degree. Safety on this substandard road is a very serious concern.

Sincerely,

Helen Bekavac

Exhibit 17

RECEIVED
AUG 18 2006
10:45 a
BY:

August 17, 2006

Council Members:

From Junior Peal
52637 North Rd.

Scappoose City Counsel. As a North Rd resident I am concerned about the proposal that is taking place on North
Rd.

I have no problem with the annexation of Mr. Unger's property. He has held this property to sell for his retirement.

Because of the narrowness of the North Rd off of Columbia Blvd. I would like to see the new developer use the West Lane entrance while development of the new sub-division is being built. After the paved streets and curbs in the new sub-division have been established it would only be appropriate to widen and put at least one side walk to Columbia Blvd. This is only a additionally 146 feet.
There is not at this time room for large equipment or trucks to use North Rd.

I would also ask that the opening of North Rd as a access road across the old Crow Zellerback road to a new planned sub-division be taken off the proposed annexation of Mr. Ungers property.

I think a study of the impact of what will happen to an already existing neighbor- hood has not been fully study. It also will be in conflict with the existing Crown Zelleback Linear Trail that was given to Columbia County.

Mr. Tony Hyde of the County Commissioners who is in charge of the Linear Trail has not done a study to see if this is in direct conflict with the old Rd. Mr. John Hinkle and Mr. Loni Welter have given Mr. Hyde a proposal of what Scappoose City would like but as residents we have not heard at this time the results of that meeting.

I would like to thank you for your time and would like to work with you to make our community a better place for all to live. For the people who already live in this community and for the new people who will be moving to Scappoose.

Sincerely
Junior Peal
52637 North Rd.
Scappoose, Or 97056
Tel 503-543-5058

Junior Peal

Exhibit 18

RECEIVED
AUG 18 2006
BY: 10:45 a

Carson Collie
52660 North RD.
August 17, 2006

City Council Members
Scappoose City Council
33568 East Columbia Ave.
Scappoose, OR. 97056

Dear City Council Members,

I have lived in this neighborhood since February 17th 1989. I have seen some changes in Scappoose and it upsets me, but I know things change. North Road has even seen its own changes over the seventeen years that I've lived here, yet it has always been a fun place to live, play, and grow-up. Now that I'm driving I realize the road I rode my bike on, in my younger days, is a lot smaller than I remember it, and there are more kids on the road riding and playing. It's not real safe!

One of the dangerous parts of North Road, I see as a new driver is at the end of North Road, where it meets with Columbia Avenue, turning right onto Columbia is difficult, because of the trees that block the vision of the traffic heading west on Columbia Ave. Also, when approaching the stop sign at the end of North Road, I have had cars turning onto North Road from Columbia Avenue almost hit me, because they can't see me, due to the tall hedges to the west side of North Road, and because the road is so narrow.

I want the "Logging Road" (C.Z. Road) to be used as a "park path" for pedestrians; bikers; and horse riders only, not for motorized vehicles, and leaving the gates, at each end of this path, where they currently are. Please do not suggest opening the south end of North Road to more traffic. It would create more safety problems.

Thank you for listening to my concerns.

Sincerely,

Carson Collie

Exhibit 19

RECEIVED
AUG 18 2006
BY: 1:08 pm

Linda di Pietro
25626 North Road
Scappoose, OR 97056
August 17, 2006

Council Member
Scappoose City Council
33568 E. Columbia Ave.
Scappoose, OR 97056

Dear Council Member:

On behalf of the North Road Community Association I would like to thank you for your time and assistance given at the August 7th City Council meeting. I personally felt we were listened to and there was a genuine interest and willingness to be helpful and patient as we learn how to advocate for our neighborhood.

Through this process I hope it is understood that we do not want to interfere with annexation of the North Road property, but instead to do what we can to voice our concerns with the potential impact development of this property will have upon each of us. While the annexation of this property represents a single decision for the council, for us it also ties into plans for the properties north of the Crown Zellerback Road and the Linear Trail.

With all of this in mind I would like to remind you of our worries concerning the potential dangers and damage that will exist if North Road is used during the construction phase of the development. Roughly 35 children live throughout this neighborhood and many walk all the way to Columbia Avenue to catch their bus. During the winter months it is dark as the children walk to their bus stop. Our street and neighborhood cannot handle the impact of the construction process. Please don't allow this when the time comes.

I would also like to ask that when annexation of the North Road property is approved by the City Council that the zoning not be MH. A zoning of R-1 would be a much better match with the neighborhood. I realize that for Taurus Homes this would mean building different and fewer homes, but if a higher density housing development is built it will result in an increase in the number of cars and foot traffic. The builder will be required to make some street improvements, but it would be unfair to ask that they be responsible for improving the entire street. I would be satisfied with the ½ street improvements from their property to Columbia Avenue if the property is zoned R-1. I don't believe that the ½ street improvement will be enough to truly address the safety concerns MH zoning will create, as it also represents a greater increase in population.

Again I'd like to thank you for your careful attention to our concerns and look forward to working with you on the progress surrounding our neighborhood.

Sincerely,

Linda di Pietro

Linda di Pietro

Exhibit 20

RECEIVED
AUG 18 2006
BY:

Russ and Annette Jacobsen
52538 North Road
Scappoose, Oregon 97056

August 17, 2006

Judie Ingham
Scappoose City Council
33568 East Columbia Ave
Scappoose, Oregon 97056

Dear Judie:

We are writing you today to voice our concerns regarding the proposed Taurus Homes Annexation and Subdivision at 52525 North Road.

We live across the street on the north side and have strong concerns about what another access point to North Road will do to the quiet, small country road that we currently have. Our concerns include the time during the development and the effect of increased traffic after construction.

Our first concern is the safety of our children if construction equipment and trucks are running up and down the already narrow country road. Our children, ages 6 and 12, go to and from the corner of North Road and Columbia Avenue to get on and off the bus for school. North Road children, including ours, play on the road because it is such a nice peaceful country road. There are two daycares and many families on this road, so many children walk down to the bus.

Second, we are concerned that our road will not be able to survive the increased traffic that a through street would create. During the long process of construction, if large vehicles are going back and forth, the road will deteriorate rapidly. The impact will be even worse during winter months. Since the road is very narrow, the residents on this road drive down the middle and slow or stop to let others by when coming upon other vehicles going in the opposite direction.

We don't mind development, but would prefer that there is no access to North Road at all from the pending development. All the construction coming and going onto North Road will be too much traffic. After construction, there will be at least 40 new vehicles accessing our little country road and dramatically increase the danger for our children. They can access the subdivision via Columbia and 5th Street or West Lane and Crown Zellerbach. If we cannot have that blocked off then we will definitely need improvements from the new development up to Columbia Avenue in order to keep our road safe and in fair condition.

We appreciate your time in listening to our concerns.

Sincerely,

Russell C Jacobsen
Annette Jacobsen

Russ and Annette Jacobsen

Exhibit 21

TAURUS HOMES INC
FINE HOMES & COMMUNITIES

August 29, 2006

Dear Mr. Unger

Please accept this letter as a formal notification from Taurus Homes to relinquish our contract obligations to your property at 52525 North Road, Scappoose Oregon due to feasibility requirements not meeting contract requirements. If you have any questions please feel free to contact us at 503-647-9444.

Sincerely,
Chuck Mitchell
Land development manager

29345 NW West Union Rd North Plains, OR 97133 503.647.9444 ph 503. 647.9445 fx
CCB#136009 www.taurushomes.com Equal Housing Opportunity

Exhibit 22
(page 1 of 2)

To The Members of The Council,

Concerning The ANNEXATION and Sale of My land. Taurus Homes have backed out of The contract and are no longer interested in buying My land because of The actions of This Council. However, I still would like To be annexed into This city.

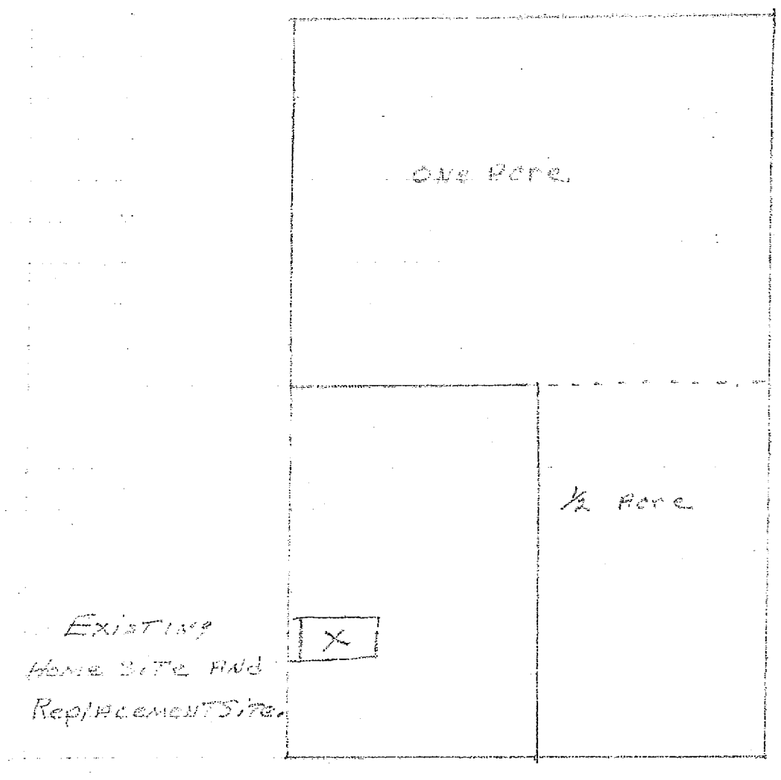
My intention Now is To replace My existing Home with A Two bedroom Manufactured Home on The existing site, using About one half Acre.

Then if possible Hook up To city water and Sewer. After THAT, in The future I Hope To divide The remaining land into Three or Four sites for Sale as home sites. With My land being in The urban growth boundary, City limits Next door and My Neighbors Not being AGAINST This Annexation, Hopefully I can recoup My losses and have A Home To live in.

So I Hope The council will grant My request For Annexation and allow it To go forward To A vote of The people.

Thank You
Don R Unger
503-543-6539

Location 12522 North Road
Tax Lot 6000, T3N R2W Section 14-14



ORDINANCE NO. 787

AN ORDINANCE RELATING TO LAND USE, APPROVING ANNEXATION OF PROPERTY TO THE CITY OF SCAPPOOSE, AMENDING THE ZONING MAP, AND CALLING AN ELECTION

WHEREAS, an application was filed by Masonry Builders, Inc. to annex property described in Exhibit A, attached hereto and incorporated herein, to the City of Scappoose; and

WHEREAS, pursuant to Section 17.136.070 of the Scappoose Municipal Code, the property described in Exhibit A would automatically be zoned Low Density Residential (R-1) upon annexation due to the property's "Suburban Residential" Comprehensive Plan designation; and

WHEREAS, hearings were held pursuant to Scappoose Municipal Code Chapters 17.22 and 17.136; and

WHEREAS, pursuant to Section 17.136.030 of the Scappoose Municipal Code, annexations must be referred to the voters of the City for approval; now therefore,

THE CITY OF SCAPPOOSE ORDAINS AS FOLLOWS:

Section 1. The application to annex the property described in Exhibit A is hereby approved, subject to approval by the voters of the City. Pursuant to ORS 222.160, the Exhibit A property will be declared by Resolution to be annexed to the City of Scappoose if the Columbia County Elections Officer certifies that the majority of voters in the City approve the measure.

Section 2. Pursuant to Scappoose Municipal Code Chapter 17.136, annexation of the Exhibit A property will be submitted to Columbia County to be placed on the May 15, 2007 ballot. The ballot title for such question is herein adopted, and attached hereto as Exhibit B.

Section 3. In support of the above annexation and zone change, the City Council hereby adopts the findings, conclusions and recommendations of the Staff Report dated February 14, 2007, attached as Exhibit C attached hereto and incorporated herein.

Section 4. The annexation approved by this Ordinance shall take effect upon the date of certification of the election approving the annexation.

Section 5. Upon certification of the election on annexation, the City Manager is directed to conform the City Zoning Map to the provisions of this ordinance.

PASSED AND ADOPTED by the City Council this 20th day of February, 2007, and signed by me in authentication of its passage.

CITY OF SCAPPOOSE, OREGON

Scott Burge, Mayor

First Reading: February 5, 2007
Second Reading: February 20, 2007

Attest:

Susan Pentecost, City Recorder

Exhibit A
Legal description of property to be annexed and zoned Low Density Residential

Columbia County Assessor Map No. 3107-032-04000

That certain tract of land situated in the Southwest quarter of Section 7, Township 3 North, Range 1 West, Willamette Meridian, Columbia County, Oregon, more particularly described as follows:

Beginning at an iron pipe set South 896.56 feet and East 716.92 feet from the quarter corner on the East side of Section 12, Township 3 North, Range 2 West of the Willamette Meridian, Columbia County, Oregon, said point being on the Southerly right of way line of Honeyman County Road; thence along said Southerly right of way line of said County road North 64° 14' West 222.0 feet to the Northwest corner of that certain tract as described in deed from R.B. Jones et ux to Alex Fisher et ux recorded October 10, 1946 in Book 89, page 227, Deed Records of Columbia County, Oregon, said point being the True Point of Beginning of the tract to be described herein; thence South 20° 06' West, along the West line of said Fisher tract a distance of 290.5 feet; thence North 64° 14' West a distance of 150.0 feet; thence North 20° 06' East a distance of 290.5 feet to the Southerly right of way line of Honeyman County Road; thence South 64° 14' East, along the said right of way line of said County Road a distance of 150.0 feet to the point of beginning.

Exhibit B
Ballot Title

NOTICE OF CITY MEASURE ELECTION

City of Scappoose
(Name of City)

Notice is hereby given that on Tuesday, May 15, 2007 (Day of week) (Date of election), a measure election will be held in the City of Scappoose, in Columbia County, Oregon. (Name of county)

The following shall be the ballot title of the measure to be submitted to the City's voters on this date:

CAPTION (10 Words)

ANNEXATION OF COLUMBIA AVENUE PROPERTY TO THE CITY OF SCAPPOOSE

QUESTION (20 Words)

Shall the described property be annexed to the City of Scappoose?

SUMMARY (175 Words)

Masonry Builders, Inc. has requested that the City annex property.

This measure, if approved, would annex approximately 1 acre to the City of Scappoose. The property is located at 34078 East Columbia Avenue. The property is described as Columbia County Assessor Map No. 3107-032-04000. The property is located in the Urban Growth Boundary and is contiguous to Scappoose City limits. Annexation would cause the property to be placed on the City's tax rolls and would result in additional revenues to the City.

The following authorized city official hereby certifies the above ballot title is true and complete, which includes completion of the ballot title challenge process.

Signature of authorized city official (not required to be notarized) | Date signed

Printed name of authorized city official | Title

City of Scappoose

Council Action & Status Report

Date Submitted:	2/15/07
Agenda Date Requested:	2/20/07
To:	Scappoose City Council
Through:	Planning Commission
From:	Brian Varricchione, E.I.T. City Planner & Assistant City Engineer
Subject:	Request by Masonry Builders, Inc. to annex 1 acre on East Columbia Avenue

Type of Action Requested:

[ ]	**Resolution**	[X]	**Ordinance**
[ ]	**Formal Action**	[ ]	**Report Only**

Issue: Masonry Builders, Inc. has requested annexation and a subsequent zone change to Moderate Density Residential (R-4) for approximately 1 acre. The Planning Commission recommends approval of the annexation but recommends denial of the zone change to R-4 (the property would automatically be zoned to R-1 upon annexation). At the February 5 hearing, the Council approved a motion to annex the property and zone it R-1 as specified in the attached ordinance.

Analysis:
Masonry Builders, Inc. has submitted an application (Docket # ANX6-06/ZC6-06) to annex 1 acre on the south side of East Columbia Avenue. According to Section 17.136.070 of the Scappoose Development Code, because the parcel has a Suburban Residential (SR) Comprehensive Plan designation, upon annexation the land shall automatically be zoned Low Density Residential (R-1). The applicant requested that the City zone the property Moderate Density Residential (R-4) instead of R-1.

The Planning Commission held a public hearing regarding this request on January 11, 2007. The Commission recommended approval of the annexation and recommended denial of the zone change to R-4. On February 5, Council

voted to approve the annexation application and deny the zone change application. An ordinance to approve the annexation is attached. Approval of the ordinance would refer the annexation to the electorate for their consideration.

Options:

1. Approve the annexation application, deny the zone change, adopt the findings in ANX 6-06/ZC 6-06 staff report dated February 14, 2007, and adopt the proposed ordinance, thereby placing the annexation on the May 15, 2007 ballot.

2. Approve the annexation application and the zone change, amend the findings in ANX 6-06/ZC 6-06 staff report dated February 14, 2007 to approve the zone change, and amend the proposed ordinance to approve the zone change, thereby placing the annexation on the May 15, 2007 ballot.

3. Adopt findings demonstrating that the application does not comply with the Scappoose Municipal Code and deny the application.

Recommendation: Staff recommends that the Council approve the annexation application, deny the zone change application, and adopt the Ordinance as presented.

Suggested Motion: N/A (second reading of the ordinance)

DRAFT

ORDINANCE NO. 787

AN ORDINANCE RELATING TO LAND USE, APPROVING ANNEXATION OF PROPERTY TO THE CITY OF SCAPPOOSE, AMENDING THE ZONING MAP, AND CALLING AN ELECTION

WHEREAS, an application was filed by Masonry Builders, Inc. to annex property described in Exhibit A, attached hereto and incorporated herein, to the City of Scappoose; and

WHEREAS, pursuant to Section 17.136.070 of the Scappoose Municipal Code, the property described in Exhibit A would automatically be zoned Low Density Residential (R-1) upon annexation due to the property's "Suburban Residential" Comprehensive Plan designation; and

WHEREAS, hearings were held pursuant to Scappoose Municipal Code Chapters 17.22 and 17.136; and

WHEREAS, pursuant to Section 17.136.030 of the Scappoose Municipal Code, annexations must be referred to the voters of the City for approval; now therefore,

THE CITY OF SCAPPOOSE ORDAINS AS FOLLOWS:

Section 1. The application to annex the property described in Exhibit A is hereby approved, subject to approval by the voters of the City. Pursuant to ORS 222.160, the Exhibit A property will be declared by Resolution to be annexed to the City of Scappoose if the Columbia County Elections Officer certifies that the majority of voters in the City approve the measure.

Section 2. Pursuant to Scappoose Municipal Code Chapter 17.136, annexation of the Exhibit A property will be submitted to Columbia County to be placed on the May 15, 2007 ballot. The ballot title for such question is herein adopted, and attached hereto as Exhibit B.

Section 3. In support of the above annexation and zone change, the City Council hereby adopts the findings, conclusions and recommendations of the Staff Report dated February 14, 2007, attached as Exhibit C attached hereto and incorporated herein.

Section 4. The annexation approved by this Ordinance shall take effect upon the date of certification of the election approving the annexation.

Section 5. Upon certification of the election on annexation, the City Manager is directed to conform the City Zoning Map to the provisions of this ordinance.

PASSED AND ADOPTED by the City Council this _____ day of _____, 2007, and signed by me in authentication of its passage.

CITY OF SCAPPOOSE, OREGON

DRAFT

Scott Burge, Mayor

First Reading: February 5, 2007
Second Reading:

Attest:

Susan Pentecost, City Recorder

Exhibit A
Legal description of property to be annexed and zoned Low Density Residential

Columbia County Assessor Map No. 3107-032-04000

That certain tract of land situated in the Southwest quarter of Section 7, Township 3 North, Range 1 West, Willamette Meridian, Columbia County, Oregon, more particularly described as follows:

Beginning at an iron pipe set South 896.56 feet and East 716.92 feet from the quarter corner on the East side of Section 12, Township 3 North, Range 2 West of the Willamette Meridian, Columbia County, Oregon, said point being on the Southerly right of way line of Honeyman County Road; thence along said Southerly right of way line of said County road North 64° 14' West 222.0 feet to the Northwest corner of that certain tract as described in deed from R.B. Jones et ux to Alex Fisher et ux recorded October 10, 1946 in Book 89, page 227, Deed Records of Columbia County, Oregon, said point being the True Point of Beginning of the tract to be described herein; thence South 20° 06' West, along the West line of said Fisher tract a distance of 290.5 feet; thence North 64° 14' West a distance of 150.0 feet; thence North 20° 06' East a distance of 290.5 feet to the Southerly right of way line of Honeyman County Road; thence South 64° 14' East, along the said right of way line of said County Road a distance of 150.0 feet to the point of beginning.

Exhibit B
Ballot Title

NOTICE OF CITY MEASURE ELECTION

City of Scappoose
(Name of City)

Notice is hereby given that on Tuesday, May 15, 2007 (Day of week) (Date of election), a measure election will be held in the City of Scappoose, in Columbia County, Oregon. (Name of county)

The following shall be the ballot title of the measure to be submitted to the City's voters on this date:

CAPTION (10 Words)

ANNEXATION OF COLUMBIA AVENUE PROPERTY TO THE CITY OF SCAPPOOSE

QUESTION (20 Words)

Shall the described property be annexed to the City of Scappoose?

SUMMARY (175 Words)

Masonry Builders, Inc. has requested that the City annex property.

This measure, if approved, would annex approximately 1 acre to the City of Scappoose. The property is located at 34078 East Columbia Avenue. The property is described as Columbia County Assessor Map No. 3107-032-04000. The property is located in the Urban Growth Boundary and is contiguous to Scappoose City limits. Annexation would cause the property to be placed on the City's tax rolls and would result in additional revenues to the City.

The following authorized city official hereby certifies the above ballot title is true and complete, which includes completion of the ballot title challenge process.

Signature of authorized city official (not required to be notarized) — Date signed

Printed name of authorized city official — Title

CITY OF SCAPPOOSE
33568 EAST COLUMBIA AVENUE
SCAPPOOSE, OREGON 97056
(503) 543-7146
FAX: (503) 543-7182

EXHIBIT C

ANX6-06/ZC6-06 February 14, 2007
Masonry Builders, Inc: East Columbia Avenue Annexation and Zone Change

CITY OF SCAPPOOSE STAFF REPORT

Request: Approval of an application for annexation and a subsequent zone change to Moderate Density Residential (R-4) for approximately 1 acre.

Location: The subject parcel is located at 34078 East Columbia Avenue. The site consists of property described as Columbia County Assessor Map No. 3107-032-04000. See attached Vicinity Map (**Exhibit 1**).

Applicant: Masonry Builders, Inc.

Owner(s): Masonry Builders, Inc.

EXHIBITS

1. Vicinity Map
2. Legal Description
3. Applicant's Narrative for Annexation Request
4. Applicant's Narrative for Zone Change Request
5. Applicant's Conceptual Development Plan
6. Map of Annexation sites near SE Elm St. and E. Columbia Ave.

SUBJECT SITE

- The subject site consists of one parcel with an area of approximately 1 acre. The parcel is located on the south side of Columbia Avenue at 34078 East Columbia Avenue. See **Exhibit 1**, Vicinity Map. The legal description for the property proposed for annexation is attached as **Exhibit 2**.

- The subject site is designated as Suburban Residential (SR) on the Comprehensive Plan map. The property abuts City Limits on the north since East Columbia Avenue lies within the City. Properties west, south, and east of the site lie within Columbia County, as do properties on the north side of East Columbia Avenue. One parcel northeast of the site, on the northwest corner of Bird Road and Columbia Avenue, has also been proposed for annexation (Docket # ANX8-06). The Chinook Crossing West subdivision, located in the City, is separated from this site by one intervening parcel to the south.

- The site is within the boundaries of the Scappoose Rural Fire Protection District and the Scappoose Public School District. The site is currently under the police protection of the Columbia County Sheriff's Department.

- According to Flood Insurance Rate Map (FIRM) 41009C0463 the property is located outside the 100-year floodplain and within the Scappoose Drainage District. The Scappoose Local Wetlands Inventory Map does not illustrate wetlands within the property.

- The site is nearly level and has an existing residence.

OBSERVATIONS

CONCURRENT ANNEXATION AND ZONE CHANGE APPLICATIONS

- The site is currently zoned Single Family Residential, 10,000 square foot minimum lot size (R-10) by Columbia County. According to Section 17.136.070 of the Scappoose Development Code, because the parcel has a Suburban Residential (SR) Comprehensive Plan designation, upon annexation the land shall automatically be zoned Low Density Residential (R-1). The applicant has requested that the City annex the site (see **Exhibit 3**) and re-zone the property to Moderate Density Residential, or R-4 (see **Exhibit 4**). The site is nearby but not adjacent to other properties zoned R-4. The applicant has not requested an amendment to the Comprehensive Plan map. This report and the applicant's narrative discuss the impacts of moderate density development in comparison to low density development. A map depicting this site and other nearby sites proposed for annexation is attached as **Exhibit 6**.

PROPOSED RESIDENTIAL USE

- The applicant has indicated an intention to subdivide the site in the future if the voters approve the annexation (**Exhibit 4**). Under the R-1 zoning that would be automatically applied, the parcel could potentially be divided into five 7,500-square foot lots (including flag lots) accommodating detached single-family residential dwellings.

- If the applicant's request to re-zone the site to R-4 is approved, the property could potentially be divided as illustrated in the conceptual development plan included as **Exhibit 5.** This layout illustrates a total of 4 residential lots that would accommodate three duplexes and one triplex. This application has been analyzed based on the most intense development that could occur in the R-4 zone, which would be multi-family housing. Staff has concluded that the site could be developed with three 12,000-square foot lots accommodating four-plexes. The site could therefore support a total of 12 units in the R-4 zone rather than the 9 units discussed by the applicant in **Exhibit 4**.

- Future development proposals will be required to apply for Planning Commission approval (Tentative Subdivision Plan Review) to ensure compliance with the Scappoose Development Code and Public Works Design Standards. The proposed layout included as **Exhibit 5** may need refinement at that time to account for neighborhood traffic circulation, street right-of-way dedication, and frontage requirements.

STREET SYSTEM AND TRANSPORTATION IMPACTS

- The site has frontage on East Columbia Avenue, allowing efficient traffic connection to Highway 30. The City's amended Transportation System Plan (TSP) designates Columbia

Avenue as a Major Collector street, for which the standard right-of-way (ROW) is 66 feet. Additional ROW dedication and street improvements would be required as a part of a development proposal following annexation. The City's standard practice is to require half-street improvements as minimum conditions of development proposals, to be installed and funded by developers.

- Staff has used standard trip generation ratios published by the Institute of Transportation Engineers to estimate traffic levels from future development. If the site were developed with 5 lots in the R-1 zone, the site could be expected to generate approximately 48 average daily trips, 5 of them during the evening peak hour. If the site were developed with 3 four-plexes (the most intense development under the R-4 zone), the site could be expected to generate approximately 80 average daily trips, 8 of them during the evening peak hour.

- Development proposals may need to be accompanied by analysis of traffic impacts to ensure that the affected streets and intersections have adequate capacity to accommodate increased traffic.

- The City's Transportation System Development Charges (SDC's) are directly related to the volume of traffic generated by specific types of use. The SDC's collected from development can be used to pay for improvements to projects included in the City's Transportation System Plan.

- Full discussion of the traffic impacts associated with the annexation and zone change is found in Findings of Fact #2, Transportation Planning Rule.

UTILITIES & STORM DRAINAGE

- Electricity, telephone, and gas are provided to nearby residential properties and could be made available through the extension of nearby lines and public service infrastructure. Water and sewer can be extended from Columbia Avenue.

- The City Engineer has observed that storm drainage may be a challenge for this site. Though not located within the 100-year floodplain, this area has had trouble with high water (e.g., the 1996 flood). The applicant would need to address flooding and stormwater management at the time of development. An existing storm system runs in Columbia Avenue eastward from Tyler Street to the City wetlands east of 14th Street. The applicant could potentially tie into this system if evidence is provided that the storm line has adequate capacity to accommodate storm flow from this site. Storm water detention may be required to preserve capacity within the line.

- The site lies within the Scappoose Drainage Improvement District. Any development proposals will have to ensure that development of the site does not degrade water quality or increase water quantity draining to the Scappoose Drainage Improvement Company. This evaluation would be made at the time of a review of a specific development proposal.

PUBLIC & PRIVATE AGENCIES AND PUBLIC NOTICE

- The City of Scappoose City Manager, Engineering, Building, and Police Departments; Columbia County Road Department and Planning Department; Scappoose Rural Fire Protection District; the Scappoose School District; the Oregon Department of Transportation (Region 1); local utilities; and the Oregon Department of Land Conservation and Development have been provided an opportunity to review the proposal. Comments from these organizations have been incorporated into this staff report. The County Road department observed that street improvements would be required in conjunction with any future development.

- Notice of this request was mailed to property owners located within 200 feet of the subject site on December 13, 2006. Notice was posted on the property on December 24 and published in the local newspaper on December 27, 2006 and January 3 and 10, 2007. Staff has received no written comments from the public regarding the application. At the January 11 Planning Commission hearing, one neighbor objected to the proposed R-4 zoning and stated a preference for R-1 zoning for this site. At the February 5 City Council hearing, a neighbor requested that development of the site not cause stormwater problems on adjoining property.

APPLICABILITY OF STATEWIDE PLANNING GOALS

A number of Oregon's 19 Statewide Planning Goals and Guidelines apply to this application, as discussed in the *Findings of Fact.*

FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR APPROVAL

1. **The following Statewide Planning Goals have been considered by the City of Scappoose as they pertain to this request:**

   A. Citizen Involvement (Goal 1)

   Objective: *To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.*

   Finding:
   The City's acknowledged Comprehensive Plan & Development Code includes citizen involvement procedures with which the review of this application will comply. This process allows for citizens to communicate their input into the zoning map amendment review conducted by the City at public hearings or by submitting written comments. The City of Scappoose Planning Commission reviewed the proposed annexation and zoning map amendment on January 11, 2007 to make a recommendation to the City Council. The City Council held a hearing on February 5, 2007. The Applicant posted site notices on December 24, the City mailed notices to nearby property owners on December 13, and notice was published in the newspaper on December 27, January 3, January 10, and January 31. This process complies with the Goal.

B. Land Use Planning (Goal 2)

Objective: *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.*

Finding:
The procedural requirements for annexation and zone changes are contained in the Scappoose Municipal Code, which involve assessment of the application's merits, notice to affected parties, and public hearings. The proposal is to change the zoning designation of urban land within the Urban Growth Boundary, in compliance with Goal 2. Notice of the annexation and zoning map amendment has been provided by the City of Scappoose to the Oregon Department of Land Conservation and Development (DLCD) as required. The City's decision is based on findings of fact.

C. Agricultural Lands (Goal 3)

Objective: *To preserve and maintain agricultural lands.*

Finding:
This Goal is not applicable because the site is within the City of Scappoose Urban Growth Boundary and no identified agricultural resources are located on site. The site is designated for residential development in the Comprehensive Plan and is currently zoned for residential use by Columbia County.

D. Forest Lands (Goal 4)

Objective: *To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.*

Finding:
This Goal is not applicable because the site is within the City of Scappoose Urban Growth Boundary and no identified forest resources are located on site. The site is designated for residential development in the Comprehensive Plan and is currently zoned for residential use by Columbia County.

E. Open Spaces, Scenic and Historic Areas and Natural Resources (Goal 5)

Objective: *To protect natural resources and conserve scenic and historic areas and open spaces.*

Finding:
There are no identified Goal 5 resources on or near the site. The subject site is not designated as open space, a scenic or historic area, or a natural resource area by the City of Scappoose and does not contain any known significant open space, scenic, historic, or natural resources. The proposed annexation and zone change do not conflict with this Goal.

F. Air, Water and Land Resources Quality (Goal 6)

Objective: *To maintain and improve the quality of the air, water and land resources of the state.*

Finding:
The site is currently planned for residential use. If the annexation were approved, the site would be subject to City regulations that do not allow off-site impacts from noise, vibration, odors, glare, or other "nuisance" effects. The potential harmful effects on air, water and land resource quality is limited. The annexation and zone change proposal will therefore have no significant impact with respect to this Goal.

G. Areas Subject to Natural Disasters and Hazards (Goal 7)

Objective: *To protect people and property from natural hazards.*

Finding:
The subject site is not located within a mapped flood plain, potential landslide hazard, or earthquake hazard area. At the time of development, the applicant would need to design the lots and stormwater management system to account for the potential for localized flooding. The proposal to zone the subject property for residential development is consistent with avoidance of natural disasters and hazards under Goal 7.

H. Recreational Needs (Goal 8)

Objective: *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.*

Finding:
The site is presently designated for residential development on the Comprehensive Plan and has not been planned for recreational opportunities. The annexation and zone change to Low Density Residential (R-1) or Moderate Density Residential (R-4) will not result in a reduction in land planned or reserved for recreational use. Consequently, the proposed Annexation and Zone Change will have no significant impact on the City's planning for recreational needs.

I. Economic Development (Goal 9)

Objective: *To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.*

Finding:
The site is presently designated for residential development on the Comprehensive Plan and has not been planned for economic development.

J. Housing (Goal 10)

Objective: *To provide for the housing needs of citizens of the state.*

Finding:
The property proposed for annexation is designated Suburban Residential on the Comprehensive Plan map. The proposed annexation would increase the residential land supply within City Limits and would allow more intense development than currently permitted under County regulations. Furthermore, the site could only connect to City water or sewer if it were inside City Limits. If the site were zoned R-4, it could be developed with up to 12 dwelling units if multifamily housing were constructed. By contrast, if the site is developed with single-family residences as permitted in the R-1 zone, up to 5 lots could be created with a minimum size of 7,500 square feet. R-1 zoning would increase the supply of larger lots within the City.

K. Public Facilities and Services (Goal 11)

Objective: *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.*

Finding:
The subject property lies within the Urban Growth Boundary (UGB) and therefore requires the extension of public facilities and services at the developer's expense. Water is available in Columbia Avenue, sanitary sewer is available in Columbia Avenue, and storm drainage facilities would be constructed as conditions of approval for future subdivision applications.

L. Transportation (Goal 12)

Objective: *To provide and encourage a safe, convenient and economic transportation system.*

Finding:
This Goal requires the City to prepare and implement a Transportation System Plan (TSP). The Scappoose TSP assumed that this site would be developed under the City's Suburban Residential Comprehensive Plan designation and Low Density Residential zoning. The site falls into Traffic Analysis Zone #14, which had a 1995 population of 181 people and a projected 2015 population of 748 based on the Comprehensive Plan designations. Street classifications were chosen accordingly.

The TSP classifies Columbia Avenue as a Major Collector street, which requires a 66-foot right-of-way width and a 44-foot pavement width. Columbia Avenue does not currently meet this standard, so at the time of development, the applicant would need to perform half-street improvements to meet the City standard. Traffic analysis may be required at the time of development to determine the improvements required to protect health and safety and ensure efficient traffic circulation.

Traffic projections from future development have been computed using standard trip generation ratios published by the Institute of Transportation Engineers. If the site were developed with 3 four-plexes under R-4 zoning (the most intense development under the R-4 zone), the site could be expected to generate approximately 80 average daily trips, 8 of them during the evening peak hour. If the site were developed with 5 single-family residences under R-1 zoning, the site could be expected to generate approximately 48 average daily trips, 5 of them during the evening peak hour. The City does not anticipate that either level of development would cause failure of the local street network; however, smaller traffic levels would operate more smoothly and safely. The applicant would need to install appropriate street improvements at the time of development. The applicant may need to submit a traffic study with future development proposals to analyze individual intersections and street segments.

Additional findings are found in Findings of Fact #2, Transportation Planning Rule.

M. Energy Conservation (Goal 13)

Objective: *To conserve energy.*

1. Land use plans should be based on utilization of the following techniques and implementation devices which can have a material impact on energy efficiency:
a. Lot size, dimension, and siting controls;
b. Building height, bulk and surface area;
c. Density of uses, particularly those which relate to housing densities;
d. Availability of light, wind and air;
e. Compatibility of and competition between competing land use activities; and
f. Systems and incentives for the collection, reuse and recycling of metallic and nonmetallic waste.

Finding:
The site is located immediately adjacent to existing residential areas. The City's Comprehensive Plan provides for a variety of residential densities throughout the City, with denser development closer to the business center and less-dense areas farther from the center. Placing R-4 sites closer to downtown permits more efficient use of land and allows residents to walk to nearby amenities. The subject site is designated Suburban Residential on the Comprehensive Plan to provide an area zoned R-1 with larger lots than would be permitted in the R-4 zone.

N. Urbanization (Goal 14)

***Objective:** To provide for an orderly and efficient transition from rural to urban land use.*

Finding:
The subject property is within the Urban Growth Boundary and no expansion of the UGB is proposed. The proposed annexation and zone change is the first step in the transition from rural to urbanized land as foreseen in the Comprehensive Plan. Development of the site will trigger requirements for the developer to provide infrastructure, including necessary sewer lines, storm drainage lines, water line extensions, and street improvements.

O. Other Goals

Finding:
The following goals are not applicable to this application:

- Willamette River Greenway (Goal 15)
- Estuarine Resources (Goal 16)
- Coastal Shorelands (Goal 17)
- Beaches and Dunes (Goal 18)
- Ocean Resources (Goal 19)

2. The following Administrative Rule has been considered by the City of Scappoose as it pertains to this request:

TRANSPORTATION PLANNING RULE
OAR 660 Division 12 – Transportation Planning:

660-012-0060 Plan and Land Use Regulation Amendments
(1) Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided in section (2) of this rule to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. A plan or land use regulation amendment significantly affects a transportation facility if it would:

(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);

(b) Change standards implementing a functional classification system; or

(c) As measured at the end of the planning period identified in the adopted transportation system plan:

(A) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

(B) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or

(C) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.

Finding:
Analysis of the transportation impacts from the proposed annexation and zone change can be divided into four subtopics:

1. Traffic likely to be generated from development;
2. Impact of development-generated traffic on local street segments;
3. Impact of development-generated traffic on affected intersections; and
4. Transportation impact conclusions.

1. Traffic likely to be generated from development
The most intense development of the site under the R-4 zone would consist of 3 four-plexes. Based on standard trip generation ratios published by the Institute of Transportation Engineers, this level of development can be expected to generate approximately 80 average daily trips, 8 of them during the evening peak hour.[1] By comparison, if the site were developed under the R-1 zoning, up to 5 single-family residences could be built. The following table compares trip generation for R-1 and R-4 zoning of this site. Applying R-4 zoning rather than R-1 zoning would lead to an additional 3 trips during the evening peak hour and 32 average daily trips.

[1] The following trip generation ratios were used:
Single-family residences: 9.57 average daily trips and 1.01 PM peak hour trips per unit
Multi-family residences: 6.63 average daily trips and 0.62 PM peak hour trips per unit

Comparison of trip generation for R-1 and R-4 zoning

	Low Density Residential (R-1)	Moderate Density Residential (R-4)
Weekday trips	48	80
Weekday PM Peak Hour	5	8

The Transportation System Plan (TSP) analyzed traffic throughout the City. Based on the projected development densities envisioned in the Comprehensive Plan, the TSP anticipated that population within The Traffic Analysis Zone (TAZ) #14 would grow from 181 in 1995 to 748 in 2015. The annexation of this site and the application of the R-1 zoning are consistent with the Comprehensive Plan and the level of development analyzed in the TSP.

2. Impact of development-generated traffic on local street segments
Traffic to and from the site will utilize Columbia Avenue, which is classified as a Major Collector street.

This proposal does not "significantly affect" the impacted street segments (as defined by the Transportation Planning Rule) because the annexation and R-1 zoning are consistent with the TSP traffic assumptions, and R-4 zoning would cause only a limited increase in traffic levels compared to R-1 zoning. However, future development of the site will require additional improvements to Columbia Avenue to maintain safety. Full determination of the required improvements would be deferred until the time of development of the site, and would consist of half-street improvements at a minimum.

The affected street segments appear to have adequate capacity to accommodate large volumes of traffic. The capacity-controlling facility will be individual intersections, particularly the traffic signal at the Columbia Avenue/Highway 30 intersection (discussed below).

3. Impact of development-generated traffic on affected intersections
Traffic from development is likely to primarily impact two intersections discussed below.

a. East Columbia Avenue/West Lane intersection

This is a 4-leg intersection with stop signs on the north and south legs. The City does not have daily, morning peak hour, or evening peak hour traffic data for this location. However, it is not anticipated that additional traffic from development of the site would cause this intersection to fall below the City's standards requiring a Level of Service "E" or better for the minor approach at unsignalized intersections. Geometric improvements were recently completed at this location, which enhanced safety at the intersection. The proposed annexation and zone change does not "significantly affect" this intersection.

b. Highway 30/Columbia Avenue intersection

This is a 4-leg signal-controlled intersection. The Scappoose Rail Corridor Study (Kittelson & Associates, October 2002) indicates that the Highway 30/Columbia Avenue intersection will operate at a Level of Service "B" in the morning peak hour under the "base growth" and "full growth" scenarios, with a Level of Service "C" in the morning and evening peak hours under the "full growth" scenario (Figures 3-3, 3-4, 3-5, and 3-6). The Rail Corridor Study stated that the intersection currently operates with a volume-to-capacity (V/C) ratio of 0.74, which meets ODOT's mobility standard of 0.75. The same study indicates that even with no additional development of this site, this intersection will operate at a V/C ratio of 0.89 in the future in the "base growth" scenario and a V/C ratio of 0.94 in the "full growth" scenario. ODOT Region 1 has jurisdiction over this intersection and did not respond to or object to the annexation application. The City can conclude that the proposed annexation and zone change does not "significantly affect" this intersection or Highway 30 itself.

4. Transportation impact conclusions

Based on trip generation levels applicable to the R-1 or R-4 zone, the City finds that the annexation and zone change are consistent with the land uses envisioned by the Comprehensive Plan and the Transportation System Plan. Development of the site will generate on the order of 5-8 evening peak hour trips, which will have a minor impact on affected street segments and intersections. R-1 zoning would result in fewer trips than would be permitted under R-4 zoning, which would improve traffic operations on affected streets.

Therefore, the proposed annexation and zone change are consistent with the Comprehensive Plan and TSP and would not require a change in the functional classification or street standards.

As spelled out by Section 5.0013 of the Scappoose Public Works Design Standards, specific development proposals trigger the requirement for traffic analysis reports identifying projected trip generation levels, recommendations for public improvements, and access management. Any mitigation strategies prompted by the results of the traffic analysis reports would be installed as conditions of development.

3. **The following Goals and Policies from the Scappoose Comprehensive Plan are applicable to this request:**

GOAL FOR PUBLIC FACILITIES AND SERVICES

1) Provide the public facilities and services which are necessary for the well being of the community and which help guide development into conformance with the Comprehensive Plan.

2) *Direct public facilities and services, particularly water and sewer systems, into the urban growth area.*

3) *Ensure that the capacities and patterns of utilities and other facilities are adequate to support the residential densities and intensive land use patterns of the Comprehensive Plan.*

4) *Avoid the provision or expansion of public utilities and facilities in sparsely settled non-urban areas, when this would tend to encourage development or intensification of uses, or to create the need for additional urban services.*

Goals 5-11 are not applicable to this application.

POLICIES FOR PUBLIC FACILITIES AND SERVICES

1) *Design urban facilities and services, particularly water and sewer systems, to eventually serve the designated urban growth area; also, ensure that services are provided to sufficient vacant property to meet anticipated growth needs; also, develop a design review process to insure that public services and facilities do not unreasonably degrade significant fish and wildlife habitats.*

9) *Control local flooding and groundwater problems through the use of existing storm drainage systems and construction of new facilities in accordance with the Scappoose Storm Drain System Master Plan.*

19) *Approve annexations of new residential lands, except in the case of a health hazard, only when:*
   1. *There is sufficient capacity in the sewer, water, street, school, fire, and police systems to service the potential additional populace.*
   2. *Sufficient in-filling of vacant land has occurred to warrant an expansion.*

Policies 2-8, 10-18 and 20-27 are not applicable to this application.

Finding:
The City Engineer, City Manager, Chief of Police, Fire Chief, and school Superintendent were provided with the opportunity to determine whether sufficient capacity exists for needed facilities and services. No objection to this annexation has been expressed by City Departments or public service agencies. The public facility requirements must be met at the time that the applicant proposes a development plan. All plans and improvements are subject to review by the City Engineer and must conform to the requirements of the Scappoose Municipal Code and the Public Works Design Standards and Standard Specifications.

Fire & Police Protection

- The Scappoose Rural Fire District provides fire protection for this site. Development of the site will have to comply with all applicable fire and building codes and would provide hydrants in sufficient numbers and at locations deemed appropriate by the Scappoose Rural Fire District.

- If this site were annexed it would come under the protection of the Scappoose Police Department. Increased assessment valuation would generate some tax revenue to contribute toward the cost of providing service.

Streets

- The Columbia Avenue right-of-way generally has a 60-foot width rather than the 66-foot required by City standards. The paved width would be required to be widened and additional ROW would need to be dedicated to accommodate the traffic from future development proposals. The City would require half-street improvements along the site's frontage of Columbia Avenue as a condition of future development.

Schools

- Annexation and subsequent development of the site would increase school district enrollment. The local school district should receive additional revenues due to increased valuation as a result of future development to partially offset any increase in school district enrollment. The school district did not object to this application, and prior discussions have indicated that the overall student population for the district is relatively stable.

Water Service

- There is an existing City water line in Columbia Avenue to which the property would have access upon annexation, with extensions to be installed by the developer.

Sewer and Storm Drainage

- A sanitary sewer main is located in Columbia Avenue.

- There is no public storm drain system in the immediate vicinity of the site; however, a storm line runs in East Columbia Avenue eastward from Tyler Street. The applicant could potentially connect to this storm line at the time of development. The storm drainage system would be designed to ensure that development of the site does not degrade water quality or increase water quantity draining to the Scappoose Drainage District or cause other flooding or groundwater problems.

The applicable goals and policies of the GOAL FOR PUBLIC FACILITIES AND SERVICES, and the POLICIES FOR PUBLIC FACILITIES AND SERVICES, are satisfied.

GENERAL GOALS FOR LAND USES

1) The growth of the City should be orderly and in accordance with the public health, safety and welfare, while preserving individual choice and recognizing existing patterns of development.

6) Residential living areas should be safe, attractive, and convenient, and should make a positive contribution to the quality of life and personal satisfaction of the residents; additionally, there should be sufficient areas for a wide range of housing choices.

Finding:
The subject property is located in the UGB adjacent to land zoned R-10 by the County. Annexation would permit development in an orderly outward expansion. Development of the subject site is required to provide the infrastructure associated with new residential development, including public streets with curbs and sidewalks. Zoning the property R-1 as anticipated by the Comprehensive Plan will contribute toward satisfying the need for large-lot properties within City Limits. Zoning the property R-4 would allow both single and multi-family residences.

The applicable GENERAL GOALS FOR LAND USES are satisfied.

GOAL FOR HOUSING

1) Increase the quantity and quality of housing for all citizens

2) Locate housing so that it is fully integrated with land use, transportation and public facilities

3) Not applicable

4) Protect residential areas from conflicting land uses, unnecessary through traffic, or other undesirable influences.

POLICIES FOR HOUSING

1) Maintain adequate zoning, subdivision and building codes to help achieve the City's housing goals.

7) Ensure that subdivisions provide a full array of public services at the expense of the developer.

(Policies 2 through 6 and 8-10 are not applicable to this application.)

Finding:
The proposed annexation and zoning of the site for residential uses is consistent with Goals 1, 2, and 4 because the inclusion of a 1-acre lot with the potential for additional housing will increase the quantity of residential land in the City. The proposed use does not conflict with existing land uses because the site is adjacent to existing residential uses. In addition, the new residences will not generate unnecessary through traffic or undesirable influences.

The zoning of the site for residential use is consistent with the policies of the Comprehensive Plan. The site will assist in maintaining adequate land to meet the City's housing needs and future subdivision improvements will be made at the expense of the developer. The applicable goals and policies of the GOAL FOR HOUSING and the POLICIES FOR HOUSING are satisfied.

GOAL FOR THE SUBURBAN RESIDENTIAL LAND USE DESIGNATION

1) *Create conditions suitable for moderate concentration of people not in immediate proximity to public services, shopping, transportation and other conveniences.*

2) *Provide places suitable for single family dwellings, duplexes, triplexes, and four-plexes.*

POLICIES FOR THE SUBURBAN RESIDENTIAL LAND USE DESIGNATION

2) *Permit a degree of flexibility in residential site design and a mixture of housing types.*

3) *Promote the development of homesites at a density and standard consistent with: the level of services that can reasonably be provided, and the characteristics of the natural environment.*

6) *Ensure that new developments do not create additional burdens on inadequate sewer, water, street and drainage systems.*

(Policies 1, 4, and 5 are not applicable to this application.)

Finding:
The Scappoose Development Code states that the R-1 zone most closely implements the City's Suburban Residential Comprehensive Plan map designation. Furthermore, the City has a limited supply of vacant R-1 land to provide opportunity for larger lots.

The proposed annexation would allow subdivision of the site at urban densities. R-1 zoning would allow up to 5 single-family residences, while the requested R-4 zoning would allow of up to three four-plexes.

Annexation of the 1-acre site would not create undue burdens on the provision of municipal services. The applicable goals and policies of the GOAL FOR THE SUBURBAN RESIDENTIAL LAND USE DESIGNATION and the POLICIES FOR THE SUBURBAN RESIDENTIAL LAND USE DESIGNATION are satisfied by the annexation.

4. **The following sections of Title 17 of the Scappoose Municipal Code (Scappoose Development Code) are applicable to this request:**

Chapter 17.22 AMENDMENTS TO THE TITLE, COMPREHENSIVE PLAN, AND MAPS
17.22.010 Purpose. The purpose of this chapter is to set forth the standards and purposes governing legislative and quasi-judicial amendments to this title, the acknowledged comprehensive plan, and the related maps.

17.22.030 Quasi--judicial amendments. Quasi-judicial amendments shall be in accordance with the procedures set forth in Chapter 17.162 and the following:
A. The commission shall make a recommendation to the Council to approve, approve with conditions or deny an application for a quasi-judicial comprehensive plan map amendment or zone changes based on the following:
1. The applicable comprehensive plan policies and map designation;
2. The change will not adversely affect the health, safety and welfare of the community;
3. The applicable standards of this title or other applicable implementing ordinances; and
4. Evidence of change in the neighborhood or community or a mistake or inconsistency with the comprehensive plan or zoning map as it relates to the subject property.
B. The council shall decide the applications on the record.
C. A quasi-judicial application may be approved, approved with conditions or denied.

Finding:
1. THE APPLICABLE COMPREHENSIVE PLAN POLICIES AND MAP DESIGNATION

The applicable comprehensive plan policies are outlined above. The applicant requests that the property be re-zoned to Moderate Density Residential (R-4) if the annexation is successful. However, as specified by Section 17.136.070 of the Scappoose Municipal Code, if this property is annexed it would automatically receive the Low Density Residential (R-1) zoning designation since the site had a "Suburban Residential" Comprehensive Plan Map designation.

2. THE CHANGE WILL NOT ADVERSELY AFFECT THE HEALTH, SAFETY AND WELFARE OF THE COMMUNITY;

The proposed annexation would foster new development that is compatible with the existing residential character, which would reinforce and enhance a residential

neighborhood. The proposed zone change to R-4 would effectively decrease the available supply of larger lots within the community, thereby affecting the public welfare. The requested zone change to R-4 rather than R-1 contradicts the policy in Section 17.136.070 of the Scappoose Municipal Code which automatically applies R-1 zoning for areas designated Suburban Residential on the Comprehensive Plan. While the streets and utilities have adequate capacity for development at low or moderate densities, the City has made a policy decision to zone this area R-1.

3. THE APPLICABLE STANDARDS OF THIS TITLE OR OTHER APPLICABLE IMPLEMENTING ORDINANCES;

The proposed annexation and zone change are policy decisions subject to guidance by the full policy framework established by the Oregon Statewide Land Use Planning Goals and associated Oregon Administrative Rules (OAR), and by the Scappoose Comprehensive Plan and Development Code. Full discussion of the applicable standards is found in this report. The analysis demonstrates consistency and compliance with all applicable approval standards. The applicant has submitted inadequate evidence that Section 17.136.070 of the Municipal Code should not be applied in this instance.

4. EVIDENCE OF CHANGE IN THE NEIGHBORHOOD OR COMMUNITY OR A MISTAKE OR INCONSISTENCY WITH THE COMPREHENSIVE PLAN OR ZONING MAP AS IT RELATES TO THE SUBJECT PROPERTY.

The subject site is designated Suburban Residential in the Comprehensive Plan Map. Applying Section 17.136.070 by automatically zoning the property Low Density Residential (R-1) is consistent with the Comprehensive Plan. Changing the zoning to R-4 would create a "pocket" of R-4 adjacent to other land that will be zoned R-1 upon annexation.

Chapter 17.44 R-1 SINGLE FAMILY RESIDENTIAL

17.44.030 Permitted uses. In the R-1 zone outside of the Scappoose Creek Flood Plain, only the following uses and their accessory uses are permitted outright: [...]
3. Manufactured homes on individual lots subject to Section 17.94.030; [...]
6. Single-family detached residential dwelling...

17.44.050 Dimensional requirements. A. The minimum lot area shall be:
1. Seven thousand five hundred (7,500) square feet outside the Scappoose Creek Flood Plain;

Finding:
The R-1 zoning district permits single-family residences and manufactured homes on lots with a minimum size of 7,500 square feet. The applicant has requested that the zoning for the site be changed to Moderate Density Residential (R-4). The applicant anticipates submitting a subdivision application to construct duplexes and single-family residences.

However, only single-family residences are permitted in the R-1 zone. Future development proposals would be reviewed for consistency with the permitted uses in the applied zone.

Chapter 17.50 R-4 MODERATE DENSITY RESIDENTIAL

17.50.030 Permitted uses. A. In the R-4 zone outside of the Scappoose Creek Flood Plain, only the following uses and their accessory uses are permitted outright:
[...]
3. Duplex;
[...]
5. Manufactured homes on individual lots subject Section 17.94.030;
6. Multifamily up to four units per lot;
[...]
9. Single-family detached residential dwelling units.

17.50.050 Dimensional requirements. A. The minimum lot area shall be:
1. Six thousand (6,000) square feet for a single-family detached dwelling unit when located outside of the Scappoose Creek Flood Plain;
2. Seven thousand square feet for the first two attached units plus an additional two thousand five hundred square feet for each additional dwelling unit for triplex or fourplex when located outside of the Scappoose Creek Flood Plain;

Finding:
The R-4 zoning district permits single-family residences and multi-family residences. Future development proposals would be reviewed for consistency with the permitted uses in the applied zone.

Chapter 17.88 AO PUBLIC USE AIRPORT SAFETY AND COMPATIBILITY OVERLAY ZONE

17.88.030 Imaginary surface and noise impact boundary delineation. The airport elevation, the airport noise impact boundary, the airport direct impact boundary, the airport secondary impact boundary, and the location and dimensions of the runway, primary surface, runway protection zone, approach surface, horizontal surface, conical surface and transitional surface shall be delineated for the Scappoose Industrial Airpark and shall be made part of the Official Zoning Map. All lands, waters and airspace, or portions thereof, that are located within these boundaries or surfaces, and are located within the city limits, shall be subject to the requirements of this overlay zone.

Finding:
As defined by Chapter 17.88, the site falls within the airport direct impact boundary. According to Table 17.88.1 in the Scappoose Development Code, no limitations are

placed on residential development within the direct impact boundary. Section 17.88.030 is satisfied.

Chapter 17.136 ANNEXATIONS

17.136.020 Policy.
Annexations shall be considered on a case-by-case basis, taking into account the goals and policies in the Scappoose Comprehensive Plan, long range costs and benefits of annexation, statewide planning goals, this title and other ordinances of the City and the policies and regulations of affected agencies' jurisdictions and special districts.

A. It is the City's policy to encourage and support annexation where:

1. *The annexation complies with the provisions of the Scappoose Comprehensive Plan*
2. *The annexation would provide a logical service area, straighten boundaries, eliminate or preclude islands of unincorporated property, and contribute to a clear identification of the City.*
3. *The annexation would benefit the City by addition to its revenues of an amount that would be at least equal to the cost of providing service to the area.*
4. *The annexation would be clearly to the City's advantage in controlling the growth and development plans for the area.*

Finding:
The proposed annexation complies with the goals and policies of the Comprehensive Plan as previously discussed in Finding of Fact #3. The annexation is contiguous to land with City Limits, expanding the City's logical service area. Pursuant to Scappoose Municipal Code Chapter 13.12.100, sewer services are not provided outside the City limits, so annexation would allow this site to be served by the municipal sewer system. Annexation will allow the City to manage growth by providing for City inspection and approval of all development. Section 17.136.020(A) is satisfied.

B. It is the City's policy to discourage and deny annexation where:

1. *The annexation is inconsistent with the provisions of the Scappoose Comprehensive Plan.*
2. *The annexation would cause an unreasonable disruption or distortion of the current City boundary or service area.*
3. *The annexation would severely decrease the ability of the City to provide services to an area either inside or outside of the City.*
4. *Full urban services could not be made available within a reasonable time.*

Finding:
The annexation proposal is consistent with the provisions of the Scappoose Comprehensive Plan as previously discussed. The annexation does not decrease the ability of the City to provide services and does not cause an unreasonable disruption of the current City boundary. The proposed annexation site can be served by urban services within a reasonable time and does not decrease the ability of the City to provide services. Section 17.136.020(B) is satisfied.

17.136.040 Approval standards.

A. The decision to approve, approve with modifications or deny, shall be based on the following criteria:

1. All services and facilities are available to the area and have sufficient capacity to provide service for the proposed annexation area;

Finding:
Existing municipal police services can be made available to the site immediately. The site fronts onto an existing road within the City (East Columbia Avenue). The property is already located within the Scappoose Rural Fire District, the Scappoose School District, the Scappoose Library District, and the Scappoose Parks and Recreation District. Telephone and electric services are already provided to neighboring properties.

Water and sewer service can be made available to the site from Columbia Avenue, with extensions installed by the developer. The water treatment plants and wastewater treatment plant have excess capacity to accommodate development of this and other sites.

The facility planning for the City's water and wastewater treatment facilities assumed that this site would be zoned R-1, Low Density Residential. Were the site to be subdivided at the R-1 density, approximately 5 lots (7,500 sq. ft. minimum) can be accommodated on the site. This compares with approximately 3 lots supporting 12 housing units (four-plex lots) that could be accommodated by the site at the R-4 density. The difference between the R-1 and R-4 zoning designations is approximately 7 residential units.

The wastewater flow associated with 12 residences is 1,500 gallons per day (0.0015 MGD), using an average of 125 gallons per day per household.

The North Interceptor into the Wastewater Treatment Plant has a capacity of 2.3 MGD, therefore the 12 additional households would use approximately 0.07% of that capacity. The treatment plant has the capacity to accommodate the 12 residences that could be constructed on this site.

Columbia Avenue currently does not meet the City's standards for major collectors. However, improvements would be required as conditions imposed on future development identified as part of traffic impact analysis performed in conjunction with future

development proposals. The City can conclude that Columbia Avenue can be made adequate with appropriate improvements.

Section 17.136.040(A).1 is satisfied.

2. *The impact upon public services which include but are not limited to police and fire protection, schools and public transportation to the extent that they shall not be unduly compromised;*

Finding:

As discussed previously, the proposed annexation will have a minimal impact on the capacity of public service providers, especially since the site is already within the service areas of the Fire District and other service providers. Section 17.136.040(A).2 is satisfied.

3. *The need for housing, employment opportunities and livability in the City and surrounding areas;*

Finding:

This annexation would provide an additional 1 acre for residential development and would also create temporary employment opportunities for the construction of streets, utilities, and structures. Section 17.136.040(A).3 is satisfied.

4. *The location of the site in relation to efficient provision of public facilities, services, transportation, energy conservation, urbanization and social impacts.*

Finding:

This site is contiguous to the existing City limits. Public services are already available to neighboring properties and use of these will improve efficiency by utilizing existing trunk lines and service lines. Water service is available to the site from Columbia Avenue, and police and fire protection can be supplied by the Scappoose Police Department and Scappoose Rural Fire Protection District, respectively. The site has convenient transportation access to downtown Scappoose. Increasing the supply of land for housing will benefit the City by providing additional land to meet the demand for residential development. Urbanization of the site is consistent with the City's Comprehensive Plan, and site development is not anticipated to impose adverse social impacts. Section 17.136.040(A).4 is satisfied.

17.136.070 Zoning upon annexation. Upon annexation, the area annexed shall be automatically zoned to the corresponding land use zoning classification as shown in the table below. The zoning designation shown on the table below is the city's zoning district which most closely implements the city's comprehensive plan map designation.

Comprehensive Plan	***Zoning Classification***
SR	*R-1, Low Density Residential*
GR	*R-4, Moderate Density Residential*
MH	*MH, Manufactured Home Residential*
C	*Expanded Commercial*
I	*Light Industrial*

Finding:
The site has a Comprehensive Plan designation of SR, Suburban Residential. Upon annexation, the site would automatically be zoned R-1, Low Density Residential. The applicant has requested that the site be zoned R-4. The applicant has provided inadequate evidence to support a zone change to R-4 for this site. Additional findings demonstrate that the City's infrastructure has the capacity to absorb annexation and future development of this site. Section 17.136.070 is satisfied.

Chapter 17.162 PROCEDURES FOR DECISION MAKING--QUASI-JUDICIAL

17.162.090 Approval authority responsibilities. [...]
C. The planning commission shall conduct a public hearing in the manner prescribed by this chapter and shall have the authority to approve, approve with conditions, approve with modifications or deny the following development applications:
1. Recommendations for applicable comprehensive plan and zoning district designations to city council for lands annexed to the city;
2. A quasi-judicial comprehensive plan map amendment except the planning commission's function shall be limited to a recommendation to the council. The commission may transmit their recommendation in any form and a final order need not be formally adopted;
3. A quasi-judicial zoning map amendment shall be decided in the same manner as a quasi-judicial plan amendment; [...]

Finding:
The applicant has requested the concurrent review of Annexation and a Zone Change. The Planning Commission recommends that the City Council approve the applicant's annexation request and deny the applicant's zone change request. Section 17.162.090(C) is satisfied.

RECOMMENDATION
Based on the findings of fact, the conclusionary findings for approval, and the material submitted by the applicant, staff and the Planning Commission recommend **APPROVAL** of the annexation application for placement on the May 15, 2007 ballot. However, staff and the Planning Commission recommend **DENIAL** of the request to re-zone the property from Low Density Residential (R-1) to Moderate Density Residential (R-4). The applicant has provided inadequate evidence as to why the City should depart from its policy decision to zone areas R-1 if they are designated Suburban Residential in the Comprehensive Plan.

Exhibit 1

City of Scappoose
Application # ANX 6-06 / ZC 6-06

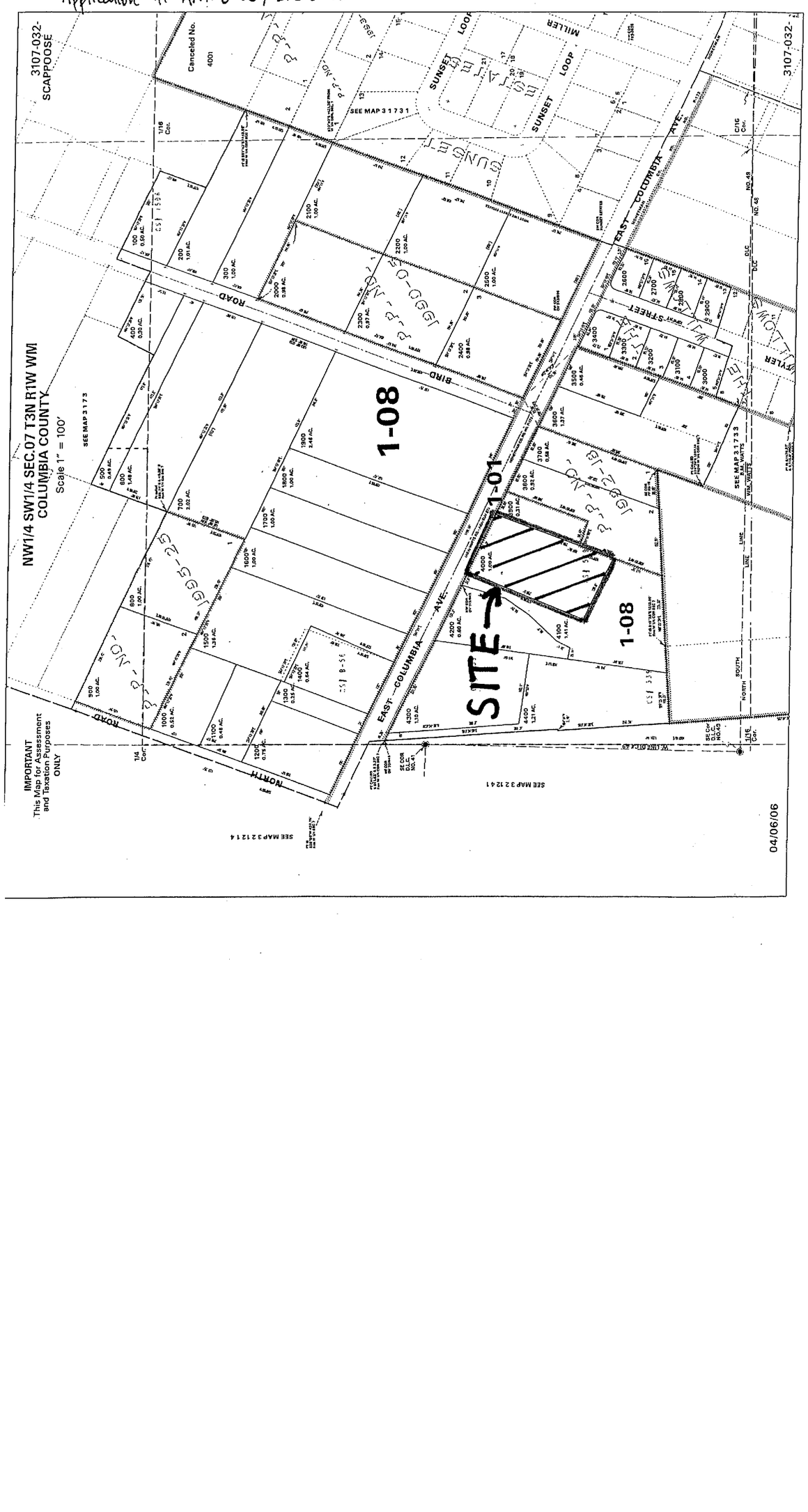


Exhibit 2

LEGAL DESCRIPTION

That certain tract of land situate in the Southwest quarter of Section 7, Township 3 North, Range 1 West, Willamette Meridian, Columbia county, Oregon, more particularly described as follows:

Beginning at an iron pipe set South 896.56 feet and East 716.92 feet from the quarter corner on the East side of Section 12, Township 3 North, Range 2 West of the Willamette Meridian, Columbia County, Oregon, said point being on the Southerly right of way line of Honeyman County Road; thence along said Southerly right of way line of said County road North 64° 14' West 222.0 feet to the Northwest corner of that certain tract as described in deed from R.B. Jones et ux to Alex Fisher et ux recorded October 10, 1946 in Book 89, page 227, Deed Records of Columbia County, Oregon, said point being the True Point of Beginning of the tract to be described herein; thence South 20° 06' West, along the West line of said Fisher tract a distance of 290.5 feet; thence North 64° 14' West a distance of 150.0 feet; thence North 20° 06' East a distance of 290.5 feet to the Southerly right of way line of Honeyman County Road; thence South 64° 14' East, along the said right of way line of said County Road a distance of 150.0 feet to the point of beginning.

Exhibit 3

MASONRY BUILDERS INC. **OCCB# 61270**
1225 NW Murray Rd Ste 114
Portland OR 97229
Phone 503-644-3970 Fax 503-643-5681

APPLICATION FOR ANNEXATION
TO CITY OF SCAPPOOSE

Masonry Builders, Inc.
51617 Heindl Way
Scappoose OR 97056

Property Described As:
34078 E Columbia Ave
Scappoose OR 97056
Columbia County Tax Account Number
01-08-2-3107-032-04000

Masonry Builders, Inc. is applying for annexation of the above-described property consisting of one parcel, 1.0 acre in size.

Location:

The property is contiguous to the city limits of Scappoose, Oregon, on the south side of East Columbia Avenue, between North Road and Bird Road.

Access and City Services:

Access for this parcel is from East Columbia Avenue, an improved street. City sewer and water are available on East Columbia Avenue. Storm sewer is currently not immediately available to the property. One potential solution would be to extend the existing storm sewer from SE Tyler Street, which could be done to meet the city's drainage requirements. The property is served by the City of Scappoose Police Department, City of Scappoose School District 1J, and is presently within the Scappoose Fire District.

The annexation of this parcel would not appreciably incur a demand on any city services, as the total development would consist of no more than nine single family residences.

Goals and policies for public facilities and services require that an adequate level of services be available for new development. Existing road systems, sanitary sewer and water systems are available to the site, and storm drainage will be provided as required, to develop the property to City standards. Additional impact to public facilities such as parks, schools, police and fire protection are well within the capacity of the current system.

No change to the Comprehensive Plan is proposed, as the site is within the Urban Growth Boundary and designated for residential use as part of the City's future needed land supply

The proposed annexation is consistent with the City's comprehensive plan. The proposal complies with plan policies and is within the City's Urban Growth Boundary. It is part of the supply of land intended to provide for the City's growth.

The property is contiguous with city limits. The general use of the surrounding property, particularly within the city limits is residential subdivisions. The annexation of this property will increase the inventory of available residential properties in Scappoose, thereby complying with comprehensive plan housing inventories, goals, and land availability.

As discussed, the site is located with streets stubbed to the North property line. Utilities are available and can be extended to serve new development.

The proposed annexation supports the City's advantage to annex the area.

Exhibit 4

MASONRY BUILDERS INC. OCCB# 61270
1225 NW Murray Rd Ste 114
Portland OR 97229
Phone 503-644-3970 Fax 503-643-5681

APPLICATION FOR AMMENDING ZONE MAP
TO CITY OF SCAPPOOSE

Masonry Builders, Inc.
51617 Heindl Way
Scappoose OR 97056

Property Described As:
34078 E Columbia Ave
Scappoose OR 97056
Columbia County Tax Account Number
01-08-2-3107-032-04000

This application is in conjunction with an Application for Annexation submitted to the City of Scappoose for the subject properties.

PURPOSE OF ZONE CHANGE
There has been a residence on this property for many years. This will not be a change in a residential use, but a change in the zoning with the application to annex into the city. The applicant's desire is to annex this property into the City for the purpose of continuity and best use of the lots. The annexation necessitates a zone designation of this property at this time.

LOCATION
The property is contiguous to the city limits of Scappoose, Oregon on the south side of East Columbia Avenue.

ACCESS AND CITY SERVICES
Access for this parcel is from East Columbia Avenue, an improved street. City sewer and water are available on East Columbia Avenue. Storm sewer is currently not immediately available to the property. One potential solution would be to extend the existing storm sewer from SE Tyler Street, which could be done to meet the city's drainage requirements. The property is served by the City of Scappoose Police Department, City of Scappoose School District 1J, and is presently within the Scappoose Fire District.

PROPOSED ZONING AND USE
The applicant proposes a city zoning of R-4, Moderate Density Residential, which would be compatible with present zoning of a number of parcels within the surrounding area. Therefore, the map designation change would be minimal and in conformation with the existing zone designations. A five-acre parcel 100 feet to the south was recently designated R-4.

CONCEPTUAL DEVELOPMENT PLAN
The conceptual development plan would be to develop four lots between 7,000 and 9,500 square feet. Three lots of a minimum of 7,000 square feet would be developed with two units per lot and the fourth lot of 9,500 square feet would be developed with three units for a maximum of nine residential units.

TRANSPORTATION CORRIDORS
Access to this property is from a city street, E Columbia Avenue. This street is used daily by the adjacent subdivision residents.

SIGNIFICANT NATURAL FEATURES
There are no significant natural features on this property.

ADJOINING LAND USES
The adjoining land use is residential.

COMPATIBILITY WITH COMPREHENSIVE PLAN
The housing goals of the Scappoose Comprehensive Plan state:

Increase the quantity and quality of housing for all citizens.
The addition of four lots between 7,000 sq ft and 9,500 sq ft will fulfill this goal and is not in conflict. The designation of R-4 zoning will allow for either single-family homes or limited multi-family housing. Lots are between 7,000 sq ft and 9,500 sq ft, which would allow for duplex or possible triplex units. This would allow the addition of a variety of housing needs to fulfill this housing goal.

According to the census figures in 2,000, the population of Scappoose was 4,976. The population figure on the City of Scappoose website is now 5,702 as of January, 2005, indicating an increase of 726 residents, or an increase of nearly 15% in five years. With the increase in population comes the need for varied housing opportunities. The R-4 zoning, along with the lot size, can accommodate these needs.

Concentrate high-density multi-family dwellings in a few areas of the City and distribute low-density multi-family dwellings throughout the City.
The zoning of this property to R-4 Moderate Density Residential will fulfill this goal. The lots may be used for either single-family or low-density multi-family dwellings. This will incorporate a logical variety of dwellings into the area already developed by subdivisions along E Columbia Avenue.

Locate housing so that it is fully integrated with land use, transportation and public facilities.
The location of these lots is within an area of subdivision and development. The lots have access from E Columbia Avenue, a city street and have access to city water and sewer. City water is presently onto the property. All public facilities are easily accessible. The development of these lots will be compatible with existing uses in the area.

Protect residential areas from conflicting land uses, unnecessary through traffic, or other undesirable influences.
The zoning of these parcels will not change the existing county zoning of the property, which is

residential. It will not be a conflicting land use, will not cause unnecessary through traffic and will not have undesirable influences on the surrounding neighborhood. It will be compatible with the surrounding use, which is residential.

General Goals of the City of Scappoose for Land Uses

1. ***The growth of the City should be orderly and in accordance with the public health, safety, and welfare, while preserving individual choice and recognizing existing patterns of development.***

The zoning of this property to R-4 will fulfill this general goal in assuring orderly and positive residential growth, while preserving existing uses and neighborhoods. It fits in with the existing pattern of development and does not endanger the health, safety and welfare of the area.

6. ***Residential living areas should be safe, attractive, and convenient and should make a positive contribution to the quality of life and personal satisfaction of residents; additionally, there should be sufficient areas for a wide range of housing choices.***

The proposed zone designation of Moderate Density Residential will help to fulfill this goal for the City. This will allow for compatible housing choices in already established residential neighborhoods.

15. ***Housing that meets the local residents' basic needs should be promoted.***

The zoning of this property will help to meet different needs of residents in the area.

There will be no impact on the health, safety and welfare of the community with the changing of this zone from county zoning to city zoning. It will be a direct result of annexation, if approved, and will be compatible with the surrounding area, housing goals and reasonable and orderly growth of the City.

There has not been a change in neighborhood or community or a mistake of inconsistency with the Comprehensive Plan or Zoning map as it relates to this property. This is a request related to the request for annexation.

Exhibit #5

Not To Scale

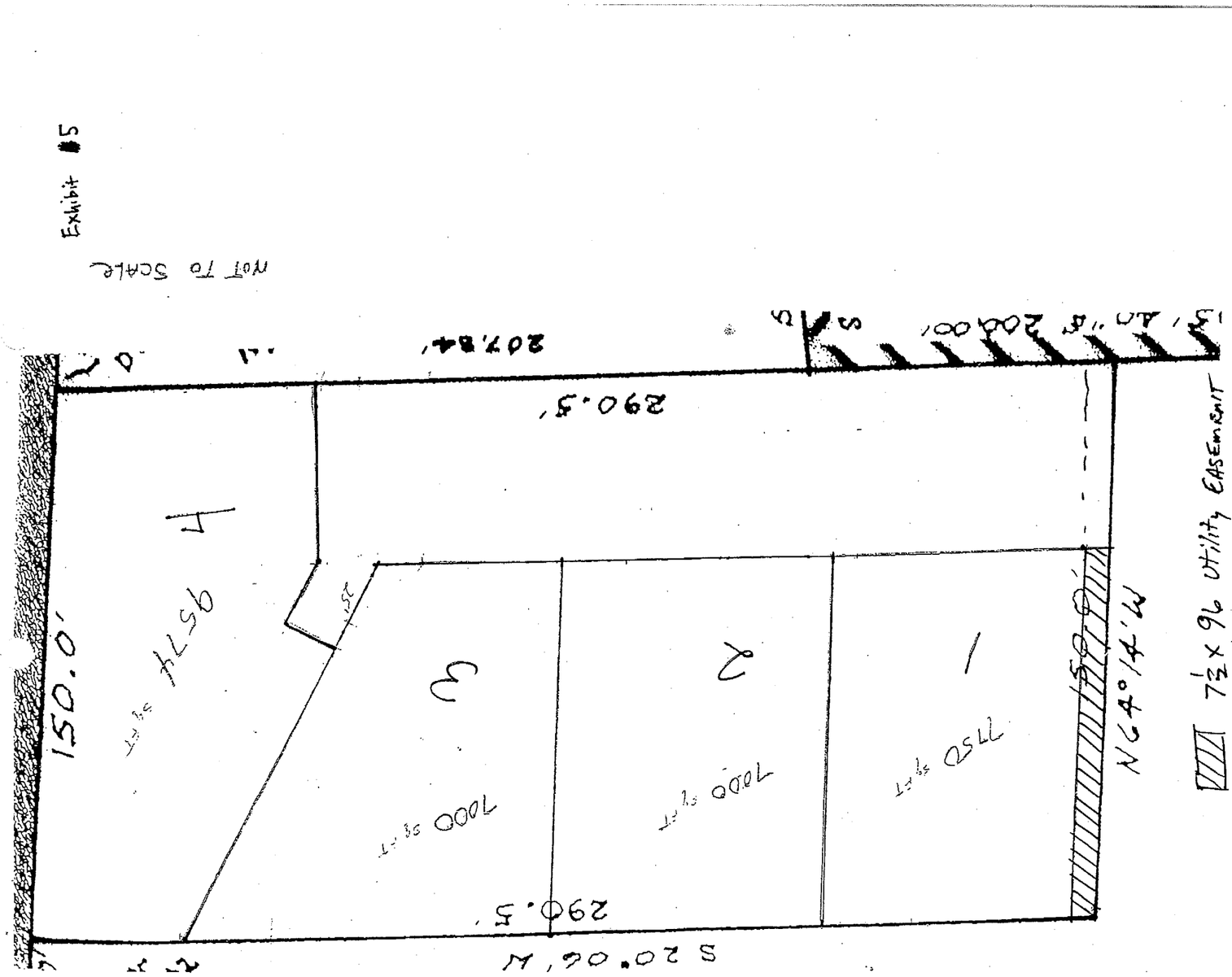
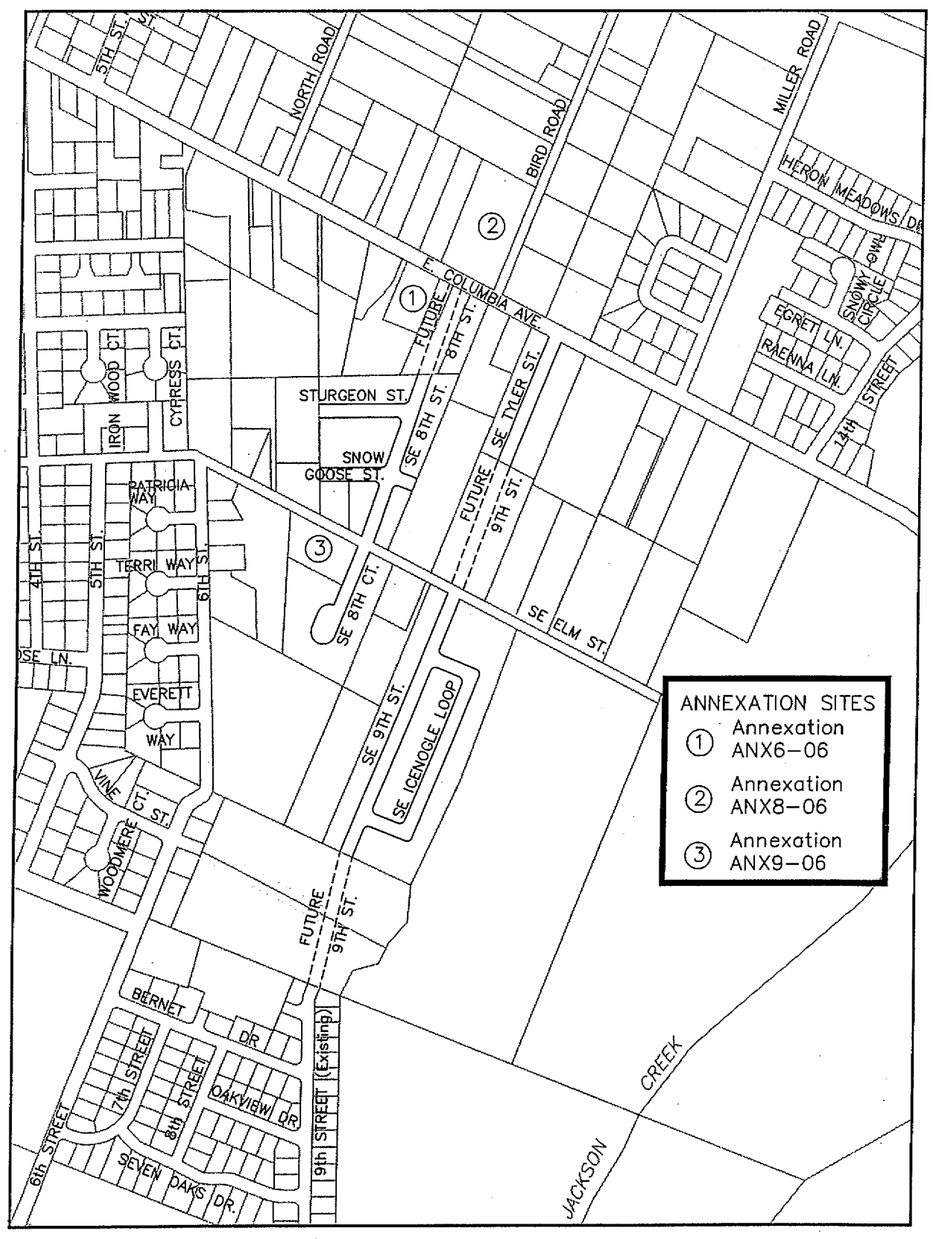


Exhibit 6

Annexation sites near SE Elm St. & E. Columbia Ave.
City of Scappoose - February 2007



ORDINANCE NO. 788

AN ORDINANCE RELATING TO LAND USE, APPROVING ANNEXATION OF PROPERTY TO THE CITY OF SCAPPOOSE, AMENDING THE ZONING MAP, AND CALLING AN ELECTION

WHEREAS, an application was filed by Richard & Joyce Jones to annex property described in Exhibit A, attached hereto and incorporated herein, to the City of Scappoose; and

WHEREAS, pursuant to Section 17.136.070 of the Scappoose Municipal Code, the property described in Exhibit A would automatically be zoned Manufactured Housing (MH) upon annexation due to the property's "Manufactured Housing" Comprehensive Plan designation; and

WHEREAS, hearings were held pursuant to Scappoose Municipal Code Chapters 17.22 and 17.136; and

WHEREAS, pursuant to Section 17.136.030 of the Scappoose Municipal Code, annexations must be referred to the voters of the City for approval; now therefore,

THE CITY OF SCAPPOOSE ORDAINS AS FOLLOWS:

Section 1. The application to annex the property described in Exhibit A is hereby approved, subject to approval by the voters of the City. Pursuant to ORS 222.160, the Exhibit A property will be declared by Resolution to be annexed to the City of Scappoose if the Columbia County Elections Officer certifies that the majority of voters in the City approve the measure.

Section 2. Pursuant to Scappoose Municipal Code Chapter 17.136, annexation of the Exhibit A property will be submitted to Columbia County to be placed on the May 15, 2007 ballot. The ballot title for such question is herein adopted, and attached hereto as Exhibit B.

Section 3. In support of the above annexation and zone change, the City Council hereby adopts the findings, conclusions and recommendations of the Staff Report dated February 14, 2007, attached as Exhibit C attached hereto and incorporated herein.

Section 4. The annexation approved by this Ordinance shall take effect upon the date of certification of the election approving the annexation.

Section 5. Upon certification of the election on annexation, the City Manager is directed to conform the City Zoning Map to the provisions of this ordinance.

PASSED AND ADOPTED by the City Council this 20th day of February, 2007, and signed by me in authentication of its passage.

CITY OF SCAPPOOSE, OREGON

Scott Burge, Mayor

First Reading: February 5, 2007
Second Reading: February 20, 2007

Attest:

Susan Pentecost, City Recorder

Exhibit A
Legal description of property to be annexed and zoned Manufactured Housing

Columbia County Assessor Map No. 3201-033-01900

The following described real property situated in the State of Oregon, County of Columbia;

That portion of the Southwest quarter of Section 1 Township 3 North, Range 2 West of the Willamette Meridian and being a portion of Bell Crest Tract described as follows;

Beginning at the most Southwesterly corner of Tract 7, Bell Crest Tract as per the plat on file and of record in the County Clerks Office, Columbia County Oregon and running thence South 68° 39' East a distance of 334.36 feet to the Southeast corner of Tract 6 of said Bell Crest Tract; Thence North 52° 53' East along the Easterly line of said Tract 6, a distance of 410.76 feet to the Southerly line of Goss No. 2; Thence North 37° 07' West along the Southerly line of said Goss No. 2, a distance of 149.99 feet to the Easterly line of Tract 7; Thence North 52° 53' East along said Easterly line a distance of 325.84 feet to the Southerly right of way line of the Scappoose to Vernonia Highway; Thence North 37° 07" West along said line a distance of 135.00 feet to the Northwest corner of Tract 7, Bell Crest Tract; Thence South 52° 53' West along the West line of said Tract 7, a distance of 911.48 feet to the point of beginning.

The above described tract contains 4.27 acres.

Exhibit B
Ballot Title

NOTICE OF CITY MEASURE ELECTION

City of Scappoose
(Name of City)

Notice is hereby given that on Tuesday, May 15, 2007 (Day of week) (Date of election), a measure election will be held in the City of Scappoose, in Columbia County, Oregon. (Name of county)

The following shall be the ballot title of the measure to be submitted to the City's voters on this date:

CAPTION (10 Words)

ANNEXATION OF SCAPPOOSE-VERNONIA HIGHWAY PROPERTY TO THE CITY OF SCAPPOOSE

QUESTION (20 Words)

Shall the described property be annexed to the City of Scappoose?

SUMMARY (175 Words)

Richard & Joyce Jones have requested that the City annex property.

This measure, if approved, would annex approximately 4.27 acres to the City of Scappoose. The property is located at 33224 Scappoose-Vernonia Highway, west of Manor Drive. The property is described as Columbia County Assessor Map No. 3201-033-01900. The property is located in the Urban Growth Boundary and is contiguous to Scappoose City limits. Annexation would cause the property to be placed on the City's tax rolls and would result in additional revenues to the City.

The following authorized city official hereby certifies the above ballot title is true and complete, which includes completion of the ballot title challenge process.

Signature of authorized city official (not required to be notarized) | Date signed

Printed name of authorized city official | Title

City of Scappoose

Council Action & Status Report

Date Submitted:	2/15/07
Agenda Date Requested:	2/20/07
To:	Scappoose City Council
Through:	Planning Commission
From:	Brian Varricchione, E.I.T. City Planner & Assistant City Engineer
Subject:	Request by Richard & Joyce Jones to annex 4.27 acres on Scappoose-Vernonia Highway

Type of Action Requested:

[ ]	**Resolution**	[X]	**Ordinance**
[ ]	**Formal Action**	[ ]	**Report Only**

Issue: Richard & Joyce Jones have requested annexation and an automatic zone change to Manufactured Housing (MH) for approximately 4.27 acres. The Planning Commission recommends approval of the annexation. At the February 5 hearing, the Council approved a motion to annex the property and zone it MH as specified in the attached ordinance.

Analysis:
Richard & Joyce Jones have submitted an application (Docket # ANX7-06/ZC7-06) to annex 4.27 acres on the south side of Scappoose-Vernonia Highway. According to Section 17.136.070 of the Scappoose Development Code, because the parcel has a Manufactured Housing (MH) Comprehensive Plan designation, upon annexation the land shall automatically be zoned Manufactured Housing (MH).

The Planning Commission held a public hearing regarding this request on January 25, 2007. The Commission recommended approval of the annexation. On February 5, Council voted to approve the annexation application. An ordinance to approve the annexation is attached. Approval of the ordinance would refer the annexation to the electorate for their consideration.

Options:

1. Approve the annexation application, adopt the findings in ANX 7-06/ZC 7-06 staff report dated February 14, 2007, and adopt the proposed ordinance, thereby placing the annexation on the May 15, 2007 ballot.

2. Adopt findings demonstrating that the application does not comply with the Scappoose Municipal Code and deny the application.

Recommendation: Staff recommends that the Council approve the annexation application and adopt the Ordinance as presented.

Suggested Motion: N/A (second reading of the ordinance)

DRAFT

ORDINANCE NO. 788

AN ORDINANCE RELATING TO LAND USE, APPROVING ANNEXATION OF PROPERTY TO THE CITY OF SCAPPOOSE, AMENDING THE ZONING MAP, AND CALLING AN ELECTION

WHEREAS, an application was filed by Richard & Joyce Jones to annex property described in Exhibit A, attached hereto and incorporated herein, to the City of Scappoose; and

WHEREAS, pursuant to Section 17.136.070 of the Scappoose Municipal Code, the property described in Exhibit A would automatically be zoned Manufactured Housing (MH) upon annexation due to the property's "Manufactured Housing" Comprehensive Plan designation; and

WHEREAS, hearings were held pursuant to Scappoose Municipal Code Chapters 17.22 and 17.136; and

WHEREAS, pursuant to Section 17.136.030 of the Scappoose Municipal Code, annexations must be referred to the voters of the City for approval; now therefore,

THE CITY OF SCAPPOOSE ORDAINS AS FOLLOWS:

Section 1. The application to annex the property described in Exhibit A is hereby approved, subject to approval by the voters of the City. Pursuant to ORS 222.160, the Exhibit A property will be declared by Resolution to be annexed to the City of Scappoose if the Columbia County Elections Officer certifies that the majority of voters in the City approve the measure.

Section 2. Pursuant to Scappoose Municipal Code Chapter 17.136, annexation of the Exhibit A property will be submitted to Columbia County to be placed on the May 15, 2007 ballot. The ballot title for such question is herein adopted, and attached hereto as Exhibit B.

Section 3. In support of the above annexation and zone change, the City Council hereby adopts the findings, conclusions and recommendations of the Staff Report dated February 14, 2007, attached as Exhibit C attached hereto and incorporated herein.

Section 4. The annexation approved by this Ordinance shall take effect upon the date of certification of the election approving the annexation.

Section 5. Upon certification of the election on annexation, the City Manager is directed to conform the City Zoning Map to the provisions of this ordinance.

PASSED AND ADOPTED by the City Council this _____ day of _____, 2007, and signed by me in authentication of its passage.

CITY OF SCAPPOOSE, OREGON

DRAFT

Scott Burge, Mayor

First Reading: February 5, 2007
Second Reading:

Attest:

Susan Pentecost, City Recorder

Exhibit A
Legal description of property to be annexed and zoned Manufactured Housing

Columbia County Assessor Map No. 3201-033-01900

The following described real property situated in the State of Oregon, County of Columbia;

That portion of the Southwest quarter of Section 1 Township 3 North, Range 2 West of the Willamette Meridian and being a portion of Bell Crest Tract described as follows;

Beginning at the most Southwesterly corner of Tract 7, Bell Crest Tract as per the plat on file and of record in the County Clerks Office, Columbia County Oregon and running thence South 68° 39' East a distance of 334.36 feet to the Southeast corner of Tract 6 of said Bell Crest Tract; Thence North 52° 53' East along the Easterly line of said Tract 6, a distance of 410.76 feet to the Southerly line of Goss No. 2; Thence North 37° 07' West along the Southerly line of said Goss No. 2, a distance of 149.99 feet to the Easterly line of Tract 7; Thence North 52° 53' East along said Easterly line a distance of 325.84 feet to the Southerly right of way line of the Scappoose to Vernonia Highway; Thence North 37° 07" West along said line a distance of 135.00 feet to the Northwest corner of Tract 7, Bell Crest Tract; Thence South 52° 53' West along the West line of said Tract 7, a distance of 911.48 feet to the point of beginning.

The above described tract contains 4.27 acres.

Exhibit B
Ballot Title

NOTICE OF CITY MEASURE ELECTION

City of Scappoose
(Name of City)

Notice is hereby given that on Tuesday, May 15, 2007 (Day of week) (Date of election), a measure election will be held in the City of Scappoose, in Columbia County, Oregon. (Name of county)

The following shall be the ballot title of the measure to be submitted to the City's voters on this date:

CAPTION (10 Words)

ANNEXATION OF SCAPPOOSE-VERNONIA HIGHWAY PROPERTY TO CITY OF SCAPPOOSE

QUESTION (20 Words)

Shall the described property be annexed to the City of Scappoose?

SUMMARY (175 Words)

Richard & Joyce Jones have requested that the City annex property.

This measure, if approved, would annex approximately 4.27 acres to the City of Scappoose. The property is located at 33224 Scappoose-Vernonia Highway, west of Manor Drive. The property is described as Columbia County Assessor Map No. 3201-033-01900. The property is located in the Urban Growth Boundary and is contiguous to Scappoose City limits. Annexation would cause the property to be placed on the City's tax rolls and would result in additional revenues to the City.

The following authorized city official hereby certifies the above ballot title is true and complete, which includes completion of the ballot title challenge process.

Signature of authorized city official (not required to be notarized) — Date signed

Printed name of authorized city official — Title

CITY OF SCAPPOOSE
33568 EAST COLUMBIA AVENUE
SCAPPOOSE, OREGON 97056
(503) 543-7146
FAX: (503) 543-7182

EXHIBIT C

ANX7-06/ZC7-06 February 14, 2007
Richard & Joyce Jones: Scappoose-Vernonia Highway Annexation and Zone Change

CITY OF SCAPPOOSE STAFF REPORT

Request: Approval of an application for annexation and a corresponding zone change to Manufactured Housing (MH) for approximately 4.27 acres.

Location: The subject parcel is located at 33224 Scappoose-Vernonia Highway, west of Manor Drive. The site consists of property described as Columbia County Assessor Map No. 3201-033-01900. See attached Vicinity Map (**Exhibit 1**).

Applicant: Richard & Joyce Jones

Owner(s): Richard & Joyce Jones

EXHIBITS

1. Vicinity Map
2. Legal Description
3. Applicant's Narrative
4. Aerial Photo
5. Utility Plan for adjoining development
6. Letter from David L. Roadenizer-Berg, dated 1/22/07
7. Letter from B.R. and Anita M. Croft, dated 1/23/07

SUBJECT SITE

- The subject site consists of two parcels with a combined area of approximately 4.27 acres. The site abuts Scappoose-Vernonia Highway and Manor Drive. See **Exhibit 1**, Vicinity Map. The legal description for the property proposed to be annexed is attached as **Exhibit 2**.

- The subject site is designated as Manufactured Housing (MH) on the Comprehensive Plan map. The property abuts City land zoned MH to the southeast, Low Density Residential (R-1) to the southwest, Light Industrial (LI) to the northeast (across Scappoose-Vernonia Highway) and Columbia County Rural Residential-5 acre (RR-5) to the northwest.

- The site is within the boundaries of the Scappoose Rural Fire Protection District and the Scappoose Public School District. The site is currently under the police protection of the Columbia County Sheriff's Department.

- According to Flood Insurance Rate Map (FIRM) 41009C0444C the property is located outside the 100-year floodplain and outside the Scappoose Drainage District. The Scappoose Local Wetlands Inventory Map does not illustrate wetlands within the property.

- The site has 1 existing residence, a well house, a shop, and a number of mature trees. See **Exhibit 4**. The site slopes from the southwest to the northeast.

OBSERVATIONS

CONCURRENT ANNEXATION AND ZONE CHANGE APPLICATIONS

- The applicant has requested annexation of two parcels to permit future connections to water and sewer (see **Exhibit 3**). The site is currently zoned Single Family Residential, 10,000 square foot minimum lot size (R-10) by Columbia County. According to Section 17.136.070 of the Scappoose Development Code, because the parcel has a Manufactured Housing (MH) Comprehensive Plan designation, upon annexation the land shall automatically be zoned Manufactured Housing (MH).

FUTURE RESIDENTIAL USE

- The MH zone permits single-family residences, duplexes, tri-plexes, four-plexes, and manufactured home parks. This application has been analyzed based on the most intense development that could occur, which would be a manufactured home park with approximately 50 manufactured housing units. Alternately, the site could potentially be developed with approximately 20 single-family residences or 10 four-plexes.

- Future development proposals will be required to apply for Planning Commission approval (either Tentative Subdivision Plan Review, Partition, or Site Development Review, depending on the use) to ensure compliance with the Scappoose Development Code and Public Works Design Standards.

STREET SYSTEM AND TRANSPORTATION IMPACTS

- The site has frontage on Scappoose-Vernonia Highway and Manor Drive. The City's amended Transportation System Plan (TSP) designates Manor Drive as a Local Residential street, for which the standard right-of-way (ROW) is 54 feet. Scappoose-Vernonia Highway is designated as a Major Collector, which requires a 66-foot right-of-way. Additional ROW dedication and street improvements would be required as a part of a development proposal following annexation. The City's standard practice is to require half-street improvements as minimum conditions of development proposals, to be installed and funded by developers.

- The site is accessed by Scappoose-Vernonia Highway, connecting directly to Highway 30. Staff has used standard trip generation ratios published by the Institute of Transportation Engineers to estimate traffic levels from future development. If the site were developed with a 50-unit manufactured home park (the most intense development under the MH zone), the site could be expected to generate approximately 241 average daily trips, 28 of them during the evening peak hour.

- Development of the subject site could be anticipated to require a traffic study in accordance with Section 5.0013 of the Scappoose Public Works Design Standards, which states that:
  The City's Engineer will require a traffic analysis report as determined by the type of development and its potential impact to existing street systems. A traffic analysis will generally be required for a development, 1) when it will generate 1,000 vehicle trips per weekday or more, or 2) when a development's location, proposed site plan, and traffic characteristics could affect traffic safety, access management, street capacity, or known traffic problems or deficiencies in a development's study area.
  Development proposals may need to be accompanied by analysis of traffic impacts to ensure that the affected streets and intersections have adequate capacity to accommodate increased traffic.

- The City's Transportation System Development Charges (SDC's) are directly related to the volume of traffic generated by specific types of use. The SDC's collected from development can be used to pay for improvements to projects included in the City's Transportation System Plan.

- Full discussion of the traffic impacts associated with the annexation and zone change is found in Findings of Fact #2, Transportation Planning Rule.

UTILITIES & STORM DRAINAGE

- Electricity, gas, water, and sewer services are provided to adjacent residential developments and could be made available through the extension of nearby lines and public service infrastructure. See **Exhibit 5** for an excerpt from the utility design of the Goss II Subdivision immediately adjacent to the site. Water and sewer are available in Scappoose-Vernonia Highway and Manor Drive. The applicant will be responsible for managing stormwater at the time of development. The site is outside the Scappoose Drainage Improvement District.

PUBLIC & PRIVATE AGENCIES AND PUBLIC NOTICE

- The City of Scappoose City Manager, Engineering, Building, and Police Departments; Columbia County Road Department and Planning Department; Scappoose Rural Fire Protection District; the Scappoose School District; the Oregon Department of Transportation (Region 1); local utilities; and the Oregon Department of Land Conservation and Development have been provided an opportunity to review the proposal. Comments from these organizations have been incorporated into this staff report. The County Road department observed that street improvements would be required in conjunction with any future development.

- Notice of this request was mailed to property owners located within 200 feet of the subject site on January 8, 2007. Notice was posted on the property on January 11 and published in the local newspaper on January 10, 17, 24, and 31, 2007. Staff has received two written comments from neighbors regarding the application (attached as **Exhibit 6** and **Exhibit 7**). Both letters object to the Manufactured Housing (MH) zoning that would be applied by the City upon annexation and express concern that the zoning would diminish their house values.

At the February 5 City Council hearing, one neighbor explained that they were not opposed to the annexation but didn't want a manufactured housing park next door since that could affect property values.

APPLICABILITY OF STATEWIDE PLANNING GOALS

A number of Oregon's 19 Statewide Planning Goals and Guidelines apply to this application, as discussed in the *Findings of Fact.*

FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR APPROVAL

1. **The following Statewide Planning Goals have been considered by the City of Scappoose as they pertain to this request:**

   A. Citizen Involvement (Goal 1)

   Objective: *To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.*

   Finding:
   The City's acknowledged Comprehensive Plan & Development Code includes citizen involvement procedures with which the review of this application will comply. This process allows for citizens to communicate their input into the zoning map amendment review conducted by the City at public hearings or by submitting written comments. The City of Scappoose Planning Commission reviewed the proposed annexation and zoning map amendment on January 25, 2007 to make a recommendation to the City Council. The City Council held a hearing on February 5, 2007. The Applicant posted site notices on January 11, the City mailed notices to nearby property owners on January 8, and notice was published in the newspaper on January 10, 17, 24, and 31. This process complies with the Goal.

   B. Land Use Planning (Goal 2)

   Objective: *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.*

   Finding:
   The procedural requirements for annexation and zone changes are contained in the Scappoose Municipal Code, which involve assessment of the application's merits, notice to affected parties, and public hearings. The proposal is to change the zoning designation of urban land within the Urban Growth Boundary, in compliance with Goal 2. Notice of the annexation and zoning map amendment has been provided by the City of Scappoose to the Oregon Department of Land Conservation and Development (DLCD) as required. The City's decision is based on findings of fact.

C. Agricultural Lands (Goal 3)

Objective: *To preserve and maintain agricultural lands.*

Finding:
This Goal is not applicable because the site is within the City of Scappoose Urban Growth Boundary and no identified agricultural resources are located on site. The site is designated for residential development in the Comprehensive Plan and is currently zoned for residential use by Columbia County.

D. Forest Lands (Goal 4)

Objective: *To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.*

Finding:
This Goal is not applicable because the site is within the City of Scappoose Urban Growth Boundary and no identified forest resources are located on site. The site is designated for residential development in the Comprehensive Plan and is currently zoned for residential use by Columbia County.

E. Open Spaces, Scenic and Historic Areas and Natural Resources (Goal 5)

Objective: *To protect natural resources and conserve scenic and historic areas and open spaces.*

Finding:
There are no identified Goal 5 resources on or near the site. The subject site is not designated as open space, a scenic or historic area, or a natural resource area by the City of Scappoose and does not contain any known significant open space, scenic, historic, or natural resources. The proposed annexation and zone change do not conflict with this Goal.

F. Air, Water and Land Resources Quality (Goal 6)

Objective: *To maintain and improve the quality of the air, water and land resources of the state.*

Finding:
The site is currently planned for residential use. If the annexation were approved, the site would be subject to City regulations that do not allow off-site impacts from noise,

vibration, odors, glare, or other "nuisance" effects. The potential harmful effects on air, water and land resource quality is limited. The annexation and zone change proposal will therefore have no significant impact with respect to this Goal.

G. Areas Subject to Natural Disasters and Hazards (Goal 7)

Objective: *To protect people and property from natural hazards.*

Finding:
The subject site is not located within a mapped flood plain, potential landslide hazard, or earthquake hazard area. The proposal to zone the subject property for residential development is consistent with avoidance of natural disasters and hazards under Goal 7.

H. Recreational Needs (Goal 8)

Objective: *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.*

Finding:
The site is presently designated for residential development on the Comprehensive Plan and has not been planned for recreational opportunities. The requested annexation and zone change to Manufactured Housing (MH) will not result in a reduction in land planned or reserved for recreational use. Consequently, the proposed Annexation and Zone Change will have no significant impact on the City's planning for recreational needs.

I. Economic Development (Goal 9)

Objective: *To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.*

Finding:
The site is presently designated for residential development on the Comprehensive Plan and has not been planned for economic development.

J. Housing (Goal 10)

Objective: *To provide for the housing needs of citizens of the state.*

Finding:
The property proposed for annexation is designated Manufactured Housing on the Comprehensive Plan map. The proposed annexation and zone change to Manufactured Housing (MH) would increase the residential land supply within City Limits and would allow more intense development than currently permitted under County regulations.

Furthermore, the site could only connect to City water or sewer if it were inside City Limits. If the site were developed with a manufactured home park, up to 50 dwellings could be sited.

K. Public Facilities and Services (Goal 11)

Objective: *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.*

Finding:
The subject property lies within the Urban Growth Boundary (UGB) and therefore requires the extension of public facilities and services at the developer's expense. Water and sewer can be extended from Manor Drive and Scappoose-Vernonia Highway and storm drainage facilities would be constructed as conditions of approval for future development applications.

L. Transportation (Goal 12)

Objective: *To provide and encourage a safe, convenient and economic transportation system.*

Finding:
This Goal requires the City to prepare and implement a Transportation System Plan (TSP). The Scappoose TSP assumed that this site would be developed under the City's Manufactured Housing Comprehensive Plan designation and Manufactured Housing zoning. The site falls into Traffic Analysis Zone #7. In 1995, this area had a population of 326 people, and the TSP projected a population of 518 in the year 2015 based on the Comprehensive Plan designations. Street classifications were chosen accordingly.

The TSP classifies Manor Drive as a Local Residential street, which requires a 54-foot right-of-way width and a 32-foot pavement width. The Scappoose TSP designates Scappoose-Vernonia Highway as a Major Collector street, which requires a 66-foot right-of-way width and a 44-foot pavement width. At the time of development, the applicant would need to perform half-street improvements and dedicate right-of-way on Manor Drive and Scappoose-Vernonia Highway to meet the City standards. Traffic analysis may be required at the time of development to determine the improvements required to protect health and safety and ensure efficient traffic circulation.

Traffic projections from future development have been computed using standard trip generation ratios published by the Institute of Transportation Engineers. If the site were developed with a 50-unit manufactured home park (the most intense development under the MH zone), the site could be expected to generate approximately 241 average daily trips, 28 of them during the evening peak hour. The City does not anticipate that this level of development would cause failure of the local street network, provided that the

applicant installs appropriate street improvements at the time of development. The applicant would need to submit a traffic study with future development proposals to analyze individual intersections and street segments.

Additional findings are found in Findings of Fact #2, Transportation Planning Rule.

M. Energy Conservation (Goal 13)

Objective: *To conserve energy.*

1. Land use plans should be based on utilization of the following techniques and implementation devices which can have a material impact on energy efficiency:
a. Lot size, dimension, and siting controls;
b. Building height, bulk and surface area;
c. Density of uses, particularly those which relate to housing densities;
d. Availability of light, wind and air;
e. Compatibility of and competition between competing land use activities; and
f. Systems and incentives for the collection, reuse and recycling of metallic and nonmetallic waste.

Finding:
The site is located immediately adjacent to existing residential areas. The proposed MH zoning would permit development in accordance with the Comprehensive Plan with the potential to create an energy-efficient land use pattern within the City's Urban Growth Boundary.

N. Urbanization (Goal 14)

Objective: *To provide for an orderly and efficient transition from rural to urban land use.*

Finding:
The subject property is within the Urban Growth Boundary and no expansion of the UGB is proposed. The proposed annexation and zone change is the first step in the transition from rural to urbanized land as foreseen in the Comprehensive Plan. Development of the site will trigger requirements for the developer to provide infrastructure, including necessary sewer lines, storm drainage lines, water line extensions, and street improvements.

O. Other Goals

Finding:
The following goals are not applicable to this application:

- Willamette River Greenway (Goal 15)
- Estuarine Resources (Goal 16)
- Coastal Shorelands (Goal 17)

- Beaches and Dunes (Goal 18)
- Ocean Resources (Goal 19)

2. The following Administrative Rule has been considered by the City of Scappoose as it pertains to this request:

TRANSPORTATION PLANNING RULE
OAR 660 Division 12 – Transportation Planning:

660-012-0060 Plan and Land Use Regulation Amendments
(1) Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided in section (2) of this rule to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. A plan or land use regulation amendment significantly affects a transportation facility if it would:

(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);

(b) Change standards implementing a functional classification system; or

(c) As measured at the end of the planning period identified in the adopted transportation system plan:

(A) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

(B) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or

(C) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.

Finding:
Analysis of the transportation impacts from the proposed annexation and zone change can be divided into four subtopics:

1. Traffic likely to be generated from development;
2. Impact of development-generated traffic on local street segments;
3. Impact of development-generated traffic on affected intersections; and
4. Transportation impact conclusions.

1. Traffic likely to be generated from development
The most intense development of the site would consist of a manufactured home park with approximately 50 units. Based on standard trip generation ratios published by the Institute of Transportation Engineers, this level of development can be expected to generate approximately 241 average daily trips, 28 of them during the evening peak hour.[1]

The Transportation System Plan (TSP) analyzed traffic throughout the City. Based on the projected development densities envisioned in the Comprehensive Plan, the TSP anticipated that the population within Traffic Analysis Zone (TAZ) #7 would grow from 326 in 1995 to 518 in 2015. The annexation of this site and the application of the MH zoning are consistent with the Comprehensive Plan and the level of development analyzed in the TSP.

2. Impact of development-generated traffic on local street segments
Traffic to and from the site will utilize Scappoose-Vernonia Highway, which connects to Highway 30. Some traffic would also utilize Manor Drive, which would become a through-street as part of future development.

The affected street segments appear to have adequate capacity to accommodate volumes of traffic resulting from development of this area, and the capacity-controlling facility will be the individual intersections, particularly the traffic signal at the Scappoose-Vernonia Highway/Highway 30 intersection (discussed below).

This proposal does not "significantly affect" the impacted street segments (as defined by the Transportation Planning Rule) because the annexation and zoning are consistent with the TSP traffic assumptions. However, future development of the site will require additional improvements to Scappoose-Vernonia Highway and Manor Drive to maintain safety and to provide connectivity. Full determination of the required improvements would be deferred until the time of development of the site, and would consist of half-street improvements at a minimum.

3. Impact of development-generated traffic on affected intersections
Traffic from development is likely to primarily impact two intersections discussed below.

a. Manor Drive/Scappoose-Vernonia Highway intersection
This is a 3-leg stop-controlled intersection. The City does not have daily, morning peak hour, or evening peak hour traffic data for this location. However, it is not anticipated that additional traffic from development of the site would cause this

[1] The following trip generation ratios were used:
Single-family residences: 9.57 average daily trips and 1.01 PM peak hour trips per unit
Manufactured home park: 4.81 average daily trips and 0.56 PM peak hour trips per unit

intersection to fall below the City's standards requiring a Level of Service "E" or better for unsignalized intersections. The proposed annexation and zone change does not "significantly affect" this intersection as defined by the Transportation Planning Rule.

b. Highway 30/Scappoose-Vernonia Highway/Crown Zellerbach Road intersection
This is a 4-leg signal-controlled intersection that was recently realigned to improve operations. The Scappoose Rail Corridor Study (Kittelson & Associates, October 2002) indicates that the Highway 30/Scappoose-Vernonia Highway/Crown Zellerbach Road intersection will operate at a Level of Service "B" in the morning and evening peak hour under the "base growth" scenario, with a Level of Service "C" in the morning and evening peak hours under the "full growth" scenario (Figures 3-3, 3-4, 3-5, and 3-6). The intersection will operate at a volume-to-capacity (V/C) ratio of 0.71 in the evening peak hour under the "base growth" scenario and a V/C ratio of 0.82 in the "full growth" scenario, which exceeds ODOT's mobility standard V/C ratio of 0.70. It is not anticipated that additional traffic from development of the site would cause this intersection to significantly deteriorate.

ODOT Region 1 has jurisdiction over this intersection and did not respond to or object to the annexation application. The City can conclude that the proposed annexation and zone change does not "significantly affect" this intersection or Highway 30 itself.

4. Transportation impact conclusions
Based on trip generation levels applicable to the MH zone, the City finds that the proposed annexation and zone change are consistent with the land uses envisioned by the Comprehensive Plan and the Transportation System Plan. Development of the site will generate on the order of 28 additional evening peak hour trips, which will have a minor impact on affected street segments and intersections.

Therefore, the proposed annexation and zone change are consistent with the Comprehensive Plan and TSP and would not require a change in the functional classification or street standards.

It should be noted that interim transportation congestion and safety hazards could exist on Scappoose-Vernonia Highway. Consequently, the City could require mitigation between the site and Highway 30. As spelled out by Section 5.0013 of the Scappoose Public Works Design Standards, specific development proposals trigger the requirement for traffic analysis reports identifying projected trip generation levels, recommendations for public improvements, and access management. Any mitigation strategies prompted by the results of the traffic analysis reports would be installed as conditions of development.

3. The following Goals and Policies from the Scappoose Comprehensive Plan are applicable to this request:

GOAL FOR PUBLIC FACILITIES AND SERVICES

1) Provide the public facilities and services which are necessary for the well being of the community and which help guide development into conformance with the Comprehensive Plan.

2) Direct public facilities and services, particularly water and sewer systems, into the urban growth area.

3) Ensure that the capacities and patterns of utilities and other facilities are adequate to support the residential densities and intensive land use patterns of the Comprehensive Plan.

4) Avoid the provision or expansion of public utilities and facilities in sparsely settled non-urban areas, when this would tend to encourage development or intensification of uses, or to create the need for additional urban services.

Goals 5-11 are not applicable to this application.

POLICIES FOR PUBLIC FACILITIES AND SERVICES

1) Design urban facilities and services, particularly water and sewer systems, to eventually serve the designated urban growth area; also, ensure that services are provided to sufficient vacant property to meet anticipated growth needs; also, develop a design review process to insure that public services and facilities do not unreasonably degrade significant fish and wildlife habitats.

9) Control local flooding and groundwater problems through the use of existing storm drainage systems and construction of new facilities in accordance with the Scappoose Storm Drain System Master Plan.

19) Approve annexations of new residential lands, except in the case of a health hazard, only when:
- *1. There is sufficient capacity in the sewer, water, street, school, fire, and police systems to service the potential additional populace.*
- *2. Sufficient in-filling of vacant land has occurred to warrant an expansion.*

Policies 2-8, 10-18 and 20-27 are not applicable to this application.

Finding:
The City Engineer, City Manager, Chief of Police, Fire Chief, and school Superintendent were provided with the opportunity to determine whether sufficient capacity exists for needed facilities and services. No objection to this annexation has been expressed by City Departments or public service agencies. The public facility requirements must be met at the time that the applicant proposes a development plan. All plans and improvements are subject to review by the City Engineer and must conform to the requirements of the Scappoose Municipal Code and the Public Works Design Standards and Standard Specifications.

Fire & Police Protection

- The Scappoose Rural Fire District provides fire protection for this site. Development of the site will have to comply with all applicable fire and building codes and would provide hydrants in sufficient numbers and at locations deemed appropriate by the Scappoose Rural Fire District.

- If this site were annexed it would come under the protection of the Scappoose Police Department. Increased assessment valuation would generate some tax revenue to contribute toward the cost of providing service.

Streets

- The Scappoose-Vernonia Highway right-of-way width is 60 feet adjacent to the site, rather than the City standard of 66 feet. The right-of-way width and paved width would be required to be widened to accommodate the traffic from future development proposals. The City would require half-street improvements along the site's frontage on Scappoose-Vernonia Highway and Manor Drive as a condition of future development.

Schools

- Annexation and subsequent development of the site would increase school district enrollment. The local school district should receive additional revenues due to increased valuation as a result of future development to partially offset any increase in school district enrollment. The school district did not object to this application, and prior discussions have indicated that the overall student population for the district is relatively stable.

Water Service

- There is an existing City water line in Scappoose-Vernonia Highway and Manor Drive. The property would have access to these lines upon annexation, with extensions to be installed by the developer.

Sewer and Storm Drainage

- Sanitary sewer mains are located in Scappoose-Vernonia Highway and Manor Drive. The applicant would need to design and construct a storm drainage collection system at the time of future development.

The applicable goals and policies of the GOAL FOR PUBLIC FACILITIES AND SERVICES, and the POLICIES FOR PUBLIC FACILITIES AND SERVICES, are satisfied.

GENERAL GOALS FOR LAND USES

1) The growth of the City should be orderly and in accordance with the public health, safety and welfare, while preserving individual choice and recognizing existing patterns of development.

6) Residential living areas should be safe, attractive, and convenient, and should make a positive contribution to the quality of life and personal satisfaction of the residents; additionally, there should be sufficient areas for a wide range of housing choices.

Finding:

The subject property is located in the UGB immediately adjacent to land zoned R-1 and MH by the City. Annexation would permit development in an orderly outward expansion. Development of the subject site is required to provide the infrastructure associated with new residential development, including public streets with curbs and sidewalks. The MH zoning permits single-family residences, duplexes, tri-plexes, four-plexes, and manufactured home parks.

The applicable GENERAL GOALS FOR LAND USES are satisfied.

GOAL FOR HOUSING

1) Increase the quantity and quality of housing for all citizens

2) Locate housing so that it is fully integrated with land use, transportation and public facilities

3) Not applicable

4) Protect residential areas from conflicting land uses, unnecessary through traffic, or other undesirable influences.

POLICIES FOR HOUSING

1) Maintain adequate zoning, subdivision and building codes to help achieve the City's housing goals.

7) Ensure that subdivisions provide a full array of public services at the expense of the developer.

(Policies 2 through 6 and 8-10 are not applicable to this application.)

Finding:
The proposed annexation and zoning of the site for residential uses is consistent with Goals 1, 2, and 4 because the inclusion of a 4.27-acre lot with the potential for additional housing will increase the quantity of residential land in the City. The proposed use does not conflict with existing land uses because the site is adjacent to existing residential uses. In addition, the new residences will not generate unnecessary through traffic or undesirable influences.

The zoning of the site for residential use is consistent with the policies of the Comprehensive Plan. The site will assist in maintaining adequate land to meet the City's housing needs and future subdivision improvements will be made at the expense of the developer. The applicable goals and policies of the GOAL FOR HOUSING and the POLICIES FOR HOUSING are satisfied.

4. The following sections of Title 17 of the Scappoose Municipal Code (Scappoose Development Code) are applicable to this request:

Chapter 17.22 AMENDMENTS TO THE TITLE, COMPREHENSIVE PLAN, AND MAPS
17.22.010 Purpose. The purpose of this chapter is to set forth the standards and purposes governing legislative and quasi-judicial amendments to this title, the acknowledged comprehensive plan, and the related maps.

17.22.030 Quasi--judicial amendments. Quasi-judicial amendments shall be in accordance with the procedures set forth in Chapter 17.162 and the following:
A. The commission shall make a recommendation to the Council to approve, approve with conditions or deny an application for a quasi-judicial comprehensive plan map amendment or zone changes based on the following:
1. The applicable comprehensive plan policies and map designation;
2. The change will not adversely affect the health, safety and welfare of the community;
3. The applicable standards of this title or other applicable implementing ordinances; and
4. Evidence of change in the neighborhood or community or a mistake or inconsistency with the comprehensive plan or zoning map as it relates to the subject property.
B. The council shall decide the applications on the record.
C. A quasi-judicial application may be approved, approved with conditions or

denied.

Finding:
1. THE APPLICABLE COMPREHENSIVE PLAN POLICIES AND MAP DESIGNATION

As specified by Section 17.136.070 of the Scappoose Municipal Code, if this property is annexed it would automatically receive the Manufactured Housing (MH) zoning designation since the site had a "Manufactured Housing" Comprehensive Plan Map designation. The applicable comprehensive plan policies are outlined above.

2. THE CHANGE WILL NOT ADVERSELY AFFECT THE HEALTH, SAFETY AND WELFARE OF THE COMMUNITY;

The zone change to MH implements the Manufactured Housing Comprehensive Plan designation. The proposed annexation would permit new development consistent with the existing residential character, which would reinforce and enhance a residential neighborhood. The annexation and zone change could allow up to 50 dwellings, which would not adversely affect health, safety, and welfare.

3. THE APPLICABLE STANDARDS OF THIS TITLE OR OTHER APPLICABLE IMPLEMENTING ORDINANCES;

The proposed annexation and zone change are policy decisions subject to guidance by the full policy framework established by the Oregon Statewide Land Use Planning Goals and associated Oregon Administrative Rules (OAR), and by the Scappoose Comprehensive Plan and Development Code. Full discussion of the applicable standards is found in this report. The analysis demonstrates consistency and compliance with all applicable approval standards.

4. EVIDENCE OF CHANGE IN THE NEIGHBORHOOD OR COMMUNITY OR A MISTAKE OR INCONSISTENCY WITH THE COMPREHENSIVE PLAN OR ZONING MAP AS IT RELATES TO THE SUBJECT PROPERTY.

The subject site is designated Manufactured Housing in the Comprehensive Plan Map. Applying Section 17.136.070 by automatically zoning the property Manufactured Housing (MH) is consistent with the Comprehensive Plan.

Chapter 17.54 MH MANUFACTURED HOUSING

17.54:030 Permitted uses. A. In the MH zone outside of the Scappoose Creek Flood Plain, only the following uses and their accessory uses are permitted outright:
[...]
2. Duplex;
[...]

4. Manufactured homes on individual lots subject to Section 17.94.030;
[...]
6. Multifamily up to four units per lot;
[...]
9. Single-family detached residential dwelling units.
[...]
13. A single-family dwelling having a common wall with one other single-family dwelling...

Finding:
A variety of residential uses is permitted within the MH zoning district. Future development proposals would be reviewed for consistency with the permitted uses in the proposed zone. Section 17.54.030 is satisfied.

Chapter 17.136 ANNEXATIONS

17.136.020 Policy.
Annexations shall be considered on a case-by-case basis, taking into account the goals and policies in the Scappoose Comprehensive Plan, long range costs and benefits of annexation, statewide planning goals, this title and other ordinances of the City and the policies and regulations of affected agencies' jurisdictions and special districts.

A. It is the City's policy to encourage and support annexation where:

1. *The annexation complies with the provisions of the Scappoose Comprehensive Plan*
2. *The annexation would provide a logical service area, straighten boundaries, eliminate or preclude islands of unincorporated property, and contribute to a clear identification of the City.*
3. *The annexation would benefit the City by addition to its revenues of an amount that would be at least equal to the cost of providing service to the area.*
4. *The annexation would be clearly to the City's advantage in controlling the growth and development plans for the area.*

Finding:
The proposed annexation complies with the goals and policies of the Comprehensive Plan as previously discussed in Finding of Fact #3. The annexation is contiguous to land with City Limits, expanding the City's logical service area. Pursuant to Scappoose Municipal Code Chapter 13.12.100, sewer services are not provided outside the City limits, so annexation would allow this site to be served by the municipal sewer system. Annexation will allow the City to manage growth by providing for City inspection and approval of all development. Section 17.136.020(A) is satisfied.

B. It is the City's policy to discourage and deny annexation where:

1. *The annexation is inconsistent with the provisions of the Scappoose Comprehensive Plan.*
2. *The annexation would cause an unreasonable disruption or distortion of the current City boundary or service area.*
3. *The annexation would severely decrease the ability of the City to provide services to an area either inside or outside of the City.*
4. *Full urban services could not be made available within a reasonable time.*

Finding:
The proposal is consistent with the provisions of the Scappoose Comprehensive Plan as previously discussed. The annexation does not decrease the ability of the City to provide services and does not cause an unreasonable disruption of the current City boundary. The proposed annexation site can be served by urban services within a reasonable time and does not decrease the ability of the City to provide services. Section 17.136.020(B) is satisfied.

17.136.040 Approval standards.

A. The decision to approve, approve with modifications or deny, shall be based on the following criteria:

1. *All services and facilities are available to the area and have sufficient capacity to provide service for the proposed annexation area;*

Finding:
Existing municipal police services can be made available to the site immediately. The site fronts onto 2 existing roads within the City (Scappoose-Vernonia Highway and Manor Drive). The property is already located within the Scappoose Rural Fire District, the Scappoose School District, the Scappoose Library District, and the Scappoose Parks and Recreation District. Telephone and electric services are already provided to neighboring properties.

Water and sewer service can be made available to the site with extensions installed by the developer. The water treatment plants and wastewater treatment plant have excess capacity to accommodate development of this and other sites.

The facility planning for the City's water and wastewater treatment facilities assumed that this site would be zoned MH. The site could be developed with approximately 50 additional housing units at maximum density.

The wastewater flow associated with 50 residences is 6,250 gallons per day (0.006 MGD), using an average of 125 gallons per day per household.

The North Interceptor into the Wastewater Treatment Plant has a capacity of 2.3 MGD; therefore the 5 additional households would use approximately 0.3% of that capacity. The

treatment plant has the capacity to accommodate the residences that could be constructed on this site.

The City's existing surface and subsurface drinking water sources can produce in excess of 1,600 gallons per minute. The Water Treatment Plant and Water Wells have the capacity to serve the additional residences from this site.

Scappoose-Vernonia Highway and Manor Drive currently do not meet the City's standards for major collectors and local residential streets, respectively. However, improvements would be required as conditions imposed on future development identified as part of traffic impact analysis performed in conjunction with future development proposals. The City can conclude that Scappoose-Vernonia Highway and Manor Drive can be made adequate with appropriate improvements.

Section 17.136.040(A).1 is satisfied.

2. *The impact upon public services which include but are not limited to police and fire protection, schools and public transportation to the extent that they shall not be unduly compromised;*

Finding:

As discussed previously, the proposed annexation will have a minimal impact on the capacity of public service providers, especially since the site is already within the service areas of the Fire District and other service providers. Section 17.136.040(A).2 is satisfied.

3. *The need for housing, employment opportunities and livability in the City and surrounding areas;*

Finding:

This annexation would provide an additional 4.27 acres for residential development and would also create temporary employment opportunities for the construction of streets, utilities, and structures. Section 17.136.040(A).3 is satisfied.

4. *The location of the site in relation to efficient provision of public facilities, services, transportation, energy conservation, urbanization and social impacts.*

Finding:

This site is contiguous to the existing City limits. Public services are already available to neighboring properties and use of these will improve efficiency by utilizing existing trunk lines and service lines. Water and sewer service are available to the site from Scappoose-Vernonia Highway and Manor Drive, and police and fire protection can be supplied by the Scappoose Police Department and Scappoose Rural Fire Protection District,

respectively. The site has convenient transportation access to downtown Scappoose. Increasing the supply of land for housing will benefit the City by providing additional land to meet the demand for residential development. Urbanization of the site is consistent with the City's Comprehensive Plan, and site development is not anticipated to impose adverse social impacts. Section 17.136.040(A).4 is satisfied.

17.136.070 Zoning upon annexation. Upon annexation, the area annexed shall be automatically zoned to the corresponding land use zoning classification as shown in the table below. The zoning designation shown on the table below is the city's zoning district which most closely implements the city's comprehensive plan map designation.

Comprehensive Plan	***Zoning Classification***
SR	*R-1, Low Density Residential*
GR	*R-4, Moderate Density Residential*
MH	*MH, Manufactured Home Residential*
C	*Expanded Commercial*
I	*Light Industrial*

Finding:
The site has a Comprehensive Plan designation of MH, Manufactured Housing. Upon annexation, the site would automatically be zoned MH, Manufactured Housing. The findings demonstrate that the City's infrastructure has the capacity to absorb development of this site. Section 17.136.070 is satisfied.

Chapter 17.162 PROCEDURES FOR DECISION MAKING--QUASI-JUDICIAL

17.162.090 Approval authority responsibilities. [...]
C. The planning commission shall conduct a public hearing in the manner prescribed by this chapter and shall have the authority to approve, approve with conditions, approve with modifications or deny the following development applications:
1. Recommendations for applicable comprehensive plan and zoning district designations to city council for lands annexed to the city;
2. A quasi-judicial comprehensive plan map amendment except the planning commission's function shall be limited to a recommendation to the council. The commission may transmit their recommendation in any form and a final order need not be formally adopted;
3. A quasi-judicial zoning map amendment shall be decided in the same manner as a quasi-judicial plan amendment; [...]

Finding:
The applicant has requested the concurrent review of Annexation and a Zone Change. The Planning Commission recommends that the City Council approve the applicant's request. Based on the submitted materials and the staff report the applicant's proposal complies with the City's Comprehensive Plan and with the requirements of Title 17 of the Scappoose Municipal Code. Section 17.162.090(C) is satisfied.

RECOMMENDATION

Based on the findings of fact, the conclusionary findings for approval, and the material submitted by the applicant, staff and the Planning Commission recommend **APPROVAL** of the application ANX7-06/ZC7-06 for placement on the May 15, 2007 ballot.

Exhibit 1

City of Scappoose
Application # ANX 7-06/ZC 7-06

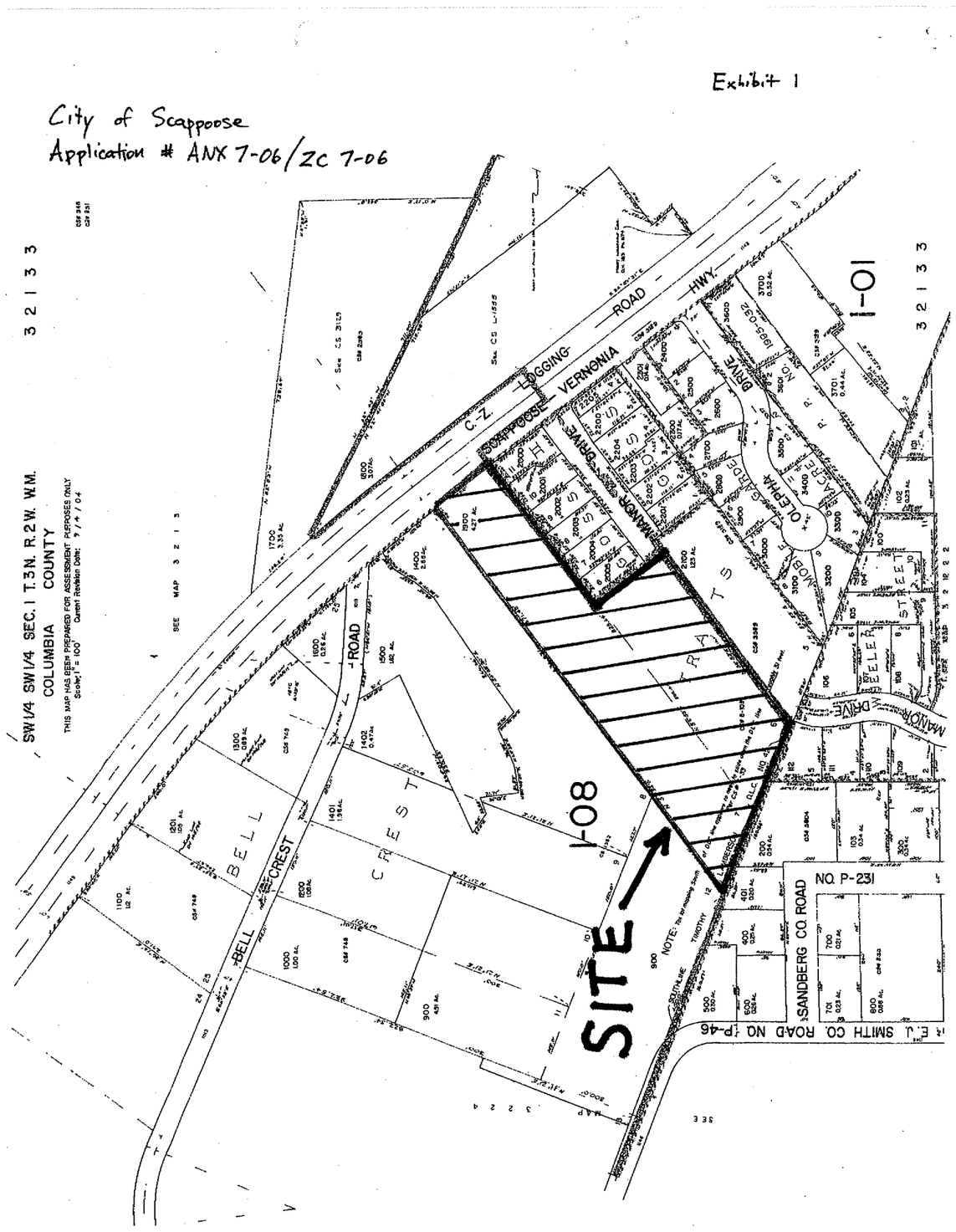


Exhibit 2

LEGAL DESCRIPTION
FOR RICHARD JONES
TRACTS 6 & 7

The following described real property situated in the State of Oregon, County of Columbia;

That portion of the Southwest quarter of Section 1 Township 3 North, Range 2 West of the Willamette Meridian and being a portion of Bell Crest Tract described as follows;

Beginning at the most Southwesterly corner of Tract 7, Bell Crest Tract as per the plat on file and of record in the County Clerks Office, Columbia County Oregon and running thence South 68° 39' East a distance of 334.36 feet to the Southeast corner of Tract 6 of said Bell Crest Tract; Thence North 52° 53' East along the Easterly line of said Tract 6, a distance of 410.76 feet to the Southerly line of Goss No. 2; Thence North 37° 07' West along the Southerly line of said Goss No. 2, a distance of 149.99 feet to the Easterly line of Tract 7; Thence North 52° 53' East along said Easterly line a distance of 325.84 feet to the Southerly right of way line of the Scappoose to Vernonia Highway; Thence North 37° 07" West along said line a distance of 135.00 feet to the Northwest corner of Tract 7, Bell Crest Tract; Thence South 52° 53' West along the West line of said Tract 7, a distance of 911.48 feet to the point of beginning.

The above described tract contains 4.27 acres.

Exhibit 3

Richard and Joyce Jones
33224 Scappoose Vernonia Highway
Scappoose, Oregon 97056
(503) 543-6011

November 1, 2006

City of Scappoose
33588 East Columbia Avenue
Post Office Drawer P
Scappoose, Oregon 97056

Attention: Brian Varricchione
Subject: Annexation of Tax Lot 1900, Bell Crest Tracts

As owners of two legal lots of record, Track 7 and Part of Track 6 containing approximately 4.27 acres, we are seeking annexation to the City of Scappoose for the services that are provided by the city. The present water well is 65 years old and does not provide adequate water supply during the dry months of the year. In addition, the septic system is approximately 30 years old and requires pumping to maintain a functioning system.

The property is within the urban growth boundary and egresses on to Scappoose Vernonia Highway. City water and sever are immediately adjacent on Manor Drive.

The Property slopes approximately 25% or more from the west corner of Tract 7 for an estimated distance of 400 feet. To the best of our knowledge there is no high seasonal water table within 24 inches of ground surface, wetlands, soil erosion, weak foundation soils, rock outcroppings or wild life habitat.

Thank you for you review and consideration.
Sincerely,

Richard T Jones

Joyce F Jones

Attachments:

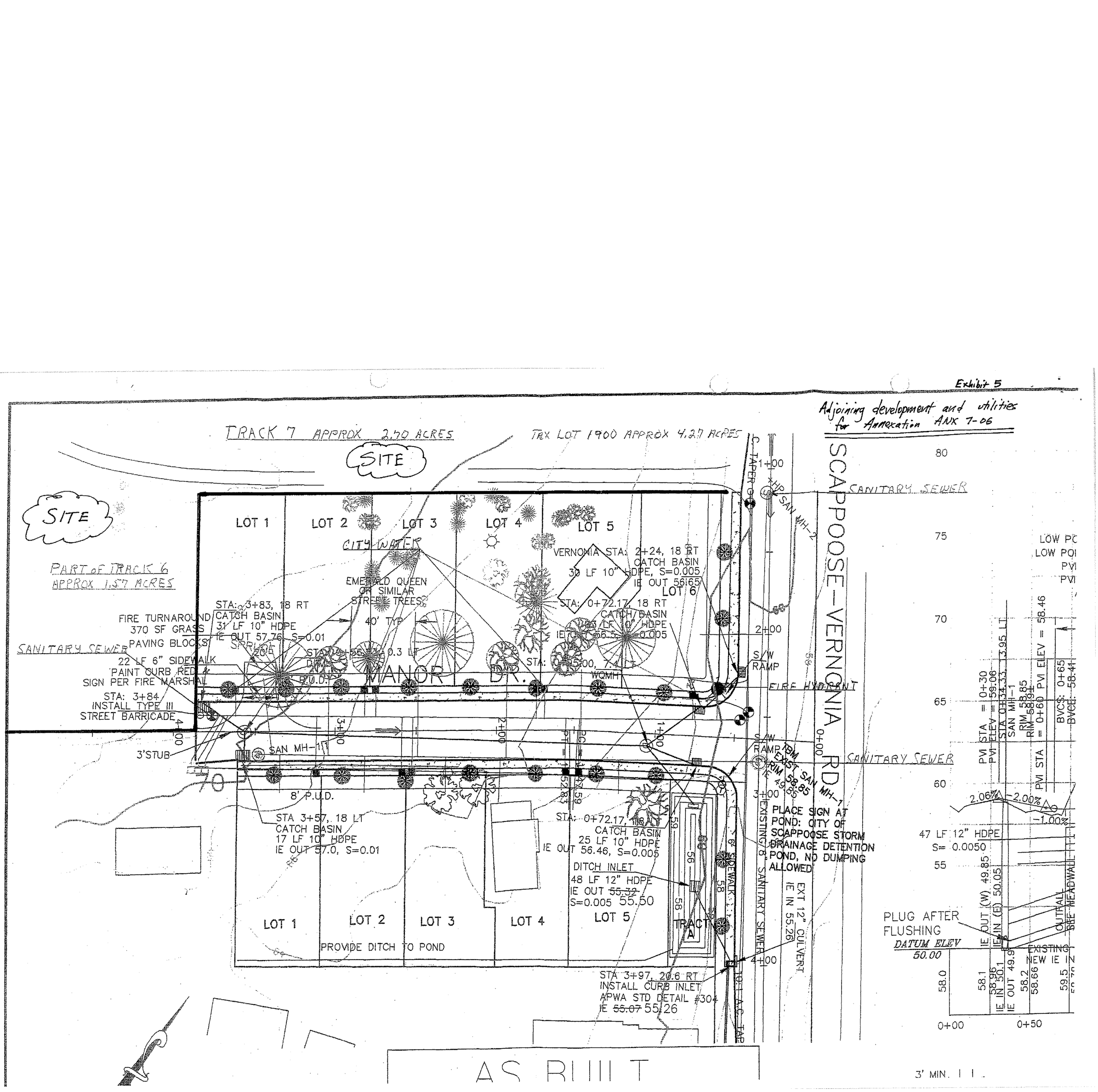
- Annexation Application
- Notarized Registered Electors
- Property Owners and Electors
- City of Scappoose Water and Sewer Locations
- Aerial View of Tax Lot 1900
- Legal Descriptions; Part of Track 6 and Track 7
- Names and Addresses of Property Owners Within 200 Feet

Exhibit 4


© 2006 Europa Technologies
Image © 2006 DigitalGlobe
Google
© 2006 Europa Technologies
Image © 2006 DigitalGlobe
Google

Exhibit 5

Adjoining development and utilities for Annexation ANX 7-06



January 22 2007

City of Scappoose

Attn: Brian Varricchione

City Planner

Regarding Docket # ANX 7-06/ZC 7-06

In regards to the notice mailed on January 8, 2007, about the proposed annexation of lot ANX 7-06/ZC 7-06. I am very opposed to this annexation for Manufacture Housing due to the fact I have a site built home and I will take a serious penalty in Home Equity Value. If said annexation is approved I will take up to a $50,000.00 loss to the value of my home. I have NO objection to annexation for Site Built Homes. Based on the development of the surrounding areas of two story and above site build homes it makes more sense to annex these lots for Site Built development.

David L Roadenizer-Berg

53097 NW Manor Drive

P.O. Box 1435

Scappoose, OR

97056

Exhibit 7

RECEIVED
JAN 24 2007
BY:

January 23, 2007

City of Scappoose

Attn: Brian Varricchione, City Planner

Re: Docket # ANX 7-06/ZC7-06

Regarding the above listed docket item for proposed annexation of approximate 4.27 acres at 53224 Scappoose-Vernonia Highway, we are opposed to the automatic zoning for manufactured homes.

We do not have any apparent opposition to the zoning being changed to site build homes. We feel that the manufactured home zoning would adversely affect the value of our existing site build home.

Respectfully submitted,

B. R. and Anita M. Croft
53103 N.W. Manor Drive
Scappoose, OR 97056

ORDINANCE NO. 789

AN ORDINANCE RELATING TO LAND USE, APPROVING ANNEXATION OF PROPERTY TO THE CITY OF SCAPPOOSE, AMENDING THE ZONING MAP, AND CALLING AN ELECTION

WHEREAS, an application was filed by KS Development, Inc. to annex property described in Exhibit A, attached hereto and incorporated herein, to the City of Scappoose; and

WHEREAS, pursuant to Section 17.136.070 of the Scappoose Municipal Code, the property described in Exhibit A would automatically be zoned Low Density Residential (R-1) upon annexation due to the property's "Suburban Residential" Comprehensive Plan designation; and

WHEREAS, hearings were held pursuant to Scappoose Municipal Code Chapters 17.22 and 17.136; and

WHEREAS, pursuant to Section 17.136.030 of the Scappoose Municipal Code, annexations must be referred to the voters of the City for approval; now therefore,

THE CITY OF SCAPPOOSE ORDAINS AS FOLLOWS:

Section 1. The application to annex the property described in Exhibit A is hereby approved, subject to approval by the voters of the City. Pursuant to ORS 222.160, the Exhibit A property will be declared by Resolution to be annexed to the City of Scappoose if the Columbia County Elections Officer certifies that the majority of voters in the City approve the measure.

Section 2. Pursuant to Scappoose Municipal Code Chapter 17.136, annexation of the Exhibit A property will be submitted to Columbia County to be placed on the May 15, 2007 ballot. The ballot title for such question is herein adopted, and attached hereto as Exhibit B.

Section 3. In support of the above annexation and zone change, the City Council hereby adopts the findings, conclusions and recommendations of the Staff Report dated February 14, 2007, attached as Exhibit C attached hereto and incorporated herein.

Section 4. The annexation approved by this Ordinance shall take effect upon the date of certification of the election approving the annexation.

Section 5. Upon certification of the election on annexation, the City Manager is directed to conform the City Zoning Map to the provisions of this ordinance.

PASSED AND ADOPTED by the City Council this 20th day of February, 2007, and signed by me in authentication of its passage.

CITY OF SCAPPOOSE, OREGON

Scott Burge, Mayor

First Reading: February 5, 2007
Second Reading: February 20, 2007

Attest:

Susan Pentecost, City Recorder

Exhibit A
Legal description of property to be annexed and zoned Low Density Residential

Columbia County Assessor Map No. 3107-032-01900

A tract of land in the Southwest quarter of Section 7, Township 3 North, Range 1 West, Willamette Meridian, Columbia County, Oregon being more particularly described as follows:

Beginning at the West quarter corner of said Section 7; thence South 376.31 feet; thence East 646.51 feet to a 5/8" iron rod with yellow plastic cap marked "REYNOLDS LAND SURVEYING, INC." on the West line of the Virginia Bird and Learle Smith tract as described in Instrument No. 01-12240, Clerk's Records, Columbia County, Oregon and the **true point of beginning** of the following described tract; thence South 69°13'27" East a distance of 239.81 feet to a 5/8" iron rod with yellow plastic cap marked "REYNOLDS LAND SURVEYING, INC." on the West right of way line of Bird Road; thence South 20°06'00" West, along said West right of way line, a distance of 399.75 feet to the North right of way line of Honeyman Road; thence North 64°13'30" West, along said North right of way line, a distance of 240.98 feet to the Southwest corner of said Virginia Bird and Learle Smith tract; thence North 20°06'00" East, along the West line of said Bird and Smith tract, a distance of 378.75 feet to the true point of beginning.

Exhibit B
Ballot Title

NOTICE OF CITY MEASURE ELECTION

City of Scappoose
(Name of City)

Notice is hereby given that on Tuesday, May 15, 2007, a measure election will be held in the City of Scappoose, in Columbia County, Oregon.
(Day of week) (Date of election) (Name of county)

The following shall be the ballot title of the measure to be submitted to the City's voters on this date:

CAPTION (10 Words)

ANNEXATION OF BIRD ROAD PROPERTY TO THE CITY OF SCAPPOOSE

QUESTION (20 Words)

Shall the described property be annexed to the City of Scappoose?

SUMMARY (175 Words)

KS Development, Inc. has requested that the City annex property.

This measure, if approved, would annex approximately 2.2 acres to the City of Scappoose. The property is located at 54213 & 52411 Bird Road. The property is described as Columbia County Assessor Map No. 3107-032-01900. The property is located in the Urban Growth Boundary and is contiguous to Scappoose City limits. Annexation would cause the property to be placed on the City's tax rolls and would result in additional revenues to the City.

The following authorized city official hereby certifies the above ballot title is true and complete, which includes completion of the ballot title challenge process.

Signature of authorized city official (not required to be notarized) | Date signed

Printed name of authorized city official | Title

City of Scappoose

Council Action & Status Report

Date Submitted:	2/1/07
Agenda Date Requested:	2/5/07
To:	Scappoose City Council
Through:	Planning Commission
From:	Brian Varricchione, E.I.T. City Planner & Assistant City Engineer
Subject:	Request by KS Development, Inc. to annex 2.2 acres on the corner of Columbia Avenue and Bird Road

Type of Action Requested:

[ ]	**Resolution**	[X]	**Ordinance**
[ ]	**Formal Action**	[ ]	**Report Only**

Issue: KS Development, Inc. has requested annexation and an automatic zone change to Low Density Residential (R-1) for approximately 2.2 acres. The Planning Commission recommends approval of the annexation. An ordinance to annex the property and zone it R-1 is attached for adoption.

Analysis:
KS Development, Inc. has submitted an application (Docket # ANX8-06/ZC8-06) to annex 2.2 acres on the northwest corner of East Columbia Avenue and Bird Road. According to Section 17.136.070 of the Scappoose Development Code, because the parcel has a Suburban Residential (SR) Comprehensive Plan designation, upon annexation the land shall automatically be zoned Low Density Residential (R-1).

The Planning Commission held a public hearing regarding this request on January 11, 2007. The Commission recommended approval of the annexation. An ordinance to approve the annexation is attached for the Council's review. Approval of the ordinance would refer the annexation to the electorate for their consideration.

Options:

1. Approve the annexation application, adopt the findings in ANX 8-06/ZC 8-06 staff report dated February 1, 2007, and adopt the proposed ordinance, thereby placing the annexation on the May 15, 2007 ballot.

2. Adopt findings demonstrating that the application does not comply with the Scappoose Municipal Code and deny the application.

Recommendation: Staff recommends that the Council approve the annexation application and adopt the Ordinance as presented.

Suggested Motions:

1. I move that the Council approve the annexation application and adopt the findings in the ANX 8-06/ZC 8-06 staff report dated February 1, 2007.

(if the first motion passes, make the second motion below)

2. I move that the Council adopt Ordinance No. 789 as presented.

DRAFT

ORDINANCE NO. 789

AN ORDINANCE RELATING TO LAND USE, APPROVING ANNEXATION OF PROPERTY TO THE CITY OF SCAPPOOSE, AMENDING THE ZONING MAP, AND CALLING AN ELECTION

WHEREAS, an application was filed by KS Development, Inc. to annex property described in Exhibit A, attached hereto and incorporated herein, to the City of Scappoose; and

WHEREAS, pursuant to Section 17.136.070 of the Scappoose Municipal Code, the property described in Exhibit A would automatically be zoned Low Density Residential (R-1) upon annexation due to the property's "Suburban Residential" Comprehensive Plan designation; and

WHEREAS, hearings were held pursuant to Scappoose Municipal Code Chapters 17.22 and 17.136; and

WHEREAS, pursuant to Section 17.136.030 of the Scappoose Municipal Code, annexations must be referred to the voters of the City for approval; now therefore,

THE CITY OF SCAPPOOSE ORDAINS AS FOLLOWS:

Section 1. The application to annex the property described in Exhibit A is hereby approved, subject to approval by the voters of the City. Pursuant to ORS 222.160, the Exhibit A property will be declared by Resolution to be annexed to the City of Scappoose if the Columbia County Elections Officer certifies that the majority of voters in the City approve the measure.

Section 2. Pursuant to Scappoose Municipal Code Chapter 17.136, annexation of the Exhibit A property will be submitted to Columbia County to be placed on the May 15, 2007 ballot. The ballot title for such question is herein adopted, and attached hereto as Exhibit B.

Section 3. In support of the above annexation and zone change, the City Council hereby adopts the findings, conclusions and recommendations of the Staff Report dated February 1, 2007, attached as Exhibit C attached hereto and incorporated herein.

Section 4. The annexation approved by this Ordinance shall take effect upon the date of certification of the election approving the annexation.

Section 5. Upon certification of the election on annexation, the City Manager is directed to conform the City Zoning Map to the provisions of this ordinance.

PASSED AND ADOPTED by the City Council this _____ day of _____, 2007, and signed by me in authentication of its passage.

CITY OF SCAPPOOSE, OREGON

DRAFT

Scott Burge, Mayor

First Reading:
Second Reading:

Attest:

Susan Pentecost, City Recorder

Exhibit A
Legal description of property to be annexed and zoned Low Density Residential

Columbia County Assessor Map No. 3107-032-01900

A tract of land in the Southwest quarter of Section 7, Township 3 North, Range 1 West, Willamette Meridian, Columbia County, Oregon being more particularly described as follows:

Beginning at the West quarter corner of said Section 7; thence South 376.31 feet; thence East 646.51 feet to a 5/8" iron rod with yellow plastic cap marked "REYNOLDS LAND SURVEYING, INC." on the West line of the Virginia Bird and Learle Smith tract as described in Instrument No. 01-12240, Clerk's Records, Columbia County, Oregon and the **true point of beginning** of the following described tract; thence South 69°13'27" East a distance of 239.81 feet to a 5/8" iron rod with yellow plastic cap marked "REYNOLDS LAND SURVEYING, INC." on the West right of way line of Bird Road; thence South 20°06'00" West, along said West right of way line, a distance of 399.75 feet to the North right of way line of Honeyman Road; thence North 64°13'30" West, along said North right of way line, a distance of 240.98 feet to the Southwest corner of said Virginia Bird and Learle Smith tract; thence North 20°06'00" East, along the West line of said Bird and Smith tract, a distance of 378.75 feet to the true point of beginning.

Exhibit B
Ballot Title

NOTICE OF CITY MEASURE ELECTION

City of Scappoose
(Name of City)

Notice is hereby given that on Tuesday, May 15, 2007, a measure election will be held in the City of Scappoose, in Columbia County, Oregon.
(Day of week) (Date of election) (Name of county)

The following shall be the ballot title of the measure to be submitted to the City's voters on this date:

CAPTION (10 Words)

ANNEXATION OF BIRD ROAD PROPERTY TO THE CITY OF SCAPPOOSE

QUESTION (20 Words)

Shall the described property be annexed to the City of Scappoose?

SUMMARY (175 Words)

KS Development, Inc. has requested that the City annex property.

This measure, if approved, would annex approximately 2.2 acres to the City of Scappoose. The property is located at 54213 & 52411 Bird Road. The property is described as Columbia County Assessor Map No. 3107-032-01900. The property is located in the Urban Growth Boundary and is contiguous to Scappoose City limits. Annexation would cause the property to be placed on the City's tax rolls and would result in additional revenues to the City.

The following authorized city official hereby certifies the above ballot title is true and complete, which includes completion of the ballot title challenge process.

Signature of authorized city official (not required to be notarized) — Date signed

Printed name of authorized city official — Title

CITY OF SCAPPOOSE
33568 EAST COLUMBIA AVENUE
SCAPPOOSE, OREGON 97056
(503) 543-7146
FAX: (503) 543-7182

ANX8-06/ZC8-06 February 1, 2007
KS Development: Bird Road Annexation and Zone Change

CITY OF SCAPPOOSE STAFF REPORT

Request: Approval of an application for annexation and a corresponding zone change to Low Density Residential (R-1) for approximately 2.2 acres.

Location: The subject parcel is located at 54213 & 52411 Bird Road. The site consists of property described as a portion of Columbia County Assessor Map No. 3107-032-01900. See attached Vicinity Map (**Exhibit 1**).

Applicant: KS Development, Inc.

Owner(s): KS Development, Inc.

EXHIBITS

1. Vicinity Map
2. Legal Description
3. Applicant's Narrative
4. Applicant's Conceptual Development Plan
5. Applicant's Conceptual Circulation Plan

SUBJECT SITE

- The subject site consists of one parcel with an area of approximately 2.2 acres. The parcel is located on the northwest corner of Bird Road and East Columbia Avenue. See **Exhibit 1**, Vicinity Map. A property line adjustment was recently recorded at Columbia County to transfer a portion of Tax Lot 1900 to the parcel to the north.[1] The resulting legal description for the property proposed to be annexed is attached as **Exhibit 2.**

- The subject site is designated as Suburban Residential (SR) on the Comprehensive Plan map. The property abuts City Limits on the south since East Columbia Avenue lies within the City. Properties west, north, and east of the site lie within Columbia County, as do properties on the south side of East Columbia Avenue.

- The site is within the boundaries of the Scappoose Rural Fire Protection District and the Scappoose Public School District. The site is currently under the police protection of the Columbia County Sheriff's Department.

[1] Note that the Assessor Map has not yet been redrawn with the new boundary information.

- According to Flood Insurance Rate Map (FIRM) 41009C0463 the property is located outside the 100-year floodplain and within the Scappoose Drainage District. The Scappoose Local Wetlands Inventory Map does not illustrate wetlands within the property.

- The site is nearly level and has 2 existing residences and a number of evergreen trees.

OBSERVATIONS

CONCURRENT ANNEXATION AND ZONE CHANGE APPLICATIONS

- The site is currently zoned Single Family Residential, 10,000 square foot minimum lot size (R-10) by Columbia County. According to Section 17.136.070 of the Scappoose Development Code, because the parcel has a Suburban Residential (SR) Comprehensive Plan designation, upon annexation the land shall automatically be zoned Low Density Residential (R-1).

PROPOSED RESIDENTIAL USE

- The applicant has indicated an intention to subdivide the site in the future if the voters approve the annexation (**Exhibit 3**). A conceptual development plan included as **Exhibit 4** illustrates a total of 10 single-family detached residential lots. A conceptual traffic circulation plan is included as **Exhibit 5** to illustrate the potential future street network.

- Future development proposals will be required to apply for Planning Commission approval (Tentative Subdivision Plan Review) to ensure compliance with the Scappoose Development Code and Public Works Design Standards. The proposed layout may need refinement at that time to account for neighborhood traffic circulation and street right-of-way dedication.

STREET SYSTEM AND TRANSPORTATION IMPACTS

- The site has frontage on East Columbia Avenue and Bird Road. The City's amended Transportation System Plan (TSP) designates Bird Road as a Local Residential street, for which the standard right-of-way (ROW) is 54 feet. East Columbia Avenue is designated as a Major Collector, which requires a 66-foot right-of-way. Additional ROW dedication and street improvements would be required as a part of a development proposal following annexation. The City's standard practice is to require half-street improvements as minimum conditions of development proposals, to be installed and funded by developers.

- The site directly abuts East Columbia Avenue, which allows efficient traffic connection to Highway 30.

- Staff has used standard trip generation ratios published by the Institute of Transportation Engineers to estimate traffic levels from future development. If the site were developed as illustrated on **Exhibit 4** with 10 single-family residences, the site could be expected to generate approximately 96 average daily trips, 10 of them during the evening peak hour.

- Development proposals may need to be accompanied by analysis of traffic impacts to ensure that the affected streets and intersections have adequate capacity to accommodate increased traffic.

- The City's Transportation System Development Charges (SDC's) are directly related to the volume of traffic generated by specific types of use. The SDC's collected from development can be used to pay for improvements to projects included in the City's Transportation System Plan.

- Full discussion of the traffic impacts associated with the annexation and zone change is found in Findings of Fact #2, Transportation Planning Rule.

UTILITIES & STORM DRAINAGE

- Electricity, telephone, and gas are provided to nearby residential properties and could be made available through the extension of nearby lines and public service infrastructure. Water can be extended from Columbia Avenue and sewer can be extended from the existing sewer lines in Columbia Avenue or Bird Road.

- The City Engineer has observed that storm drainage may be a challenge for this site. Though not located within the 100-year floodplain, this area has had trouble with high water (e.g., the 1996 flood). The applicant would need to address flooding and stormwater management at the time of development. An existing storm system runs in Columbia Avenue eastward from Tyler Street to the City wetlands east of 14th Street. The applicant could potentially tie into this system if evidence is provided that the storm line has adequate capacity to accommodate storm flow from this site. Storm water detention may be required to preserve capacity within the line.

- The site lies within the Scappoose Drainage Improvement District. Any development proposals will have to ensure that development of the site does not degrade water quality or increase water quantity draining to the Scappoose Drainage Improvement Company. This evaluation would be made at the time of a review of a specific development proposal.

PUBLIC & PRIVATE AGENCIES AND PUBLIC NOTICE

- The City of Scappoose City Manager, Engineering, Building, and Police Departments; Columbia County Road Department and Planning Department; Scappoose Rural Fire Protection District; the Scappoose School District; the Oregon Department of Transportation (Region 1); local utilities; and the Oregon Department of Land Conservation and Development have been provided an opportunity to review the proposal. Comments from these organizations have been incorporated into this staff report. The County Road department observed that street improvements would be required in conjunction with any future development.

- Notice of this request was mailed to property owners located within 200 feet of the subject site on December 13, 2006. Notice was posted on the property on December 28 and published in the local newspaper on December 27, 2006 and January 3, 10, and 31, 2007.

Staff has received no written comments from the public regarding the application. There was no public comment at the Planning Commission hearing.

APPLICABILITY OF STATEWIDE PLANNING GOALS

A number of Oregon's 19 Statewide Planning Goals and Guidelines apply to this application, as discussed in the *Findings of Fact.*

FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR APPROVAL

1. **The following Statewide Planning Goals have been considered by the City of Scappoose as they pertain to this request:**

A. Citizen Involvement (Goal 1)

Objective: *To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.*

Finding:
The City's acknowledged Comprehensive Plan & Development Code includes citizen involvement procedures with which the review of this application will comply. This process allows for citizens to communicate their input into the zoning map amendment review conducted by the City at public hearings or by submitting written comments. The City of Scappoose Planning Commission reviewed the proposed annexation and zoning map amendment on January 11, 2007 to make a recommendation to the City Council. The City Council will hold a hearing on February 5, 2007. The Applicant posted site notices on December 28, the City mailed notices to nearby property owners on December 13, and notice was published in the newspaper on December 27, January 3, January 10, and January 31. This process complies with the Goal.

B. Land Use Planning (Goal 2)

Objective: *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.*

Finding:
The procedural requirements for annexation and zone changes are contained in the Scappoose Municipal Code, which involve assessment of the application's merits, notice to affected parties, and public hearings. The proposal is to change the zoning designation of urban land within the Urban Growth Boundary, in compliance with Goal 2. Notice of the annexation and zoning map amendment has been provided by the City of Scappoose to the Oregon Department of Land Conservation and Development (DLCD) as required. The City's decision is based on findings of fact.

C. Agricultural Lands (Goal 3)

Objective: *To preserve and maintain agricultural lands.*

Finding:
This Goal is not applicable because the site is within the City of Scappoose Urban Growth Boundary and no identified agricultural resources are located on site. The site is designated for residential development in the Comprehensive Plan and is currently zoned for residential use by Columbia County.

D. Forest Lands (Goal 4)

Objective: *To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.*

Finding:
This Goal is not applicable because the site is within the City of Scappoose Urban Growth Boundary and no identified forest resources are located on site. The site is designated for residential development in the Comprehensive Plan and is currently zoned for residential use by Columbia County.

E. Open Spaces, Scenic and Historic Areas and Natural Resources (Goal 5)

Objective: *To protect natural resources and conserve scenic and historic areas and open spaces.*

Finding:
There are no identified Goal 5 resources on or near the site. The subject site is not designated as open space, a scenic or historic area, or a natural resource area by the City of Scappoose and does not contain any known significant open space, scenic, historic, or natural resources. The proposed annexation and zone change do not conflict with this Goal.

F. Air, Water and Land Resources Quality (Goal 6)

Objective: *To maintain and improve the quality of the air, water and land resources of the state.*

Finding:
The site is currently planned for residential use. If the annexation were approved, the site would be subject to City regulations that do not allow off-site impacts from noise,

vibration, odors, glare, or other "nuisance" effects. The potential harmful effects on air, water and land resource quality is limited. The annexation and zone change proposal will therefore have no significant impact with respect to this Goal.

G. Areas Subject to Natural Disasters and Hazards (Goal 7)

Objective: *To protect people and property from natural hazards.*

Finding:
The subject site is not located within a mapped flood plain, potential landslide hazard, or earthquake hazard area. At the time of development, the applicant would need to design the lots and stormwater management system to account for the potential for localized flooding. The proposal to zone the subject property for residential development is consistent with avoidance of natural disasters and hazards under Goal 7.

H. Recreational Needs (Goal 8)

Objective: *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.*

Finding:
The site is presently designated for residential development on the Comprehensive Plan and has not been planned for recreational opportunities. The requested annexation and zone change to Low Density Residential (R-1) will not result in a reduction in land planned or reserved for recreational use. Consequently, the proposed Annexation and Zone Change will have no significant impact on the City's planning for recreational needs.

I. Economic Development (Goal 9)

Objective: *To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.*

Finding:
The site is presently designated for residential development on the Comprehensive Plan and has not been planned for economic development.

J. Housing (Goal 10)

Objective: *To provide for the housing needs of citizens of the state.*

Finding:
The property proposed for annexation is designated Suburban Residential on the Comprehensive Plan map. The proposed annexation and zone change to Low Density Residential (R-1) would increase the residential land supply within City Limits and would allow more intense development than currently permitted under County regulations. Furthermore, the site could only connect to City water or sewer if it were inside City Limits. If the site is developed with single-family attached residences, up to 10 units could be constructed.

K. Public Facilities and Services (Goal 11)

Objective: *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.*

Finding:
The subject property lies within the Urban Growth Boundary (UGB) and therefore requires the extension of public facilities and services at the developer's expense. Water is available in Columbia Avenue, sanitary sewer is available in Columbia Avenue and Bird Road, and storm drainage facilities would be constructed as conditions of approval for future subdivision applications.

L. Transportation (Goal 12)

Objective: *To provide and encourage a safe, convenient and economic transportation system.*

Finding:
This Goal requires the City to prepare and implement a Transportation System Plan (TSP). The Scappoose TSP assumed that this site would be developed under the City's Suburban Residential Comprehensive Plan designation and Low Density Residential zoning. The site falls into Traffic Analysis Zone #12, which is an area bounded by West Lane, Columbia Avenue, Bird Road, and the Crown Zellerbach logging road. In 1995, this area had a population of 196 people, and the TSP projected a population of 817 in the year 2015 based on the Comprehensive Plan designations. Street classifications were chosen accordingly.

The TSP classifies Bird Road as a Local Residential street, which requires a 54-foot right-of-way width and a 32-foot pavement width. Bird Road does not currently meet this standard, so at the time of development, the applicant would need to perform half-street improvements on Bird Road to meet the City standard. Traffic analysis may be required at the time of development to determine the improvements required to protect health and safety and ensure efficient traffic circulation. Similarly, Columbia Avenue would need to meet the City's standards for Major Collectors, which require 66 feet of right-of-way and a 44-foot pavement width.

Traffic projections from future development have been computed using standard trip generation ratios published by the Institute of Transportation Engineers. If the site were developed as illustrated on **Exhibit 4** with 10 single-family residences, the site could be expected to generate approximately 96 average daily trips, 10 of them during the evening peak hour. The City does not anticipate that this level of development would cause failure of the local street network, provided that the applicant installs appropriate street improvements at the time of development. The applicant may need to submit a traffic study with future development proposals to analyze individual intersections and street segments.

Additional findings are found in Findings of Fact #2, Transportation Planning Rule.

M. Energy Conservation (Goal 13)

Objective: *To conserve energy.*

1. Land use plans should be based on utilization of the following techniques and implementation devices which can have a material impact on energy efficiency:
a. Lot size, dimension, and siting controls;
b. Building height, bulk and surface area;
c. Density of uses, particularly those which relate to housing densities;
d. Availability of light, wind and air;
e. Compatibility of and competition between competing land use activities; and
f. Systems and incentives for the collection, reuse and recycling of metallic and nonmetallic waste.

Finding:
The site is located immediately adjacent to existing residential areas. The proposed R-1 zoning would permit development in accordance with the Comprehensive Plan with the potential to create an energy-efficient land use pattern within the City's Urban Growth Boundary.

N. Urbanization (Goal 14)

Objective: *To provide for an orderly and efficient transition from rural to urban land use.*

Finding:
The subject property is within the Urban Growth Boundary and no expansion of the UGB is proposed. The proposed annexation and zone change is the first step in the transition from rural to urbanized land as foreseen in the Comprehensive Plan. Development of the site will trigger requirements for the developer to provide infrastructure, including necessary sewer lines, storm drainage lines, water line extensions, and street improvements.

O. Other Goals

Finding:
The following goals are not applicable to this application:

- Willamette River Greenway (Goal 15)
- Estuarine Resources (Goal 16)
- Coastal Shorelands (Goal 17)
- Beaches and Dunes (Goal 18)
- Ocean Resources (Goal 19)

2. The following Administrative Rule has been considered by the City of Scappoose as it pertains to this request:

TRANSPORTATION PLANNING RULE
OAR 660 Division 12 – Transportation Planning:

660-012-0060 Plan and Land Use Regulation Amendments
(1) Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided in section (2) of this rule to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. A plan or land use regulation amendment significantly affects a transportation facility if it would:

(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);

(b) Change standards implementing a functional classification system; or

(c) As measured at the end of the planning period identified in the adopted transportation system plan:

(A) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

(B) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or

(C) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.

Finding:
Analysis of the transportation impacts from the proposed annexation and zone change can be divided into four subtopics:

1. Traffic likely to be generated from development;
2. Impact of development-generated traffic on local street segments;
3. Impact of development-generated traffic on affected intersections; and
4. Transportation impact conclusions.

1. Traffic likely to be generated from development
The most intense development of the site would consist of 10 single-family detached houses. Based on standard trip generation ratios published by the Institute of Transportation Engineers, this level of development can be expected to generate approximately 96 average daily trips, 10 of them during the evening peak hour.[2]

The Transportation System Plan (TSP) analyzed traffic throughout the City. The Traffic Analysis Zone (TAZ) bounded by West Lane, Columbia Avenue, Bird Road, and the Crown Zellerbach Road encompasses the site. Based on the projected development densities envisioned in the Comprehensive Plan, the TSP anticipated that population would grow from 196 in 1995 to 817 in 2015. The annexation of this site and the application of the R-1 zoning are consistent with the Comprehensive Plan and the level of development analyzed in the TSP.

2. Impact of development-generated traffic on local street segments
Traffic to and from the site will utilize Columbia Avenue and Bird Road. Connections to Highway 30 may be made via Columbia Avenue, which is classified as a Major Collector street.

This proposal does not "significantly affect" the impacted street segments (as defined by the Transportation Planning Rule) because the annexation and zoning are consistent with the TSP traffic assumptions. However, future development of the site will require additional improvements to Bird Road and Columbia Avenue to maintain safety. Full determination of the required improvements would be deferred until the time of development of the site, and would consist of half-street improvements at a minimum.

The affected street segments appear to have adequate capacity to accommodate large volumes of traffic. The capacity-controlling facility will be individual intersections, particularly the traffic signal at the Columbia Avenue/Highway 30 intersection (discussed below).

3. Impact of development-generated traffic on affected intersections
Traffic from development is likely to primarily impact three intersections discussed below.

[2] The following trip generation ratios were used:
Single-family residences: 9.57 average daily trips and 1.01 PM peak hour trips per unit

a. Bird Road/East Columbia Avenue intersection

This is a 3-leg intersection with a stop control on the Bird Road leg. The City does not have daily, morning peak hour, or evening peak hour traffic data for this location. However, it is not anticipated that additional traffic from development of the site would cause this intersection to fall below the City's standards requiring a Level of Service "E" or better for the minor approach at unsignalized intersections. Improvements may be required to alleviate safety concerns as part of the construction of any future development. The proposed annexation and zone change does not "significantly affect" this intersection as defined by the Transportation Planning Rule.

b. East Columbia Avenue/West Lane intersection

This is a 4-leg intersection with stop signs on the north and south legs. The City does not have daily, morning peak hour, or evening peak hour traffic data for this location. However, it is not anticipated that additional traffic from development of the site would cause this intersection to fall below the City's standards requiring a Level of Service "E" or better for the minor approach at unsignalized intersections. Geometric improvements were recently completed at this location as part of the Harmony Park subdivision, which enhanced safety at the intersection. The proposed annexation and zone change does not "significantly affect" this intersection.

c. Highway 30/Columbia Avenue intersection

This is a 4-leg signal-controlled intersection. The Scappoose Rail Corridor Study (Kittelson & Associates, October 2002) indicates that the Highway 30/Columbia Avenue intersection will operate at a Level of Service "B" in the morning peak hour under the "base growth" and "full growth" scenarios, with a Level of Service "C" in the morning and evening peak hours under the "full growth" scenario (Figures 3-3, 3-4, 3-5, and 3-6). The Rail Corridor Study stated that the intersection currently operates with a volume-to-capacity (V/C) ratio of 0.74, which meets ODOT's mobility standard of 0.75. The same study indicates that even with no additional development of this site, this intersection will operate at a V/C ratio of 0.89 in the future in the "base growth" scenario and a V/C ratio of 0.94 in the "full growth" scenario. ODOT Region 1 has jurisdiction over this intersection and did not respond to or object to the annexation application. The City can conclude that the proposed annexation and zone change does not "significantly affect" this intersection or Highway 30 itself.

4. Transportation impact conclusions

Based on trip generation levels applicable to the R-1 zone, the City finds that the proposed annexation and zone change are consistent with the land uses envisioned by the Comprehensive Plan and the Transportation System Plan. Development of the site will generate on the order of 10 evening peak hour trips, which will have a minor impact on affected street segments and intersections.

Therefore, the proposed annexation and zone change are consistent with the Comprehensive Plan and TSP and would not require a change in the functional classification or street standards.

As spelled out by Section 5.0013 of the Scappoose Public Works Design Standards, specific development proposals trigger the requirement for traffic analysis reports identifying projected trip generation levels, recommendations for public improvements, and access management. Any mitigation strategies prompted by the results of the traffic analysis reports would be installed as conditions of development.

3. **The following Goals and Policies from the Scappoose Comprehensive Plan are applicable to this request:**

GOAL FOR PUBLIC FACILITIES AND SERVICES

1) Provide the public facilities and services which are necessary for the well being of the community and which help guide development into conformance with the Comprehensive Plan.

2) Direct public facilities and services, particularly water and sewer systems, into the urban growth area.

3) Ensure that the capacities and patterns of utilities and other facilities are adequate to support the residential densities and intensive land use patterns of the Comprehensive Plan.

4) Avoid the provision or expansion of public utilities and facilities in sparsely settled non-urban areas, when this would tend to encourage development or intensification of uses, or to create the need for additional urban services.

Goals 5-11 are not applicable to this application.

POLICIES FOR PUBLIC FACILITIES AND SERVICES

1) Design urban facilities and services, particularly water and sewer systems, to eventually serve the designated urban growth area; also, ensure that services are provided to sufficient vacant property to meet anticipated growth needs; also, develop a design review process to insure that public services and facilities do not unreasonably degrade significant fish and wildlife habitats.

9) Control local flooding and groundwater problems through the use of existing storm drainage systems and construction of new facilities in accordance with the Scappoose Storm Drain System Master Plan.

19) Approve annexations of new residential lands, except in the case of a health hazard, only when:

1. There is sufficient capacity in the sewer, water, street, school, fire, and police systems to service the potential additional populace.

2. Sufficient in-filling of vacant land has occurred to warrant an expansion.

Policies 2-8, 10-18 and 20-27 are not applicable to this application.

Finding:
The City Engineer, City Manager, Chief of Police, Fire Chief, and school Superintendent were provided with the opportunity to determine whether sufficient capacity exists for needed facilities and services. No objection to this annexation has been expressed by City Departments or public service agencies. The public facility requirements must be met at the time that the applicant proposes a development plan. All plans and improvements are subject to review by the City Engineer and must conform to the requirements of the Scappoose Municipal Code and the Public Works Design Standards and Standard Specifications.

Fire & Police Protection

- The Scappoose Rural Fire District provides fire protection for this site. Development of the site will have to comply with all applicable fire and building codes and would provide hydrants in sufficient numbers and at locations deemed appropriate by the Scappoose Rural Fire District.

- If this site were annexed it would come under the protection of the Scappoose Police Department. Increased assessment valuation would generate some tax revenue to contribute toward the cost of providing service.

Streets

- The Bird Road right-of-way generally has a 40-foot width and a 28-foot paved cross-section in the vicinity of the site. The paved width would be required to be widened to accommodate the traffic from future development proposals. The City would require half-street improvements along the site's frontage of Bird Road and Columbia Avenue as a condition of future development.

Schools

- Annexation and subsequent development of the site would increase school district enrollment. The local school district should receive additional revenues due to increased valuation as a result of future development to partially offset any increase in school district enrollment. The school district did not object to this application, and prior discussions have indicated that the overall student population for the district is relatively stable.

Water Service

- There is an existing City water line in Columbia Avenue to which the property would have access upon annexation, with extensions to be installed by the developer.

Sewer and Storm Drainage

- Sanitary sewer mains are located in Columbia Avenue and Bird Road.

- There is no public storm drain system in the immediate vicinity of the site; however, a storm line runs in East Columbia Avenue eastward from Tyler Street. The applicant could potentially connect to this storm line at the time of development. The storm drainage system would be designed to ensure that development of the site does not degrade water quality or increase water quantity draining to the Scappoose Drainage District or cause other flooding or groundwater problems.

The applicable goals and policies of the GOAL FOR PUBLIC FACILITIES AND SERVICES, and the POLICIES FOR PUBLIC FACILITIES AND SERVICES, are satisfied.

GENERAL GOALS FOR LAND USES

1) The growth of the City should be orderly and in accordance with the public health, safety and welfare, while preserving individual choice and recognizing existing patterns of development.

6) Residential living areas should be safe, attractive, and convenient, and should make a positive contribution to the quality of life and personal satisfaction of the residents; additionally, there should be sufficient areas for a wide range of housing choices.

Finding:
The subject property is located in the UGB immediately adjacent to land zoned R-10 by the County. Annexation would permit development in an orderly outward expansion. Development of the subject site is required to provide the infrastructure associated with new residential development, including public streets with curbs and sidewalks. The R-1 zoning permits single-family residences.

The applicable GENERAL GOALS FOR LAND USES are satisfied.

GOAL FOR HOUSING

1) Increase the quantity and quality of housing for all citizens

2) Locate housing so that it is fully integrated with land use, transportation and public facilities

3) Not applicable

4) Protect residential areas from conflicting land uses, unnecessary through traffic, or other undesirable influences.

POLICIES FOR HOUSING

1) Maintain adequate zoning, subdivision and building codes to help achieve the City's housing goals.

7) Ensure that subdivisions provide a full array of public services at the expense of the developer.

(Policies 2 through 6 and 8-10 are not applicable to this application.)

Finding:
The proposed annexation and zoning of the site for residential uses is consistent with Goals 1, 2, and 4 because the inclusion of a 2.2-acre lot with the potential for additional housing will increase the quantity of residential land in the City. The proposed use does not conflict with existing land uses because the site is adjacent to existing residential uses. In addition, the new residences will not generate unnecessary through traffic or undesirable influences.

The zoning of the site for residential use is consistent with the policies of the Comprehensive Plan. The site will assist in maintaining adequate land to meet the City's housing needs and future subdivision improvements will be made at the expense of the developer. The applicable goals and policies of the GOAL FOR HOUSING and the POLICIES FOR HOUSING are satisfied.

GOAL FOR THE SUBURBAN RESIDENTIAL LAND USE DESIGNATION

1) Not applicable.

2) Provide places suitable for single family dwellings, duplexes, triplexes, and four-plexes.

POLICIES FOR THE SUBURBAN RESIDENTIAL LAND USE DESIGNATION

3) Promote the development of homesites at a density and standard consistent with: the level of services that can reasonably be provided, and the characteristics of the natural environment.

6) Ensure that new developments do not create additional burdens on inadequate sewer, water, street and drainage systems.

(Policies 1, 2, 4, and 5 are not applicable to this application.)

Finding:
The proposed annexation and R-1 zoning of the site would allow construction of up to 10 single-family residences, which is consistent with Goal 2 and Policies 3 and 6 of the Comprehensive Plan. Annexation of the site would not create undue burdens on the provision of municipal services.

The applicable goals and policies of the GOAL FOR THE SUBURBAN RESIDENTIAL LAND USE DESIGNATION and the POLICIES FOR THE SUBURBAN RESIDENTIAL LAND USE DESIGNATION are satisfied.

4. The following sections of Title 17 of the Scappoose Municipal Code (Scappoose Development Code) are applicable to this request:

Chapter 17.22 AMENDMENTS TO THE TITLE, COMPREHENSIVE PLAN, AND MAPS
17.22.010 Purpose. The purpose of this chapter is to set forth the standards and purposes governing legislative and quasi-judicial amendments to this title, the acknowledged comprehensive plan, and the related maps.

17.22.030 Quasi--judicial amendments. Quasi-judicial amendments shall be in accordance with the procedures set forth in Chapter 17.162 and the following:
A. The commission shall make a recommendation to the Council to approve, approve with conditions or deny an application for a quasi-judicial comprehensive plan map amendment or zone changes based on the following:
1. The applicable comprehensive plan policies and map designation;
2. The change will not adversely affect the health, safety and welfare of the community;
3. The applicable standards of this title or other applicable implementing ordinances; and
4. Evidence of change in the neighborhood or community or a mistake or inconsistency with the comprehensive plan or zoning map as it relates to the subject property.
B. The council shall decide the applications on the record.
C. A quasi-judicial application may be approved, approved with conditions or denied.

Finding:
1. THE APPLICABLE COMPREHENSIVE PLAN POLICIES AND MAP DESIGNATION

As specified by Section 17.136.070 of the Scappoose Municipal Code, if this property is annexed it would automatically receive the Low Density Residential (R-1) zoning

designation since the site had a "Suburban Residential" Comprehensive Plan Map designation. The applicable comprehensive plan policies are outlined above.

2. THE CHANGE WILL NOT ADVERSELY AFFECT THE HEALTH, SAFETY AND WELFARE OF THE COMMUNITY;

The zone change to R-1 implements the Suburban Residential Comprehensive Plan designation. The proposed annexation would permit new development consistent with the existing residential character, which would reinforce and enhance a residential neighborhood. The annexation and zone change could allow up to 10 dwellings, which would not adversely affect health, safety, and welfare.

3. THE APPLICABLE STANDARDS OF THIS TITLE OR OTHER APPLICABLE IMPLEMENTING ORDINANCES;

The proposed annexation and zone change are policy decisions subject to guidance by the full policy framework established by the Oregon Statewide Land Use Planning Goals and associated Oregon Administrative Rules (OAR), and by the Scappoose Comprehensive Plan and Development Code. Full discussion of the applicable standards is found in this report. The analysis demonstrates consistency and compliance with all applicable approval standards.

4. EVIDENCE OF CHANGE IN THE NEIGHBORHOOD OR COMMUNITY OR A MISTAKE OR INCONSISTENCY WITH THE COMPREHENSIVE PLAN OR ZONING MAP AS IT RELATES TO THE SUBJECT PROPERTY.

The subject site is designated Suburban Residential in the Comprehensive Plan Map. Applying Section 17.136.070 by automatically zoning the property Low Density Residential (R-1) is consistent with the Comprehensive Plan.

Chapter 17.44 R-1 SINGLE FAMILY RESIDENTIAL

17.44.030 Permitted uses. In the R-1 zone outside of the Scappoose Creek Flood Plain, only the following uses and their accessory uses are permitted outright: [...]
3. Manufactured homes on individual lots subject to Section 17.94.030; [...]
6. Single-family detached residential dwelling...

Finding:
The R-1 zoning district permits single-family residences and manufactured homes. The applicant anticipates submitting a subdivision application to construct single-family residences.

Chapter 17.88 AO PUBLIC USE AIRPORT SAFETY AND COMPATIBILITY OVERLAY ZONE

17.88.030 Imaginary surface and noise impact boundary delineation. The airport elevation, the airport noise impact boundary, the airport direct impact boundary, the airport secondary impact boundary, and the location and dimensions of the runway, primary surface, runway protection zone, approach surface, horizontal surface, conical surface and transitional surface shall be delineated for the Scappoose Industrial Airpark and shall be made part of the Official Zoning Map. All lands, waters and airspace, or portions thereof, that are located within these boundaries or surfaces, and are located within the city limits, shall be subject to the requirements of this overlay zone.

Finding:
As defined by Chapter 17.88, the site falls within the airport direct impact boundary. According to Table 17.88.1 in the Scappoose Development Code, no limitations are placed on residential development within the direct impact boundary. Section 17.88.030 is satisfied.

Chapter 17.136 ANNEXATIONS

17.136.020 Policy.
Annexations shall be considered on a case-by-case basis, taking into account the goals and policies in the Scappoose Comprehensive Plan, long range costs and benefits of annexation, statewide planning goals, this title and other ordinances of the City and the policies and regulations of affected agencies' jurisdictions and special districts.

A. It is the City's policy to encourage and support annexation where:

1. *The annexation complies with the provisions of the Scappoose Comprehensive Plan*
2. *The annexation would provide a logical service area, straighten boundaries, eliminate or preclude islands of unincorporated property, and contribute to a clear identification of the City.*
3. *The annexation would benefit the City by addition to its revenues of an amount that would be at least equal to the cost of providing service to the area.*
4. *The annexation would be clearly to the City's advantage in controlling the growth and development plans for the area.*

Finding:
The proposed annexation complies with the goals and policies of the Comprehensive Plan as previously discussed in Finding of Fact #3. The annexation is contiguous to land with City Limits, expanding the City's logical service area. Pursuant to Scappoose Municipal Code Chapter 13.12.100, sewer services are not provided outside the City limits, so annexation would allow this site to be served by the municipal sewer system. Annexation

will allow the City to manage growth by providing for City inspection and approval of all development. Section 17.136.020(A) is satisfied.

B. It is the City's policy to discourage and deny annexation where:

1. *The annexation is inconsistent with the provisions of the Scappoose Comprehensive Plan.*
2. *The annexation would cause an unreasonable disruption or distortion of the current City boundary or service area.*
3. *The annexation would severely decrease the ability of the City to provide services to an area either inside or outside of the City.*
4. *Full urban services could not be made available within a reasonable time.*

Finding:
The proposal is consistent with the provisions of the Scappoose Comprehensive Plan as previously discussed. The annexation does not decrease the ability of the City to provide services and does not cause an unreasonable disruption of the current City boundary. The proposed annexation site can be served by urban services within a reasonable time and does not decrease the ability of the City to provide services. Section 17.136.020(B) is satisfied.

17.136.040 Approval standards.

A. The decision to approve, approve with modifications or deny, shall be based on the following criteria:

1. *All services and facilities are available to the area and have sufficient capacity to provide service for the proposed annexation area;*

Finding:
Existing municipal police services can be made available to the site immediately. The site fronts onto an existing road within the City (East Columbia Avenue). The property is already located within the Scappoose Rural Fire District, the Scappoose School District, the Scappoose Library District, and the Scappoose Parks and Recreation District. Telephone and electric services are already provided to neighboring properties.

Water and sewer service can be made available to the site with extensions installed by the developer. The water treatment plants and wastewater treatment plant have excess capacity to accommodate development of this and other sites.

The facility planning for the City's water and wastewater treatment facilities assumed that this site would be zoned R-1. The site could be developed with approximately 10 housing units if the site were subdivided at maximum density.

The wastewater flow associated with 10 residences is 1,250 gallons per day (0.001 MGD), using an average of 125 gallons per day per household.

The North Interceptor into the Wastewater Treatment Plant has a capacity of 2.3 MGD; therefore the 10 additional households would use approximately 0.05% of that capacity. The treatment plant has the capacity to accommodate the residences that could be constructed on this site.

The City's existing surface and subsurface drinking water sources can produce in excess of 1,600 gallons per minute. The Water Treatment Plant and Water Wells have the capacity to serve the additional residences from this site.

Columbia Avenue and Bird Road currently do not meet the City's standards for major collectors and local residential streets, respectively. However, improvements would be required as conditions imposed on future development identified as part of traffic impact analysis performed in conjunction with future development proposals. The City can conclude that Columbia Avenue and Bird Road can be made adequate with appropriate improvements.

Section 17.136.040(A).1 is satisfied.

2. *The impact upon public services which include but are not limited to police and fire protection, schools and public transportation to the extent that they shall not be unduly compromised;*

Finding:

As discussed previously, the proposed annexation will have a minimal impact on the capacity of public service providers, especially since the site is already within the service areas of the Fire District and other service providers. Section 17.136.040(A).2 is satisfied.

3. *The need for housing, employment opportunities and livability in the City and surrounding areas;*

Finding:

This annexation would provide an additional 2.2 acres for residential development and would also create temporary employment opportunities for the construction of streets, utilities, and structures. Section 17.136.040(A).3 is satisfied.

4. *The location of the site in relation to efficient provision of public facilities, services, transportation, energy conservation, urbanization and social impacts.*

Finding:

This site is contiguous to the existing City limits. Public services are already available to neighboring properties and use of these will improve efficiency by utilizing existing trunk

lines and service lines. Water service is available to the site from Columbia Avenue, and police and fire protection can be supplied by the Scappoose Police Department and Scappoose Rural Fire Protection District, respectively. The site has convenient transportation access to downtown Scappoose. Increasing the supply of land for housing will benefit the City by providing additional land to meet the demand for residential development. Urbanization of the site is consistent with the City's Comprehensive Plan, and site development is not anticipated to impose adverse social impacts. Section 17.136.040(A).4 is satisfied.

17.136.070 Zoning upon annexation. Upon annexation, the area annexed shall be automatically zoned to the corresponding land use zoning classification as shown in the table below. The zoning designation shown on the table below is the city's zoning district which most closely implements the city's comprehensive plan map designation.

Comprehensive Plan	***Zoning Classification***
SR	*R-1, Low Density Residential*
GR	*R-4, Moderate Density Residential*
MH	*MH, Manufactured Home Residential*
C	*Expanded Commercial*
I	*Light Industrial*

Finding:
The site has a Comprehensive Plan designation of SR, Suburban Residential. Upon annexation, the site would automatically be zoned R-1, Low Density Residential. The findings demonstrate that the City's infrastructure has the capacity to absorb development of this site. Section 17.136.070 is satisfied.

Chapter 17.162 PROCEDURES FOR DECISION MAKING--QUASI-JUDICIAL

17.162.090 Approval authority responsibilities. [...]
C. The planning commission shall conduct a public hearing in the manner prescribed by this chapter and shall have the authority to approve, approve with conditions, approve with modifications or deny the following development applications:
1. Recommendations for applicable comprehensive plan and zoning district designations to city council for lands annexed to the city;
2. A quasi-judicial comprehensive plan map amendment except the planning commission's function shall be limited to a recommendation to the council. The commission may transmit their recommendation in any form and a final order need not be formally adopted;
3. A quasi-judicial zoning map amendment shall be decided in the same manner as a quasi-judicial plan amendment; [...]

Finding:
The applicant has requested the concurrent review of Annexation and a Zone Change. The Planning Commission recommends that the City Council approve the applicant's

request. Based on the submitted materials and the staff report the applicant's proposal complies with the City's Comprehensive Plan and with the requirements of Title 17 of the Scappoose Municipal Code. Section 17.162.090(C) is satisfied.

RECOMMENDATION

Based on the findings of fact, the conclusionary findings for approval, and the material submitted by the applicant, staff and the Planning Commission recommend **APPROVAL** of the application ANX8-06/ZC8-06 for placement on the May 15, 2007 ballot.

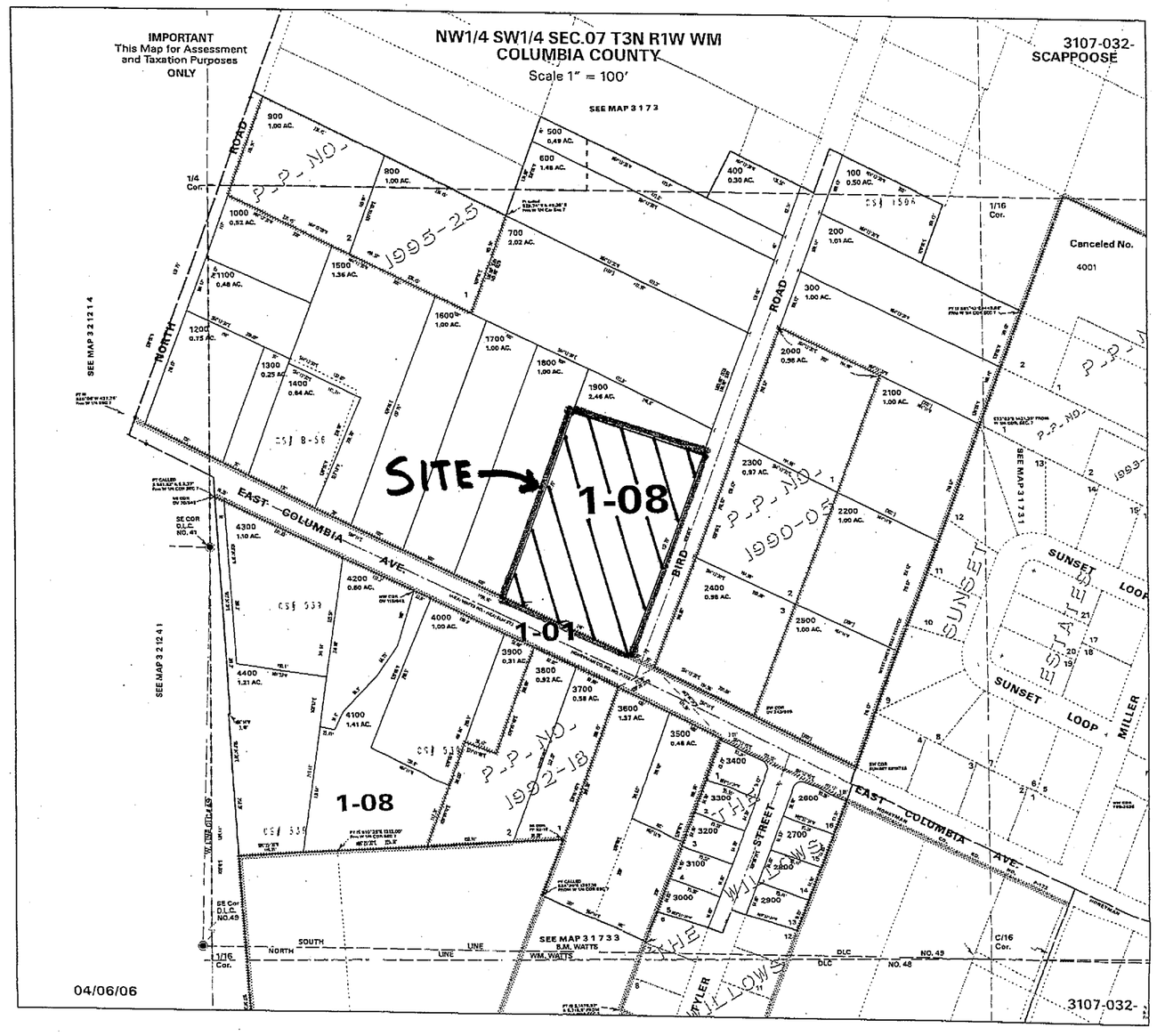

IMPORTANT
This Map for Assessment and Taxation Purposes ONLY
NW1/4 SW1/4 SEC.07 T3N R1W WM
COLUMBIA COUNTY
Scale 1" = 100'
3107-032-
SCAPPOOSE
SEE MAP 3 1 7 3
SITE
1-08
1-01
1-08
P-P-NO-1995-25
P-P-NO-1990-05
P-P-NO-1992-18
NORTH ROAD
BIRD ROAD
EAST COLUMBIA AVE.
SUNSET LOOP
MILLER
SUNSET
STATION
WEST LAWN
WEST LAWN STREET
SKYLER
YELLOW
SEE MAP 3 2 12 14
SEE MAP 3 2 12 41
SEE MAP 31733
S.M. WATTS
SOUTH LINE
NORTH LINE
WM. WATTS
DLC NO. 43
DLC NO. 48
Canceled No. 4001
1/16 Cor.
1/4 Cor.
C/16 Cor.
04/06/06
3107-032-

Exhibit 1

Exhibit 2

January 2, 2007

KS Development, Inc.
Legal Description

A tract of land in the Southwest quarter of Section 7, Township 3 North, Range 1 West, Willamette Meridian, Columbia County, Oregon being more particularly described as follows:

Beginning at the West quarter corner of said Section 7; thence South 376.31 feet; thence East 646.51 feet to a 5/8" iron rod with yellow plastic cap marked "REYNOLDS LAND SURVEYING, INC." on the West line of the of the Virginia Bird and Learle Smith tract as described in Instrument No. 01-12240, Clerk's Records, Columbia County, Oregon and the **true point of beginning** of the following described tract; thence South 69°13'27" East a distance of 239.81 feet to a 5/8" iron rod with yellow plastic cap marked "REYNOLDS LAND SURVEYING, INC." on the West right of way line of Bird Road; thence South 20°06'00" West, along said West right of way line, a distance of 399.75 feet to the North right of way line of Honeyman Road; thence North 64°13'30" West, along said North right of way line, a distance of 240.98 feet to the Southwest corner of said Virginia Bird and Learle Smith tract; thence North 20°06'00" East, along the West line of said Bird and Smith tract, a distance of 378.75 feet to the true point of beginning.

06157G LD2

Exhibit 3

KS DEVELOPMENT, LLC

Annexation Application

Scappoose, Oregon

Oct. 31, 2006

APPLICANT:

KS Development
P.O. Box 1007
Scappoose, OR 97056

Prepared by:

Brian Kangas
52851 NW Shoemaker Rd.
Scappoose, OR 97056
Phone: 503-481-3466
Fax: 866-651-9091

KS DEVELOPMENT

Project Summary

Project Description:

Location:	52413 Bird Rd. & 52411 Bird Rd., the corner of E. Columbia Ave. & the west side of Bird Rd.
Legal:	Situated in the S.W. ¼. Section 7, T.3N., R1W., W.M. Tax Lot 1900.
Comprehensive Plan:	Suburban Residential (SR)
Zoning:	Present Zoning: R-10 (Columbia County) Proposed Zoning: R-1 Low Density (City)
Site Size:	2.2 Acres

The site is located east of Columbia River Highway, adjacent to the present City limits along E. Columbia Ave. and is in the Urban Growth Boundary.

The subject site is 2.2 acres. The site is relatively flat with vegetation that consists of a few trees and pasture grass.

Sanitary sewer and Scappoose city water runs in E. Columbia Ave. and a new sanitary sewer has been placed in Bird Rd.

The current plan is to hook into the existing public storm system. If that option is not adequate, we will consider providing on-site detention which will fed into the public storm system at a slower rate than direct connection.

Proposal:

The applicant requests that the City of Scappoose annex Tax Lot 1900 and designate the site "R-1" and General Resident (GR) consistent with the City's Comprehensive Plan.

APPROVAL CRITERIA
The criteria and standards that apply to this application are as follows:

City of Scappoose Development Code
Chapter 17.136 Annexations
Chapter 17.162 Procedures for Decision Making – Quasi-Judicial

City of Scappoose Comprehensive Plan

Goals and Policies for Public Facilities and Services, Transportation, Housing. General Goals for the city of Scappoose for Land Uses, Urban Growth Boundary, General Residential and Suburban Residential.

The Following Goals and Policies do not apply to this request: Economic and Natural Factors and Local Resources, and under Land Use Goals and Policies, Mobile Home, Commercial, Industrial, Public and Semi-Public, Hazard Area, and Open Space.

Throughout the document discussion of criteria and standards, code requirements indicated by italics, response and discussion in plain text.

Chapter 17.22 Amendments to the Title, Comprehensive Plan, and Maps
17.22.030 Quasi-judicial amendments. Quasi-Judicial amendments shall be in accordance with the procedures set forth in Chapter 17.162 and the following:

A. The commission shall make a recommendation to the Council to approve, approve with conditions or deny an application for a quasi-judicial comprehensive plan map amendment or zone changes based on the following:
1. The applicable comprehensive plan policies and map designation;
2. The change will not adversely affect the health, safety and welfare of the community;
3. The applicable standards of this title or other applicable implementing ordinances; and
4. Evidence of change in the neighborhood or community or a mistake or inconsistency with the comprehensive plan or zoning map as it relates to the subject property.

B. The council shall decide the applications on the record.

C. A quasi-judicial application may be approved, approved with conditions or denied.

Applicant Response

This application involves an annexation as provided for in chapter 17.135. This action will be considered by the Planning Commission, which will then make a recommendation to the City Council.

Response to 1: This annexation complies with the Comprehensive Plan as the site is within the Urban Growth Boundary and designated for residential use as part of the City's future needed land supply.
Goals and policies in the Comprehensive Plan are intended to apply to the City generally and not necessarily to a specific property or project. Goals and policies form the basis for developing implementation strategies and ordinances, and any proposal should at a minimum be consistent to meeting the City's overall objective for growth and development.

These are the applicable goals and policies pertaining to this request:

Goals and Policies for Public Facilities and Services: Goals and policies for public facilities and services require that an adequate level of services be available for new development and be directed to newly developing areas within the Urban Growth Boundary.

Below will be discussed public facilities such as school, police and fire protection:

Schools – The site is in the City of Scappoose School District 1J. Grant Watts Elementary, Peterson Elementary, Scappoose Middle and Scappoose High.

Grant Watts Elementary School – Grades K – 3. The school's enrollment capacity is an estimated 625 students. Current enrollment is 386.

Petersen Elementary School – Grades 4 – 6. The school's enrollment capacity is an estimated 670 students. Current enrollment is 458.

Scappoose Middle School – Grades 7-8. The school's enrollment capacity is an estimated 625. Current enrollment is 338.

Scappoose High School – Grades 9-12. The school's enrollment capacity is and estimated 1600 students. Current enrollment is 721.

In summary the overall student population for the district continues to be stable. The site is well served by schools for all grades and additional impact to the system because of the proposed development is not expected.

Police Protection - The City of Scappoose has a population around 5,705 with 32,000 vehicles driving along Hwy 30 Scappoose everyday. The Scappoose Police Department is comprised of a chief of Police, Sergeant, Narcotics, School Resource Officer and six sworn police officers and one records specialist. According to the Comprehensive Plan for the City of Scappoose the factors to consider in the assessment of police protection include: Rate of growth, increase in traffic problems and types of families moving into the area. The assessment of the proposed development considers the following:

Rate of Growth: The proposed development requests approval for annexation into the City of Scappoose resulting in a zoning of R-1. The annexation of the site into the city could potentially allow for ten single-family homes served by one new street, E. Columbia Ave. and Bird Rd. The development proposed in this case supports the housing and population goals outlined in the City's Comprehensive Plan to allow growth and re-establish home ownership in the area. The housing goal for the area would support single-family housing on larger lots.

Traffic: The site is located just north of E. Columbia Ave. and just west of Bird Rd. Traffic traveling to and from the site would most likely use E. Columbia Ave. and Bird Rd. The primary access to and from Highway 30 would be E. Columbia Ave. for traffic coming and going to the site.

Types of Families: The city's Comprehensive Plan outlines R-1 zoning as low density residential. The low density and large lots will encourage families with one or two adults employed in the household and encourage "suburban-type" living. A likely conclusion is that a family-oriented low density area is less likely to generate crimes that impact police services.

Fire Protection – Fire protection is provided by Scappoose Rural Fire District. The Scappoose Fire Department currently has five engines, two tankers, three ambulances, two brush units, one rescue boat, one fire boat, and four utility vehicles that are in excellent condition. The combined fire and ambulance service area is 100 square miles with a population of 12,000. The current I.S.O. is 4 in the city and 8 in rural areas. The station is located at 52751 Columbia River Hwy approximately 1 mile from the site. The impact to the fire protection services is relatively low given the expectation of growth in the area and access to the site.

The proposed annexation supports these goals and policies, by providing a logical and orderly extension of streets and public facilities from temporary terminations at the site's boundaries. The development will continue to work with the Fire chief and the City to develop the site according to all fire regulations. The site is in the Urban Growth Boundary where the City expects to expand to and provide services.

In summary these goals and policies are supported by the proposal.

Goals and Policies for Transportation: In summary, the goals and policies for the City call for connectivity and provision of alternative means for traveling between destinations. The proposed annexation fits within the overall framework of the City's Transportation System Plan and provides a street for future development as the lots of land between North Rd. and Bird Rd gradually are annexed into the City. New Streets will be constructed to City standards and will include, as required, sidewalks for pedestrians in addition to travel-ways for vehicles.

Therefore, these goals and policies are supported by the proposal.

Goals and Policies for Housing: The City's goal is to provide adequate housing for all residents. Policies carry out this goal by maintaining an adequate supply of buildable land and requiring new development concurrent with provision of public facilities and services.

The site is within the City's Urban Growth Boundary and is, therefore, part of the land designated for future residential development. Because public facilities and services are available, including streets at the west and south boundaries, the applicant believes that the timing is appropriate and beneficial to the City to annex the site so that development in compliance with the City's requirements can occur.

General Goals for the City of Scappoose for Land Uses: The City's goals and policies call or maintaining an adequate supply of buildable land and designating locations of uses to maintain harmonious and balanced relationship. These goals and policies are largely beyond the reach of any single property owner, and the applicant notes only that the site is designated for future residential use. Annexation would enable the land to be used as planned.

Goals and Policies for General Residential: The City's goals and policies are aimed at providing higher density development in the areas of the community where supporting facilities such as shopping and transportation routes are established. In addition, the City aims to protect residential uses from intrusive uses that would harm livability.

Goals and Policies for Suburban Residential: New Medium density residential development within the City limits will be required to make provisions for streets, public sewer, and public water, along with other necessary facilities. New development within the Suburban Residential area will provide opportunities for a range of housing choices, while maintaining a suburban character.

The site is designated for development at the Suburban Residential density and, upon annexation, will have available the range of public services and facilities necessary to support the goals and policies outlined in this and the preceding section. The City currently has a sewer line running in E. Columbia Ave. and Bird Rd. Both streets border the proposed site.

The discussion of applicable goals and policies demonstrates that the proposed annexation complies with the City's Comprehensive Plan.

Response to 2: The annexation of the proposed site will not adversely affect the health, safety and welfare of the community. The request is consistent with the Comprehensive Plan and necessary public facilities are readily available, with capacity, to serve the site.

Response to 3: The standards applicable to the Development Code are discussed in this development, and are shown to be satisfied.

Response to 4: The change in the community that justifies the proposed annexation has to with growth and the need for additional land for new housing. Scappoose, like many communities within commuting range of the Portland metropolitan area, has experienced and increase in population as available, affordable land there has been developed. This sort of change being growth in Scappoose, was anticipated when the site was included in the Urban Growth Boundary.

The applicable criteria of this section are shown to be satisfied.

Chapter 17.136 Annexations

This chapter provides both policies and process for consideration and approval of annexations.

***17.136.020** Policy. Annexations shall be considered on a case-by-case basis, taking into account the goals and policies in the Scappoose comprehensive plan, long range costs and benefits of annexation, statewide planning goals, this title and other ordinances of the city and the policies and regulations of affected agencies' jurisdictions and special districts.*

A. It is the city's policy to encourage and support annexation where:

1. The annexation complies with the provisions of the Scappoose comprehensive plan;

2. The annexation would provide a logical service area, straighten boundaries, eliminate or preclude islands of unincorporated property, and contribute to a clear identification of the city;

3. The annexation would benefit the city by addition to its revenues of an amount that would be at least equal to the cost of providing services to the area;

4. The annexation would be clearly to the city's advantage in controlling the growth and development plans for the area.

B. It is the city's policy to discourage and deny annexation where:

1. The annexation is inconsistent with the provisions of the Scappoose comprehensive plan;

2. The annexation would cause an unreasonable disruption or distortion of the current city boundary or service area;

3. The annexation would severely decrease the ability of thecity to provide services to an area either inside or outside of the city;

4. Full urban services could not be made available within a reasonable time.

Applicant Response

The proposed annexation is consistent with the City's Comprehensive Plan. As previously discussed, the proposal complies with plan policies and is within the City's Urban Growth Boundary. It is part of the supply of land intended to provide for the City's growth.

As discussed, the site is located with streets bordering the property to the south and east. Utilities are available at these points and can be tapped at these points to serve new streets and new developments. The City of Scappoose sanitary sewer line runs in these two roads and the site is part of the largest county island in Scappoose. It is very logical for the City to bring this county island into city limits whenever possible so as to continue with the City's Comprehensive Plan.

The site would zoned R-1 upon annexation. It is our intention to create ten single family residences, which amounts to a minor increment of the City's services costs and is more in line with current development in the area.

The proposed annexation supports the City's adopted plan and policies, as represented by the Comprehensive plan and the established Urban Growth Boundary. Therefore, it would be to the City's advantage to annex the site.

The "disadvantages" outlined in Section B are opposite to the criteria in Section A, which was discussed in the previous paragraphs. The proposed annexation is consistent with the City's Comprehensive Plan, and provides for a logical and orderly extension of the City's boundary and public services, and urban services can be made available to new developments by extending existing public services.

Therefore, the proposed annexation is consistent with the City's policies.

17.136.030 Administration and approval process

This section outlines the approval process for annexation. The City requires an application and hearings before the Planning Commission and City Council before a decision by the Council. If approved, the annexation is referred to the voters at the next election.

For the most part the City manages the process. The applicant's responsibility is to provide an application that satisfies submission requirements of Sec. 17.136.050 and to demonstrate that the proposal complies with Approval standards Sec. 17.135.040.

17.136.040 Approval Standards

The decision to approve with modification or deny, shall be based on the following criteria:

1. *All services and facilities are available to the area and have sufficient capacity to provide service for the proposed annexation area;*
2. *The impact upon public services which include but are not limited to police and fire protection, schools and public transportation to the extent that they shall not be unduly compromised.*
3. *The need for housing, employment opportunities and livability in the City and surrounding areas.*
4. *The location of the site in relation to efficient provision of public facilities, services, transportation, energy conservation, urbanization and social impacts.*

Applicant Response

All services and facilities border the property in E. Columbia Ave. and Bird Rd. There are no deficiencies or limited capacities identified at this time.

Upon annexation it is our intent to add ten new single family residences at most. This minor increase in population would not have a major impact on provision of public services.

The annexation and subsequent development of this site is needed to provide housing opportunities for the City's anticipated population. It is reasonable to expand the City's boundaries within the established Urban Growth Boundary, when services are available and can be reasonably extended.

As previously stated, the site already has existing public utilities and facilities in bordering streets. These facilities were originally placed with the foreknowledge that future growth would happen and development would continue within the Urban Growth Boundary.

For these reasons, and the reasons listed in response to Sec. 17.22.030, this proposal satisfies the approval criteria.

17.136.050 Application Submission Requirements

Applicant Response
An application has been submitted that satisfies the requirements of this section.

17.136.060 Application initiated by the City.

Applicant Response
This annexation is initiated by the owner.

17.136.070 Zoning upon annexation

Applicant Response
The Comprehensive Plan designation for the area is Suburban Residential and the zoning designation that implements the City's plan map designation is R-1, low density. This is understood by the applicant and the applicant asks no more than that City annex the property as is customary and leave the zoning as R-1 for single family residences with a minimum of 7500 square foot lots.

17.136.080 Annexation of non-conforming uses.

Applicant Response
No non-conforming use is involved. This does not apply.

17.162 Procedures for Decision Making – Quasi-Judicial

Applicant Response
This Chapter sets forth the procedures for decision-making, including requirements for notice and public hearings. These requirements will be applied for through the review process.

CONCLUSION

The foregoing narrative describes the proposed annexation and discusses the City's applicable criteria and standards. The proposal has been shown to satisfy applicable requirements identified in the City's Development Code, including pertinent policies in the Comprehensive Plan. Therefore, the proposed annexation should be approved.

The applicant looks forward to working in conjunction with the City developing a neighborhood that works in line with the Comprehensive Plan. It is also our desire to start to dress up E. Columbia Ave. as the county island becomes part of the City.

Reasonable conditions of approval could be applied to the decision to approve an annexation. However, a more appropriate time for consideration of conditions would be once the annexation has been approved, through the review of a development proposal when the actual impacts of the project can be determined.

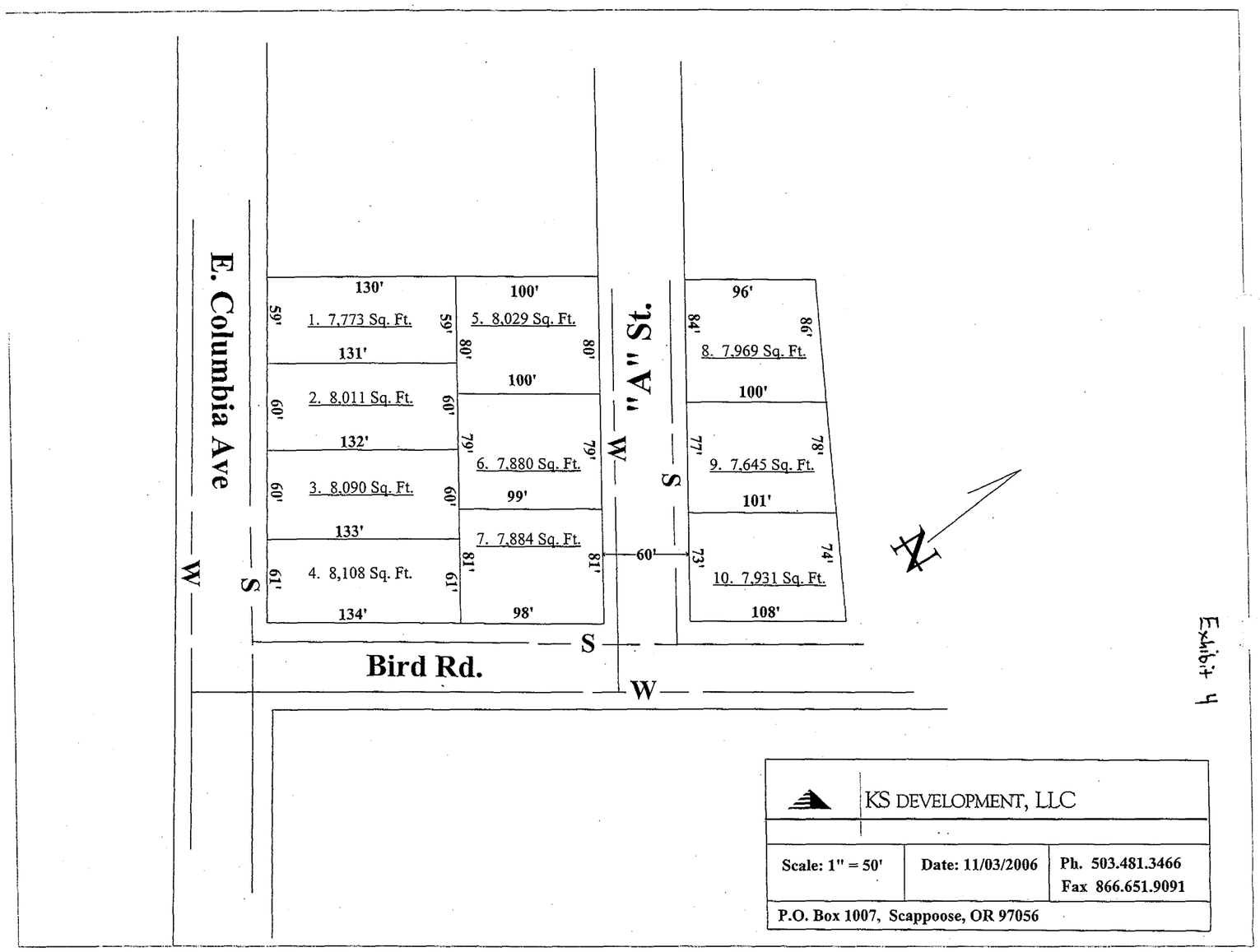
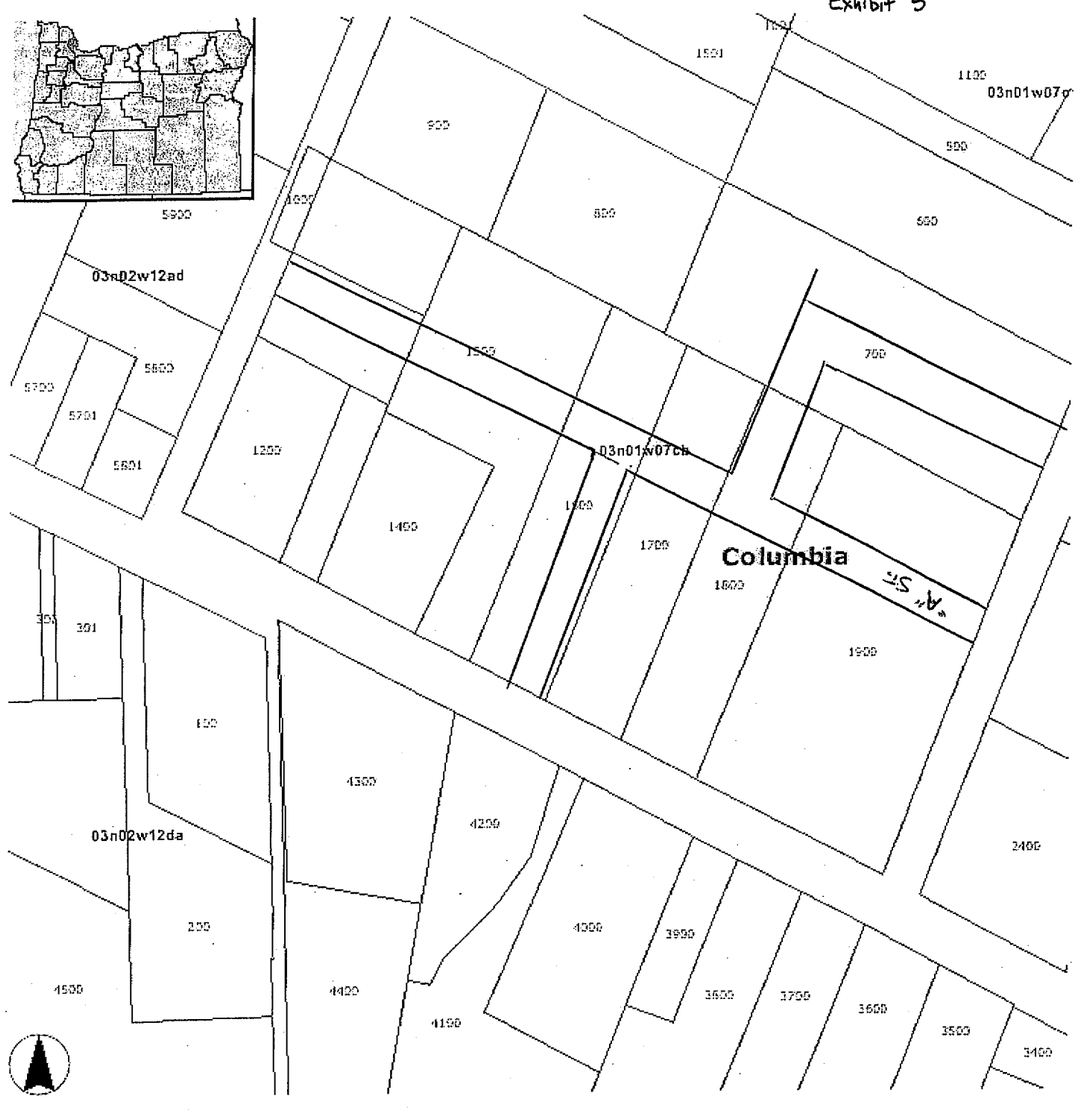

E. Columbia Ave W
"A" St. W
S
Bird Rd.
W
S
S
130'
100'
1. 7,773 Sq. Ft.
5. 8,029 Sq. Ft.
59'
59'
80'
131'
100'
2. 8,011 Sq. Ft.
60'
60'
132'
79'
79'
6. 7,880 Sq. Ft.
99'
3. 8,090 Sq. Ft.
60'
60'
133'
7. 7,884 Sq. Ft.
81'
81'
60'
4. 8,108 Sq. Ft.
81'
81'
134'
98'
96'
84'
88'
8. 7,969 Sq. Ft.
100'
77'
78'
9. 7,645 Sq. Ft.
101'
73'
74'
10. 7,931 Sq. Ft.
108'
KS DEVELOPMENT, LLC
Scale: 1" = 50'
Date: 11/03/2006
Ph. 503.481.3466
Fax 866.651.9091
P.O. Box 1007, Scappoose, OR 97056

Exhibit 4

Exhibit 5



CIRCULATION PLAN

ORDINANCE NO. 790

AN ORDINANCE RELATING TO LAND USE, APPROVING ANNEXATION OF PROPERTY TO THE CITY OF SCAPPOOSE, AMENDING THE ZONING MAP, AND CALLING AN ELECTION

WHEREAS, an application was filed by Crystal Ridge Construction to annex property described in Exhibit A, attached hereto and incorporated herein, to the City of Scappoose; and

WHEREAS, pursuant to Section 17.136.070 of the Scappoose Municipal Code, the property described in Exhibit A would automatically be zoned Low Density Residential (R-1) upon annexation due to the property's "Suburban Residential" Comprehensive Plan designation; and

WHEREAS, hearings were held pursuant to Scappoose Municipal Code Chapters 17.22 and 17.136; and

WHEREAS, pursuant to Section 17.136.030 of the Scappoose Municipal Code, annexations must be referred to the voters of the City for approval; now therefore,

THE CITY OF SCAPPOOSE ORDAINS AS FOLLOWS:

Section 1. The application to annex the property described in Exhibit A is hereby approved, subject to approval by the voters of the City. Pursuant to ORS 222.160, the Exhibit A property will be declared by Resolution to be annexed to the City of Scappoose if the Columbia County Elections Officer certifies that the majority of voters in the City approve the measure.

Section 2. Pursuant to Scappoose Municipal Code Chapter 17.136, annexation of the Exhibit A property will be submitted to Columbia County to be placed on the May 15, 2007 ballot. The ballot title for such question is herein adopted, and attached hereto as Exhibit B.

Section 3. In support of the above annexation and zone change, the City Council hereby adopts the findings, conclusions and recommendations of the Staff Report dated February 14, 2007, attached as Exhibit C attached hereto and incorporated herein.

Section 4. The annexation approved by this Ordinance shall take effect upon the date of certification of the election approving the annexation.

Section 5. Upon certification of the election on annexation, the City Manager is directed to conform the City Zoning Map to the provisions of this ordinance.

PASSED AND ADOPTED by the City Council this 20th day of February, 2007, and signed by me in authentication of its passage.

CITY OF SCAPPOOSE, OREGON

Scott Burge, Mayor

First Reading: February 5, 2007
Second Reading: February 20, 2007

Attest:

Susan Pentecost, City Recorder

Exhibit A
Legal description of property to be annexed and zoned Low Density Residential

Columbia County Assessor Map No. 3107-033-01500

Beginning at a point which is 318.83 feet North and 16.33 feet West of the Southeast corner of Section 12, Township 3 North, Range 2 West, Willamette Meridian, Columbia County, Oregon; thence North 3°35'03" West a distance of 599.33 feet to the Northwest corner of the Robert L. Mikesh tract, as described in County Clerk's Instrument No. 92-7876 and the **true point of beginning** of the parcel herein described; thence South 64°19'09" East along the Northerly line of said Mikesh tract a distance of 328.79 feet; thence South 20°06' West a distance of 177.73 feet; thence North 64°35'01" West a distance of 246.32 feet to the West line of said Mikesh tract; thence North 3°35'03" West a distance of 204.07 feet to the true point of beginning.

Exhibit B
Ballot Title

NOTICE OF CITY MEASURE ELECTION

City of Scappoose
(Name of City)

Notice is hereby given that on Tuesday, May 15, 2007 (Day of week) (Date of election), a measure election will be held in the City of Scappoose, in Columbia County, Oregon. (Name of county).

The following shall be the ballot title of the measure to be submitted to the City's voters on this date:

CAPTION (10 Words)

ANNEXATION OF ELM STREET PROPERTY TO THE CITY OF SCAPPOOSE

QUESTION (20 Words)

Shall the described property be annexed to the City of Scappoose?

SUMMARY (175 Words)

Crystal Ridge Construction has requested that the City annex property owned by Robert & Rebecca Mikesh.

This measure, if approved, would annex approximately 1.17 acres to the City of Scappoose. The property is located at 34040 Elm Street. The property is described as Columbia County Assessor Map No. 3107-033-01500. The property is located in the Urban Growth Boundary and is contiguous to Scappoose City limits. Annexation would cause the property to be placed on the City's tax rolls and would result in additional revenues to the City.

The following authorized city official hereby certifies the above ballot title is true and complete, which includes completion of the ballot title challenge process.

Signature of authorized city official (not required to be notarized) | Date signed

Printed name of authorized city official | Title

City of Scappoose

Council Action & Status Report

Date Submitted:	2/15/07
Agenda Date Requested:	2/20/07
To:	Scappoose City Council
Through:	Planning Commission
From:	Brian Varricchione, E.I.T. City Planner & Assistant City Engineer
Subject:	Request by Crystal Ridge Construction to annex 1.17 acres on Elm Street

Type of Action Requested:

[ ]	**Resolution**	[X]	**Ordinance**
[ ]	**Formal Action**	[ ]	**Report Only**

Issue: Crystal Ridge Construction has requested annexation and an automatic zone change to Low Density Residential (R-1) for approximately 1.17 acres. The Planning Commission recommends approval of the annexation. At the February 5 hearing, the Council approved a motion to annex the property and zone it R-1 as specified in the attached ordinance.

Analysis:
Crystal Ridge Construction has submitted an application (Docket # ANX9-06/ZC9-06) to annex 1.17 acres on the southwest corner of Elm Street and 8th Court. According to Section 17.136.070 of the Scappoose Development Code, because the parcel has a Suburban Residential (SR) Comprehensive Plan designation, upon annexation the land shall automatically be zoned Low Density Residential (R-1).

The Planning Commission held a public hearing regarding this request on January 25, 2007. The Commission recommended approval of the annexation. On February 5, Council voted to approve the annexation application. An ordinance to approve the annexation is attached. Approval of the ordinance would refer the annexation to the electorate for their consideration.

Options:

1. Approve the annexation application, adopt the findings in ANX 9-06/ZC 9-06 staff report dated February 14, 2007, and adopt the proposed ordinance, thereby placing the annexation on the May 15, 2007 ballot.

2. Adopt findings demonstrating that the application does not comply with the Scappoose Municipal Code and deny the application.

Recommendation: Staff recommends that the Council approve the annexation application and adopt the Ordinance as presented.

Suggested Motion: N/A (second reading of the ordinance)

DRAFT

ORDINANCE NO. 790

AN ORDINANCE RELATING TO LAND USE, APPROVING ANNEXATION OF PROPERTY TO THE CITY OF SCAPPOOSE, AMENDING THE ZONING MAP, AND CALLING AN ELECTION

WHEREAS, an application was filed by Crystal Ridge Construction to annex property described in Exhibit A, attached hereto and incorporated herein, to the City of Scappoose; and

WHEREAS, pursuant to Section 17.136.070 of the Scappoose Municipal Code, the property described in Exhibit A would automatically be zoned Low Density Residential (R-1) upon annexation due to the property's "Suburban Residential" Comprehensive Plan designation; and

WHEREAS, hearings were held pursuant to Scappoose Municipal Code Chapters 17.22 and 17.136; and

WHEREAS, pursuant to Section 17.136.030 of the Scappoose Municipal Code, annexations must be referred to the voters of the City for approval; now therefore,

THE CITY OF SCAPPOOSE ORDAINS AS FOLLOWS:

Section 1. The application to annex the property described in Exhibit A is hereby approved, subject to approval by the voters of the City. Pursuant to ORS 222.160, the Exhibit A property will be declared by Resolution to be annexed to the City of Scappoose if the Columbia County Elections Officer certifies that the majority of voters in the City approve the measure.

Section 2. Pursuant to Scappoose Municipal Code Chapter 17.136, annexation of the Exhibit A property will be submitted to Columbia County to be placed on the May 15, 2007 ballot. The ballot title for such question is herein adopted, and attached hereto as Exhibit B.

Section 3. In support of the above annexation and zone change, the City Council hereby adopts the findings, conclusions and recommendations of the Staff Report dated February 14, 2007, attached as Exhibit C attached hereto and incorporated herein.

Section 4. The annexation approved by this Ordinance shall take effect upon the date of certification of the election approving the annexation.

Section 5. Upon certification of the election on annexation, the City Manager is directed to conform the City Zoning Map to the provisions of this ordinance.

PASSED AND ADOPTED by the City Council this _____ day of _____, 2007, and signed by me in authentication of its passage.

CITY OF SCAPPOOSE, OREGON

DRAFT

Scott Burge, Mayor

First Reading: February 5, 2007
Second Reading:

Attest:

Susan Pentecost, City Recorder

Exhibit A
Legal description of property to be annexed and zoned Low Density Residential

Columbia County Assessor Map No. 3107-033-01500

Beginning at a point which is 318.83 feet North and 16.33 feet West of the Southeast corner of Section 12, Township 3 North, Range 2 West, Willamette Meridian, Columbia County, Oregon; thence North 3°35'03" West a distance of 599.33 feet to the Northwest corner of the Robert L. Mikesh tract, as described in County Clerk's Instrument No. 92-7876 and the **true point of beginning** of the parcel herein described; thence South 64°19'09" East along the Northerly line of said Mikesh tract a distance of 328.79 feet; thence South 20°06' West a distance of 177.73 feet; thence North 64°35'01" West a distance of 246.32 feet to the West line of said Mikesh tract; thence North 3°35'03" West a distance of 204.07 feet to the true point of beginning.

Exhibit B
Ballot Title

NOTICE OF CITY MEASURE ELECTION

City of Scappoose
(Name of City)

Notice is hereby given that on Tuesday, May 15, 2007 (Day of week) (Date of election), a measure election will be held in the City of Scappoose, in Columbia County, Oregon. (Name of county)

The following shall be the ballot title of the measure to be submitted to the City's voters on this date:

CAPTION (10 Words)

ANNEXATION OF ELM STREET PROPERTY TO THE CITY OF SCAPPOOSE

QUESTION (20 Words)

Shall the described property be annexed to the City of Scappoose?

SUMMARY (175 Words)

Crystal Ridge Construction has requested that the City annex property owned by Robert & Rebecca Mikesh.

This measure, if approved, would annex approximately 1.17 acres to the City of Scappoose. The property is located at 34040 Elm Street. The property is described as Columbia County Assessor Map No. 3107-033-01500. The property is located in the Urban Growth Boundary and is contiguous to Scappoose City limits. Annexation would cause the property to be placed on the City's tax rolls and would result in additional revenues to the City.

The following authorized city official hereby certifies the above ballot title is true and complete, which includes completion of the ballot title challenge process.

Signature of authorized city official (not required to be notarized) | Date signed

Printed name of authorized city official | Title

CITY OF SCAPPOOSE
33568 EAST COLUMBIA AVENUE
SCAPPOOSE, OREGON 97056
(503) 543-7146
FAX: (503) 543-7182

EXHIBIT C

ANX9-06/ZC9-06 February 14, 2007
Crystal Ridge Construction/Robert & Rebecca Mikesh: Elm Street Annexation and Zone Change

CITY OF SCAPPOOSE STAFF REPORT

Request: Approval of an application for annexation and a corresponding zone change to Low Density Residential (R-1) for approximately 1.17 acres.

Location: The subject parcel is located at 34040 Elm Street. The site consists of property described as Columbia County Assessor Map No. 3107-033-01500. See attached Vicinity Map (**Exhibit 1**).

Applicant: Crystal Ridge Construction

Owner(s): Robert & Rebecca Mikesh

EXHIBITS

1. Vicinity Map
2. Legal Description
3. Applicant's Narrative
4. Applicant's Conceptual Development Plan
5. Letter from Matt Padrow, dated 1/24/07
6. Applicant's response to letter from Matt Padrow, dated 1/28/07
7. Letter from Kessi Construction regarding Elm Street paving, dated 1/31/07
8. Map of Annexation sites near SE Elm St. and E. Columbia Ave.

SUBJECT SITE

- The subject site consists of one parcel with an area of approximately 1.17 acres. The parcel is located on the southwest corner of SE Elm Street and SE 8th Court. See **Exhibit** 1, Vicinity Map. The legal description for the property proposed to be annexed is attached as **Exhibit 2**.

- The subject site is designated as Suburban Residential (SR) on the Comprehensive Plan map. The property is currently an island of unincorporated Columbia County land surrounded by the City. Adjacent zoning is Low Density Residential (R-1) to the west and Moderate Density Residential (R-4) to the north, east, and south.

- The site is within the boundaries of the Scappoose Rural Fire Protection District and the Scappoose Public School District. The site is currently under the police protection of the Columbia County Sheriff's Department.

- According to Flood Insurance Rate Map (FIRM) 41009C0463 the property is located outside the 100-year floodplain and within the Scappoose Drainage District. The Scappoose Local Wetlands Inventory Map does not illustrate wetlands within the property.

- The site is nearly level and has 1 existing residence and a number of mature trees. See **Exhibit 4**.

OBSERVATIONS

CONCURRENT ANNEXATION AND ZONE CHANGE APPLICATIONS

- The applicant has requested annexation of one parcel (see **Exhibit 3**). The site is currently zoned Single Family Residential, 10,000 square foot minimum lot size (R-10) by Columbia County. According to Section 17.136.070 of the Scappoose Development Code, because the parcel has a Suburban Residential (SR) Comprehensive Plan designation, upon annexation the land shall automatically be zoned Low Density Residential (R-1). A map depicting this site and other nearby sites proposed for annexation is attached as **Exhibit 8**.

PROPOSED RESIDENTIAL USE

- The applicant has submitted a conceptual development plan (**Exhibit 4**) illustrating a total of 4 single-family detached residential lots. Under the R-1 zoning that would be automatically applied, the parcel could potentially be divided into five 7,500-square foot lots (including flag lots).

- Future development proposals will be required to apply for Planning Commission approval (Tentative Subdivision Plan Review) to ensure compliance with the Scappoose Development Code and Public Works Design Standards. The proposed layout may need refinement at that time to account for street right-of-way dedication and regulations for flag lots.

STREET SYSTEM AND TRANSPORTATION IMPACTS

- The site has frontage on Elm Street and SE 8th Court. The City's amended Transportation System Plan (TSP) designates 8th Court as a Local Residential street, for which the standard right-of-way (ROW) is 54 feet. Elm Street is designated as a Minor Collector, which requires a 60-foot right-of-way. Additional ROW dedication and street improvements would be required as a part of a development proposal following annexation. The City's standard practice is to require half-street improvements (paving, gutter, curb, and sidewalk) as minimum conditions of development proposals, to be installed and funded by developers (see **Exhibit 6**).

- Staff has used standard trip generation ratios published by the Institute of Transportation Engineers to estimate traffic levels from future development. If the site were developed at maximum density with an additional five single-family residences, the site could be expected to generate approximately 48 average daily trips, 5 of them during the evening peak hour.

- The site is accessed by SE Elm Street, connecting to Highway 30 via High School Way, Santosh Street, or Maple Street. The Police Department, Planning Commission, City Council,

and members of the public have expressed concern in the past that traffic associated with additional residences will negatively impact Elm Street, 6th Street, and High School Way (see **Exhibit 5**). Development proposals may need to be accompanied by analysis of traffic impacts to ensure that the affected streets and intersections have adequate capacity to accommodate increased traffic. The City Manager has directed staff to contact landowners on Elm Street to see if they would donate additional right-of-way to allow the street to be widened and sidewalks to be installed. Kessi Construction has agreed to pave the south side of Elm Street between 9th Street and 6th Street following development of the 3-acre parcel owned by Shirley Beisley that was recently annexed to the City (see **Exhibit 7**). On February 5, the City Council added Elm Street (east of 6th Street) to the list of priority street projects to be improved using the City's annual funding allotment from the Oregon Department of Transportation (ODOT).

- The City's Transportation System Development Charges (SDC's) are directly related to the volume of traffic generated by specific types of use. The SDC's collected from development can be used to pay for improvements to projects included in the City's Transportation System Plan (TSP). Elm Street and 6th Street are projects in the TSP capital facilities plan, so projects that improve either of these streets are eligible for funding using SDC's. Development of the subject site or the Beisley property may be required to perform off-site improvements (e.g., possible improvements to the intersection of Elm Street and 6th Street) to be funded by SDC credits.

- Additional discussion of the traffic impacts associated with the annexation and zone change is found in Findings of Fact #2, Transportation Planning Rule.

UTILITIES & STORM DRAINAGE

- Electricity, gas, water, and sewer services are provided to adjacent residential developments and could be made available through the extension of nearby lines and public service infrastructure. Water and sewer are available in Elm Street and 8th Court.

- The City Engineer has observed that storm drainage may be a challenge for this site. Though not located within the 100-year floodplain, this area has had trouble with high water (e.g., the 1996 flood). The applicant would need to address flooding and stormwater management at the time of development. An existing storm system runs eastward in SE Elm Street, with an outfall that discharges into ponds on private land in the County. A stormwater infiltration facility is also located at the south end of 8th Court. With appropriate easements and permission the applicant could potentially tie into these system if evidence is provided that the ponds and storm lines have adequate capacity to accommodate storm flow from this site.

- The site lies within the Scappoose Drainage Improvement District. Any development proposals will have to ensure that development of the site does not degrade water quality or increase water quantity draining to the Scappoose Drainage Improvement Company. This evaluation would be made at the time of a review of a specific development proposal.

PUBLIC & PRIVATE AGENCIES AND PUBLIC NOTICE

- The City of Scappoose City Manager, Engineering, Building, and Police Departments; Columbia County Road Department and Planning Department; Scappoose Rural Fire Protection District; the Scappoose School District; the Oregon Department of Transportation (Region 1); local utilities; and the Oregon Department of Land Conservation and Development have been provided an opportunity to review the proposal. Comments from these organizations have been incorporated into this staff report.

- Notice of this request was mailed to property owners located within 200 feet of the subject site on January 8, 2007. Notice was posted on the property on January 8 and published in the local newspaper on January 10, 17, and 24, 2007. Staff has received one written comment from the public regarding the application (see **Exhibit 5**). In this letter, a neighbor questions whether Elm Street and SE 6th Street have the capacity to handle increased development and observes that emergency response could be hampered if Elm Street were ever blocked. The applicant's response to this letter is attached as **Exhibit 6**. Staff has included a letter from Kessi Construction regarding the paving of Elm Street as **Exhibit 7**. On February 5, the City Council agreed that Elm Street (east of 6th Street) should be a high priority street project to be improved using the City's annual funding allotment from the Oregon Department of Transportation (ODOT). **Exhibit 8** depicts the future layout of SE 9th Street connecting from the Seven Oaks subdivision northward to East Columbia Avenue.

APPLICABILITY OF STATEWIDE PLANNING GOALS

A number of Oregon's 19 Statewide Planning Goals and Guidelines apply to this application, as discussed in the *Findings of Fact.*

FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR APPROVAL

1. **The following Statewide Planning Goals have been considered by the City of Scappoose as they pertain to this request:**

   A. Citizen Involvement (Goal 1)

   Objective: *To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.*

   Finding:
   The City's acknowledged Comprehensive Plan & Development Code includes citizen involvement procedures with which the review of this application will comply. This process allows for citizens to communicate their input into the zoning map amendment review conducted by the City at public hearings or by submitting written comments. The City of Scappoose Planning Commission reviewed the proposed annexation and zoning map amendment on January 25, 2007 to make a recommendation to the City Council. The City Council held a hearing on February 5, 2007. The Applicant posted site notices on January 8, the City mailed notices to nearby property owners on January 8, and notice was

published in the newspaper on January 10, 17, 24, and 31. This process complies with the Goal.

B. Land Use Planning (Goal 2)

Objective: *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.*

Finding:
The procedural requirements for annexation and zone changes are contained in the Scappoose Municipal Code, which involve assessment of the application's merits, notice to affected parties, and public hearings. The proposal is to change the zoning designation of urban land within the Urban Growth Boundary, in compliance with Goal 2. Notice of the annexation and zoning map amendment has been provided by the City of Scappoose to the Oregon Department of Land Conservation and Development (DLCD) as required. The City's decision is based on findings of fact.

C. Agricultural Lands (Goal 3)

Objective: *To preserve and maintain agricultural lands.*

Finding:
This Goal is not applicable because the site is within the City of Scappoose Urban Growth Boundary and no identified agricultural resources are located on site. The site is designated for residential development in the Comprehensive Plan and is currently zoned for residential use by Columbia County.

D. Forest Lands (Goal 4)

Objective: *To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.*

Finding:
This Goal is not applicable because the site is within the City of Scappoose Urban Growth Boundary and no identified forest resources are located on site. The site is designated for residential development in the Comprehensive Plan and is currently zoned for residential use by Columbia County.

E. Open Spaces, Scenic and Historic Areas and Natural Resources (Goal 5)

Objective: *To protect natural resources and conserve scenic and historic areas and open spaces.*

Finding:
There are no identified Goal 5 resources on or near the site. The subject site is not designated as open space, a scenic or historic area, or a natural resource area by the City of Scappoose and does not contain any known significant open space, scenic, historic, or natural resources. The proposed annexation and zone change do not conflict with this Goal.

F. Air, Water and Land Resources Quality (Goal 6)

Objective: *To maintain and improve the quality of the air, water and land resources of the state.*

Finding:
The site is currently planned for residential use. If the annexation were approved, the site would be subject to City regulations that do not allow off-site impacts from noise, vibration, odors, glare, or other "nuisance" effects. The potential harmful effects on air, water and land resource quality is limited. The annexation and zone change proposal will therefore have no significant impact with respect to this Goal.

G. Areas Subject to Natural Disasters and Hazards (Goal 7)

Objective: *To protect people and property from natural hazards.*

Finding:
The subject site is not located within a mapped flood plain, potential landslide hazard, or earthquake hazard area. At the time of development, the applicant would need to design the lots and stormwater management system to account for the potential for localized flooding. The proposal to zone the subject property for residential development is consistent with avoidance of natural disasters and hazards under Goal 7.

H. Recreational Needs (Goal 8)

Objective: *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.*

Finding:
The site is presently designated for residential development on the Comprehensive Plan and has not been planned for recreational opportunities. The requested annexation and zone change to Low Density Residential (R-1) will not result in a reduction in land

planned or reserved for recreational use. Consequently, the proposed Annexation and Zone Change will have no significant impact on the City's planning for recreational needs.

I. Economic Development (Goal 9)

Objective: *To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.*

Finding:
The site is presently designated for residential development on the Comprehensive Plan and has not been planned for economic development.

J. Housing (Goal 10)

Objective: *To provide for the housing needs of citizens of the state.*

Finding:
The property proposed for annexation is designated Suburban Residential on the Comprehensive Plan map. The proposed annexation and zone change to Low Density Residential (R-1) would increase the residential land supply within City Limits and would allow more intense development than currently permitted under County regulations. Furthermore, the site could only connect to City water or sewer if it were inside City Limits. If the site is developed with single-family attached residences, up to 5 additional units could be constructed.

K. Public Facilities and Services (Goal 11)

Objective: *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.*

Finding:
The subject property lies within the Urban Growth Boundary (UGB) and therefore requires the extension of public facilities and services at the developer's expense. Water and sewer are available in SE Elm Street and SE 8th Court and connections to storm drainage facilities would be constructed as conditions of approval for future subdivision applications.

L. Transportation (Goal 12)

Objective: *To provide and encourage a safe, convenient and economic transportation system.*

Finding:
This Goal requires the City to prepare and implement a Transportation System Plan (TSP). The Scappoose TSP assumed that this site would be developed under the City's Suburban Residential Comprehensive Plan designation and Low Density Residential zoning. The site falls into Traffic Analysis Zone #14. In 1995, this area had a population of 181 people, and the TSP projected a population of 748 in the year 2015 based on the Comprehensive Plan designations. Street classifications were chosen accordingly.

The TSP classifies 8th Court as a Local Residential street, which requires a 54-foot right-of-way width and a 32-foot pavement width. At the time of development, the applicant would need to dedicate additional right-of-way to meet the City standard. The Scappoose TSP designates SE Elm Street as a Minor Collector street, which requires a 60-foot right-of-way width and a 36-foot pavement width. At the time of development, the applicant would need to perform half-street improvements and dedicate right-of-way on Elm Street to meet the City standard. The City Council has also prioritized Elm Street for additional improvements to supplement development-related improvements. Traffic analysis may be required at the time of development to determine the improvements required to protect health and safety and ensure efficient traffic circulation. Off-site improvements to Elm Street or 6th Street would be eligible for SDC credit.

Traffic projections from future development have been computed using standard trip generation ratios published by the Institute of Transportation Engineers. If the site were developed as illustrated on **Exhibit 4** with an additional 5 single-family residences, the site could be expected to generate approximately 48 average daily trips, 5 of them during the evening peak hour. The City does not anticipate that this level of development would cause failure of the local street network, provided that the applicant installs appropriate street improvements at the time of development. The applicant may need to submit a traffic study with future development proposals to analyze individual intersections and street segments.

Additional findings are found in Findings of Fact #2, Transportation Planning Rule.

M. Energy Conservation (Goal 13)

Objective: *To conserve energy.*

1. Land use plans should be based on utilization of the following techniques and implementation devices which can have a material impact on energy efficiency:
a. Lot size, dimension, and siting controls;
b. Building height, bulk and surface area;
c. Density of uses, particularly those which relate to housing densities;
d. Availability of light, wind and air;
e. Compatibility of and competition between competing land use activities; and
f. Systems and incentives for the collection, reuse and recycling of metallic and nonmetallic waste.

Finding:
The site is located immediately adjacent to existing residential areas. The proposed R-1 zoning would permit development in accordance with the Comprehensive Plan with the potential to create an energy-efficient land use pattern within the City's Urban Growth Boundary.

N. Urbanization (Goal 14)

Objective: *To provide for an orderly and efficient transition from rural to urban land use.*

Finding:
The subject property is within the Urban Growth Boundary and no expansion of the UGB is proposed. The proposed annexation and zone change is the first step in the transition from rural to urbanized land as foreseen in the Comprehensive Plan. Development of the site will trigger requirements for the developer to provide infrastructure, including necessary sewer lines, storm drainage lines, water line extensions, and street improvements.

O. Other Goals

Finding:
The following goals are not applicable to this application:

- Willamette River Greenway (Goal 15)
- Estuarine Resources (Goal 16)
- Coastal Shorelands (Goal 17)
- Beaches and Dunes (Goal 18)
- Ocean Resources (Goal 19)

2. **The following Administrative Rule has been considered by the City of Scappoose as it pertains to this request:**

TRANSPORTATION PLANNING RULE
OAR 660 Division 12 – Transportation Planning:

660-012-0060 Plan and Land Use Regulation Amendments
(1) Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided in section (2) of this rule to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. A plan or land use regulation amendment significantly affects a transportation facility if it would:

(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);

(b) Change standards implementing a functional classification system; or

(c) As measured at the end of the planning period identified in the adopted transportation system plan:

(A) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

(B) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or

(C) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.

Finding:

Analysis of the transportation impacts from the proposed annexation and zone change can be divided into four subtopics:

1. Traffic likely to be generated from development;
2. Impact of development-generated traffic on local street segments;
3. Impact of development-generated traffic on affected intersections; and
4. Transportation impact conclusions.

1. Traffic likely to be generated from development

The most intense development of the site would consist of 5 additional single-family detached houses. Based on standard trip generation ratios published by the Institute of Transportation Engineers, this level of development can be expected to generate approximately 48 average daily trips, 5 of them during the evening peak hour.[1]

The Transportation System Plan (TSP) analyzed traffic throughout the City. Based on the projected development densities envisioned in the Comprehensive Plan, the TSP anticipated that the population within Traffic Analysis Zone (TAZ) #14 would grow from 181 in 1995 to 748 in 2015. The annexation of this site and the application of the R-1 zoning are consistent with the Comprehensive Plan and the level of development analyzed in the TSP.

[1] The following trip generation ratios were used:
Single-family residences: 9.57 average daily trips and 1.01 PM peak hour trips per unit

2. Impact of development-generated traffic on local street segments
Traffic to and from the site will utilize SE Elm Street, which is currently narrower than the City standard. Connections to Highway 30 may be made either via SE 6th Street and SE High School Way or via SE Maple Street or SE Santosh Street via SE 2nd, 3rd, or 4th Streets. SE 6th Street and SE High School Way are designated as Minor Collectors, as are SE Elm, SE 4th, and SE Maple Streets. SE Santosh, SE 2nd, and SE 3rd Streets are designated as Local Residential streets.

The affected street segments appear to have adequate capacity to accommodate volumes of traffic resulting from development of this area, and the capacity-controlling facility will be the individual intersections, particularly the traffic signal at the High School Way/Highway 30 intersection (discussed below).

This proposal does not "significantly affect" the impacted street segments (as defined by the Transportation Planning Rule) because the annexation and zoning are consistent with the TSP traffic assumptions. However, future development of the site will require additional improvements to Elm Street to maintain safety. Full determination of the required improvements would be deferred until the time of development of the site, and would consist of half-street improvements at a minimum. Off-site improvements to Elm Street or 6th Street would be eligible for SDC credit. The City Manager has directed staff to seek donations of right-of-way along Elm Street to allow the street to meet City standards for paving and sidewalk width. The City Council has placed Elm Street improvements (e.g., widening) high on the priority list for projects to be funded by the annual allotment from the Oregon Department of Transportation.

3. Impact of development-generated traffic on affected intersections
Traffic from development is likely to primarily impact five intersections discussed below.

a. SE Elm Street/SE 6th Street intersection
This is a 3-leg stop-controlled intersection. The City does not have daily, morning peak hour, or evening peak hour traffic data for this location. However, it is not anticipated that additional traffic from development of the site would cause this intersection to fall below the City's standards requiring a Level of Service "E" or better for unsignalized intersections. The proposed annexation and zone change does not "significantly affect" this intersection as defined by the Transportation Planning Rule.

b. SE 6th Street/SE High School Way intersection
This is a 3-leg stop-controlled intersection. The June 2005 "Liday Subdivision Traffic Impact Study" stated that the intersection operates at a Level of Service "A." It is unlikely that additional traffic from development of the site would cause this intersection to fall below the City's standards requiring a Level of Service "E" or better for unsignalized intersections. The proposed annexation and zone change does not "significantly affect" this intersection as defined by the Transportation Planning Rule.

c. Highway 30/SE High School Way intersection

This is a 4-leg signal-controlled intersection. The August 2006 "Pioneer Crossing Phase 2 Traffic Impact Study" stated that the intersection operates with a volume-to-capacity (V/C) ratio of 0.77 in the evening peak hour, which exceeds ODOT's mobility standard of 0.75. The same study indicates that even with no additional development, this intersection will operate at a V/C ratio of 0.83 in the future. Operation of this intersection is anticipated to improve with the future construction of the Havlik Drive rail crossing.

ODOT Region 1 has jurisdiction over this intersection and did not respond to or object to the annexation application. The City can conclude that the proposed annexation and zone change does not "significantly affect" this intersection or Highway 30 itself.

d. Highway 30/SE Santosh Street intersection

This is a 3-leg intersection with a stop sign on the Santosh Street leg. The January 2006 "Steinfeld West Subdivision Traffic Impact Study" stated that the intersection operates with a V/C ratio of 0.14, which will increase to 0.17 in the future. This intersection does have a high delay during the evening peak hour. It is unlikely that additional traffic from development of the site would cause this intersection to exceed ODOT standards requiring a minimum V/C ratio of 0.75. Additionally, this rail crossing and intersection is likely to be eliminated when the Havlik Drive rail crossing is opened. ODOT Region 1 has jurisdiction over this intersection and did not respond to or object to the annexation application. The City can conclude that the proposed annexation and zone change does not "significantly affect" this intersection or Highway 30 itself.

e. Highway 30/SE Maple Street intersection

This is a 4-leg signal-controlled intersection. The January 2006 "Steinfeld West Subdivision Traffic Impact Study" stated that the intersection operates with a V/C ratio of 0.72, which will increase to 0.75 in the future. It is unlikely that additional traffic from development of the site would cause this intersection to exceed ODOT standards requiring a minimum V/C ratio of 0.75 (the site would generate 5 PM peak-hour trips, only some of which would utilize Maple Street). ODOT Region 1 has jurisdiction over this intersection and did not respond to or object to the annexation application. The City can conclude that the proposed annexation and zone change does not "significantly affect" this intersection or Highway 30 itself.

4. Transportation impact conclusions

Based on trip generation levels applicable to the R-1 zone, the City finds that the proposed annexation and zone change are consistent with the land uses envisioned by the Comprehensive Plan and the Transportation System Plan. Development of the site will

generate on the order of 5 additional evening peak hour trips, which will have a minor impact on affected street segments and intersections.

Therefore, the proposed annexation and zone change are consistent with the Comprehensive Plan and TSP and would not require a change in the functional classification or street standards.

It should be noted that interim transportation congestion and safety hazards could exist on Elm Street, 6th Street, and High School Way. Consequently, the City could require mitigation between the site and Highway 30. As spelled out by Section 5.0013 of the Scappoose Public Works Design Standards, specific development proposals trigger the requirement for traffic analysis reports identifying projected trip generation levels, recommendations for public improvements, and access management. Any mitigation strategies prompted by the results of the traffic analysis reports would be installed as conditions of development. Off-site improvements to Elm Street or 6th Street would be eligible for SDC credit.

3. **The following Goals and Policies from the Scappoose Comprehensive Plan are applicable to this request:**

GOAL FOR PUBLIC FACILITIES AND SERVICES

1) Provide the public facilities and services which are necessary for the well being of the community and which help guide development into conformance with the Comprehensive Plan.

2) Direct public facilities and services, particularly water and sewer systems, into the urban growth area.

3) Ensure that the capacities and patterns of utilities and other facilities are adequate to support the residential densities and intensive land use patterns of the Comprehensive Plan.

4) Avoid the provision or expansion of public utilities and facilities in sparsely settled non-urban areas, when this would tend to encourage development or intensification of uses, or to create the need for additional urban services.

Goals 5-11 are not applicable to this application.

POLICIES FOR PUBLIC FACILITIES AND SERVICES

1) Design urban facilities and services, particularly water and sewer systems, to eventually serve the designated urban growth area; also, ensure that services are provided to sufficient vacant property to meet anticipated growth needs; also,

develop a design review process to insure that public services and facilities do not unreasonably degrade significant fish and wildlife habitats.

9) Control local flooding and groundwater problems through the use of existing storm drainage systems and construction of new facilities in accordance with the Scappoose Storm Drain System Master Plan.

19) Approve annexations of new residential lands, except in the case of a health hazard, only when:
1. There is sufficient capacity in the sewer, water, street, school, fire, and police systems to service the potential additional populace.
2. Sufficient in-filling of vacant land has occurred to warrant an expansion.

Policies 2-8, 10-18 and 20-27 are not applicable to this application.

Finding:
The City Engineer, City Manager, Chief of Police, Fire Chief, and school Superintendent were provided with the opportunity to determine whether sufficient capacity exists for needed facilities and services. No objection to this annexation has been expressed by City Departments or public service agencies. The public facility requirements must be met at the time that the applicant proposes a development plan. All plans and improvements are subject to review by the City Engineer and must conform to the requirements of the Scappoose Municipal Code and the Public Works Design Standards and Standard Specifications.

Fire & Police Protection
- The Scappoose Rural Fire District provides fire protection for this site. Development of the site will have to comply with all applicable fire and building codes and would provide hydrants in sufficient numbers and at locations deemed appropriate by the Scappoose Rural Fire District.

- If this site were annexed it would come under the protection of the Scappoose Police Department. Increased assessment valuation would generate some tax revenue to contribute toward the cost of providing service.

Streets
- The Elm Street right-of-way width varies from 40 feet to 50 feet adjacent to the site and the cross section varies from approximately 20 to 28 feet. The paved width would be required to be widened to accommodate the traffic from future development proposals. The City would require half-street improvements along the site's frontage, and potentially in other locations, as conditions of future development. The City Council has also made plans to improve Elm Street east of 6th Street using funds from the ODOT annual allotment. 8th Court is improved but may require additional right-of-way dedication.

Schools

- Annexation and subsequent development of the site would increase school district enrollment. The local school district should receive additional revenues due to increased valuation as a result of future development to partially offset any increase in school district enrollment. The school district did not object to this application, and prior discussions have indicated that the overall student population for the district is relatively stable.

Water Service

- There is an existing City water line in Elm Street and another in 8th Court. The property would have access to these lines upon annexation, with extensions to be installed by the developer.

Sewer and Storm Drainage

- Sanitary sewer mains are located in Elm Street and 8th Court.

- A public storm drain system is located in SE Elm Street. The pipe discharges onto private land in the County. The applicant could potentially use this system with appropriate permission and easements, or could manage stormwater on site. The applicant may also be able to discharge to the infiltration facility at the southern end of 8th Court. The storm drainage system would be designed to ensure that development of the site does not degrade water quality or increase water quantity draining to the Scappoose Drainage District or cause other flooding or groundwater problems.

The applicable goals and policies of the GOAL FOR PUBLIC FACILITIES AND SERVICES, and the POLICIES FOR PUBLIC FACILITIES AND SERVICES, are satisfied.

GENERAL GOALS FOR LAND USES

1) The growth of the City should be orderly and in accordance with the public health, safety and welfare, while preserving individual choice and recognizing existing patterns of development.

6) Residential living areas should be safe, attractive, and convenient, and should make a positive contribution to the quality of life and personal satisfaction of the residents; additionally, there should be sufficient areas for a wide range of housing choices.

Finding:
The subject property is located in the UGB immediately adjacent to land zoned R-1 and R-4 by the City. Annexation would permit development in an orderly outward expansion. Development of the subject site is required to provide the infrastructure associated with

new residential development, including public streets with curbs and sidewalks. The R-1 zoning permits single-family residences.

The applicable GENERAL GOALS FOR LAND USES are satisfied.

GOAL FOR HOUSING

1) Increase the quantity and quality of housing for all citizens

2) Locate housing so that it is fully integrated with land use, transportation and public facilities

3) Not applicable

4) Protect residential areas from conflicting land uses, unnecessary through traffic, or other undesirable influences.

POLICIES FOR HOUSING

1) Maintain adequate zoning, subdivision and building codes to help achieve the City's housing goals.

7) Ensure that subdivisions provide a full array of public services at the expense of the developer.

(Policies 2 through 6 and 8-10 are not applicable to this application.)

Finding:
The proposed annexation and zoning of the site for residential uses is consistent with Goals 1, 2, and 4 because the inclusion of a 1.17-acre lot with the potential for additional housing will increase the quantity of residential land in the City. The proposed use does not conflict with existing land uses because the site is adjacent to existing residential uses. In addition, the new residences will not generate unnecessary through traffic or undesirable influences.

The zoning of the site for residential use is consistent with the policies of the Comprehensive Plan. The site will assist in maintaining adequate land to meet the City's housing needs and future subdivision improvements will be made at the expense of the developer. The applicable goals and policies of the GOAL FOR HOUSING and the POLICIES FOR HOUSING are satisfied.

GOAL FOR THE SUBURBAN RESIDENTIAL LAND USE DESIGNATION

1) Not applicable.

2) Provide places suitable for single family dwellings, duplexes, triplexes, and four-plexes.

POLICIES FOR THE SUBURBAN RESIDENTIAL LAND USE DESIGNATION

3) Promote the development of homesites at a density and standard consistent with: the level of services that can reasonably be provided, and the characteristics of the natural environment.

6) Ensure that new developments do not create additional burdens on inadequate sewer, water, street and drainage systems.

(Policies 1, 2, 4, and 5 are not applicable to this application.)

Finding:
The proposed annexation and R-1 zoning of the site would allow construction of up to 5 additional single-family residences, which is consistent with Goal 2 and Policies 3 and 6 of the Comprehensive Plan. Annexation of the site would not create undue burdens on the provision of municipal services.

The applicable goals and policies of the GOAL FOR THE SUBURBAN RESIDENTIAL LAND USE DESIGNATION and the POLICIES FOR THE SUBURBAN RESIDENTIAL LAND USE DESIGNATION are satisfied.

4. **The following sections of Title 17 of the Scappoose Municipal Code (Scappoose Development Code) are applicable to this request:**

Chapter 17.22 AMENDMENTS TO THE TITLE, COMPREHENSIVE PLAN, AND MAPS
17.22.010 Purpose. The purpose of this chapter is to set forth the standards and purposes governing legislative and quasi-judicial amendments to this title, the acknowledged comprehensive plan, and the related maps.

17.22.030 Quasi--judicial amendments. Quasi-judicial amendments shall be in accordance with the procedures set forth in Chapter 17.162 and the following:
A. The commission shall make a recommendation to the Council to approve, approve with conditions or deny an application for a quasi-judicial comprehensive plan map amendment or zone changes based on the following:
1. The applicable comprehensive plan policies and map designation;
2. The change will not adversely affect the health, safety and welfare of the community;
3. The applicable standards of this title or other applicable implementing ordinances; and
4. Evidence of change in the neighborhood or community or a mistake or inconsistency with the comprehensive plan or zoning map as it relates to the subject property.
B. The council shall decide the applications on the record.
C. A quasi-judicial application may be approved, approved with conditions or

denied.

Finding:
1. THE APPLICABLE COMPREHENSIVE PLAN POLICIES AND MAP DESIGNATION

As specified by Section 17.136.070 of the Scappoose Municipal Code, if this property is annexed it would automatically receive the Low Density Residential (R-1) zoning designation since the site had a "Suburban Residential" Comprehensive Plan Map designation. The applicable comprehensive plan policies are outlined above.

2. THE CHANGE WILL NOT ADVERSELY AFFECT THE HEALTH, SAFETY AND WELFARE OF THE COMMUNITY;

The zone change to R-1 implements the Suburban Residential Comprehensive Plan designation. The proposed annexation would permit new development consistent with the existing residential character, which would reinforce and enhance a residential neighborhood. Future development of the site would be accompanied by improvements to Elm Street along the site's frontage. The annexation and zone change could allow up to 5 additional dwellings, which would not adversely affect health, safety, and welfare.

3. THE APPLICABLE STANDARDS OF THIS TITLE OR OTHER APPLICABLE IMPLEMENTING ORDINANCES;

The proposed annexation and zone change are policy decisions subject to guidance by the full policy framework established by the Oregon Statewide Land Use Planning Goals and associated Oregon Administrative Rules (OAR), and by the Scappoose Comprehensive Plan and Development Code. Full discussion of the applicable standards is found in this report. The analysis demonstrates consistency and compliance with all applicable approval standards.

4. EVIDENCE OF CHANGE IN THE NEIGHBORHOOD OR COMMUNITY OR A MISTAKE OR INCONSISTENCY WITH THE COMPREHENSIVE PLAN OR ZONING MAP AS IT RELATES TO THE SUBJECT PROPERTY.

The subject site is designated Suburban Residential in the Comprehensive Plan Map. Applying Section 17.136.070 by automatically zoning the property Low Density Residential (R-1) is consistent with the Comprehensive Plan.

Chapter 17.44 R-1 SINGLE FAMILY RESIDENTIAL

17.44.030 Permitted uses. In the R-1 zone outside of the Scappoose Creek Flood Plain, only the following uses and their accessory uses are permitted outright: [...]
3. Manufactured homes on individual lots subject to Section 17.94.030; [...]
6. Single-family detached residential dwelling...

Finding:
The R-1 zoning district permits single-family residences and manufactured homes. The applicant submitted a conceptual development plan (**Exhibit 4**) illustrating a potential lot layout to construct additional single-family residences.

Chapter 17.88 AO PUBLIC USE AIRPORT SAFETY AND COMPATIBILITY OVERLAY ZONE

17.88.030 Imaginary surface and noise impact boundary delineation. The airport elevation, the airport noise impact boundary, the airport direct impact boundary, the airport secondary impact boundary, and the location and dimensions of the runway, primary surface, runway protection zone, approach surface, horizontal surface, conical surface and transitional surface shall be delineated for the Scappoose Industrial Airpark and shall be made part of the Official Zoning Map. All lands, waters and airspace, or portions thereof, that are located within these boundaries or surfaces, and are located within the city limits, shall be subject to the requirements of this overlay zone.

Finding:
As defined by Chapter 17.88, the site falls within the airport direct impact boundary. According to Table 17.88.1 in the Scappoose Development Code, no limitations are placed on residential development within the direct impact boundary. Section 17.88.030 is satisfied.

Chapter 17.136 ANNEXATIONS

17.136.020 Policy.
Annexations shall be considered on a case-by-case basis, taking into account the goals and policies in the Scappoose Comprehensive Plan, long range costs and benefits of annexation, statewide planning goals, this title and other ordinances of the City and the policies and regulations of affected agencies' jurisdictions and special districts.

A. It is the City's policy to encourage and support annexation where:

1. *The annexation complies with the provisions of the Scappoose Comprehensive Plan*
2. *The annexation would provide a logical service area, straighten boundaries, eliminate or preclude islands of unincorporated property, and contribute to a clear identification of the City.*
3. *The annexation would benefit the City by addition to its revenues of an amount that would be at least equal to the cost of providing service to the area.*
4. *The annexation would be clearly to the City's advantage in controlling the growth and development plans for the area.*

Finding:
The proposed annexation complies with the goals and policies of the Comprehensive Plan as previously discussed in Finding of Fact #3. The annexation is contiguous to land with City Limits, expanding the City's logical service area and eliminating an island of unincorporated property. Pursuant to Scappoose Municipal Code Chapter 13.12.100, sewer services are not provided outside the City limits, so annexation would allow this site to be served by the municipal sewer system. Annexation will allow the City to manage growth by providing for City inspection and approval of all development. Section 17.136.020(A) is satisfied.

B. It is the City's policy to discourage and deny annexation where:

1. *The annexation is inconsistent with the provisions of the Scappoose Comprehensive Plan.*
2. *The annexation would cause an unreasonable disruption or distortion of the current City boundary or service area.*
3. *The annexation would severely decrease the ability of the City to provide services to an area either inside or outside of the City.*
4. *Full urban services could not be made available within a reasonable time.*

Finding:
The proposal is consistent with the provisions of the Scappoose Comprehensive Plan as previously discussed. The annexation does not decrease the ability of the City to provide services and does not cause an unreasonable disruption of the current City boundary. The proposed annexation site can be served by urban services within a reasonable time and does not decrease the ability of the City to provide services. Section 17.136.020(B) is satisfied.

17.136.040 Approval standards.
A. The decision to approve, approve with modifications or deny, shall be based on the following criteria:

1. *All services and facilities are available to the area and have sufficient capacity to provide service for the proposed annexation area;*

Finding:
Existing municipal police services can be made available to the site immediately. The site fronts onto 2 existing roads within the City (Elm Street and 8th Court). The property is already located within the Scappoose Rural Fire District, the Scappoose School District, the Scappoose Library District, and the Scappoose Parks and Recreation District. Telephone and electric services are already provided to neighboring properties.

Water and sewer service can be made available to the site with extensions installed by the developer. The water treatment plants and wastewater treatment plant have excess capacity to accommodate development of this and other sites.

The facility planning for the City's water and wastewater treatment facilities assumed that this site would be zoned R-1. The site could be developed with approximately 5 additional housing units if the site were subdivided at maximum density.

The wastewater flow associated with 5 residences is 625 gallons per day (0.0006 MGD), using an average of 125 gallons per day per household.

The North Interceptor into the Wastewater Treatment Plant has a capacity of 2.3 MGD; therefore the 5 additional households would use approximately 0.03% of that capacity. The treatment plant has the capacity to accommodate the residences that could be constructed on this site.

The City's existing surface and subsurface drinking water sources can produce in excess of 1,600 gallons per minute. The Water Treatment Plant and Water Wells have the capacity to serve the additional residences from this site.

Elm Street and 8th Court currently do not meet the City's standards for minor collectors and local residential streets, respectively. However, improvements would be required as conditions imposed on future development identified as part of traffic impact analysis performed in conjunction with future development proposals. City Council has also made plans to improve portions of Elm Street east of 6th Street. The City can conclude that Elm Street and 8th Court can be made adequate with appropriate improvements.

Section 17.136.040(A).1 is satisfied.

2. *The impact upon public services which include but are not limited to police and fire protection, schools and public transportation to the extent that they shall not be unduly compromised;*

Finding:

As discussed previously, the proposed annexation will have a minimal impact on the capacity of public service providers, especially since the site is already within the service areas of the Fire District and other service providers. Section 17.136.040(A).2 is satisfied.

3. *The need for housing, employment opportunities and livability in the City and surrounding areas;*

Finding:

This annexation would provide an additional 1.17 acres for residential development and would also create temporary employment opportunities for the construction of streets, utilities, and structures. Section 17.136.040(A).3 is satisfied.

4. *The location of the site in relation to efficient provision of public facilities, services, transportation, energy conservation, urbanization and social impacts.*

Finding:

This site is contiguous to the existing City limits. Public services are already available to neighboring properties and use of these will improve efficiency by utilizing existing trunk lines and service lines. Water and sewer service are available to the site from Elm Street and 8th Court, and police and fire protection can be supplied by the Scappoose Police Department and Scappoose Rural Fire Protection District, respectively. The site has convenient transportation access to downtown Scappoose. Improvements to Elm Street would be required at the time of development to provide for a safer driving environment protective of pedestrians and vehicles.

Increasing the supply of land for housing will benefit the City by providing additional land to meet the demand for residential development. Urbanization of the site is consistent with the City's Comprehensive Plan, and site development is not anticipated to impose adverse social impacts. Section 17.136.040(A).4 is satisfied.

17.136.070 Zoning upon annexation. Upon annexation, the area annexed shall be automatically zoned to the corresponding land use zoning classification as shown in the table below. The zoning designation shown on the table below is the city's zoning district which most closely implements the city's comprehensive plan map designation.

Comprehensive Plan	***Zoning Classification***
SR	*R-1, Low Density Residential*
GR	*R-4, Moderate Density Residential*
MH	*MH, Manufactured Home Residential*
C	*Expanded Commercial*
I	*Light Industrial*

Finding:
The site has a Comprehensive Plan designation of SR, Suburban Residential. Upon annexation, the site would automatically be zoned R-1, Low Density Residential. The findings demonstrate that the City's infrastructure has the capacity to absorb development of this site. Section 17.136.070 is satisfied.

Chapter 17.162 PROCEDURES FOR DECISION MAKING--QUASI-JUDICIAL

17.162.090 Approval authority responsibilities. [...]
C. The planning commission shall conduct a public hearing in the manner prescribed by this chapter and shall have the authority to approve, approve with conditions, approve with modifications or deny the following development applications:
1. Recommendations for applicable comprehensive plan and zoning district designations to city council for lands annexed to the city;
2. A quasi-judicial comprehensive plan map amendment except the planning commission's function shall be limited to a recommendation to the council. The commission may transmit their recommendation in any form and a final order need not be formally adopted;
3. A quasi-judicial zoning map amendment shall be decided in the same manner as a quasi-judicial plan amendment; [...]

Finding:
The applicant has requested the concurrent review of Annexation and a Zone Change. The Planning Commission recommends that the City Council approve the applicant's request. Based on the submitted materials and the staff report the applicant's proposal complies with the City's Comprehensive Plan and with the requirements of Title 17 of the Scappoose Municipal Code. Section 17.162.090(C) is satisfied.

RECOMMENDATION
Based on the findings of fact, the conclusionary findings for approval, and the material submitted by the applicant, staff and the Planning Commission recommend **APPROVAL** of the application ANX9-06/ZC9-06 for placement on the May 15, 2007 ballot.

Exhibit 1

City of Scappoose
Annexation ANX 9-06 & Zone Change ZC9-06

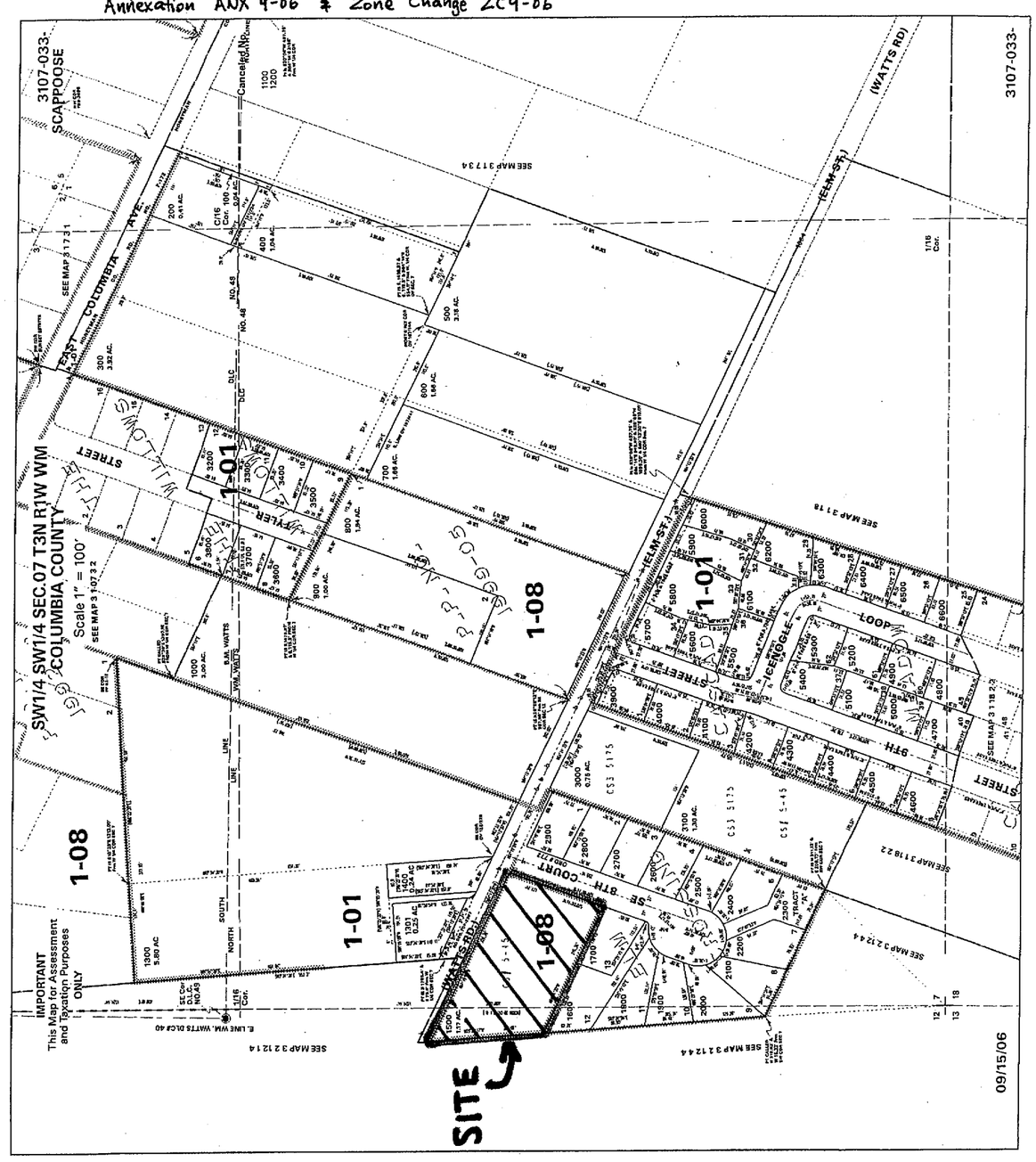


Exhibit 2

Title No. 07-54569 Escrow No. 07-54569

EXHIBIT 'A'

Legal Description:

Beginning at a point which is 318.83 feet North and 16.33 feet West of the Southeast corner of Section 12, Township 3 North, Range 2 West, Willamette Meridian, Columbia County, Oregon; thence North 3°35'03" West a distance of 599.33 feet to the Northwest corner of the Robert L. Mikesh tract, as described in County Clerk's Instrument No. 92-7876 and the true point of beginning of the parcel herein described; thence South 64°19'09" East along the Northerly line of said Mikesh tract a distance of 328.79 feet; thence South 20°06' West a distance of 177.73 feet; thence North 64°35'01" West a distance of 246.32 feet to the West line of said Mikesh tract; thence North 3°35'03" West a distance of 204.07 feet to the true point of beginning.

Exhibit 3

CRYSTAL RIDGE CONSTRUCTION
L.L.C.
CCB#113694

City of Scappoose
Planning Dept
33568 E Columbia Avenue
Scappoose, Or 97056

Dear Sirs,

This property qualifies for Comprehensive Plan designation of Suburban Residential, and upon annexation would be low density Residential (R-1)

This property, 34040 Elm Street, is completely surrounded by the City of Scappoose. The owners, Robert and Becky Mikesh, wish to be annexed into the city. This annexation is a good choice for them and the City at this juncture because the property is fronted on Elm St with public sewer and water, with power available at the NE corner of the property at the junction of 8th Ct/St and Elm St. Storm drainage for this property is available at the corner of 8th Ct/St and Elm St. The property will not at this time impact schools, Parks, Police and Fire but upon future development of the parcel additional homes added could impact to the amount of three additional structures.
The huge oak tree situated on the property is highly valued by the owners and would be a main focus of preservation when any future development is attempted. This tree is probably the largest of its kind in Scappoose and appears to have been a monument of navigation for early peoples living in the area, thus the reason the owner want to make sure it is preserved.

Now is a good time for annexation due to the development of the area adjacent to and across the street from this property. Annexation and subsequent development will enhance that portion of Elm St that abuts this property.

This property is not in any flood plane or standing water area. It perks for standard septic. The soil is stable and flat and has no wetlands on site. Soils are strong foundationally without any outcropping of rock. Since the property is bare except for the few smaller oaks on the property it affords only minimal habitat for birds and an occasional squirrel whose habitats will not appreciably be impacted by any future development.

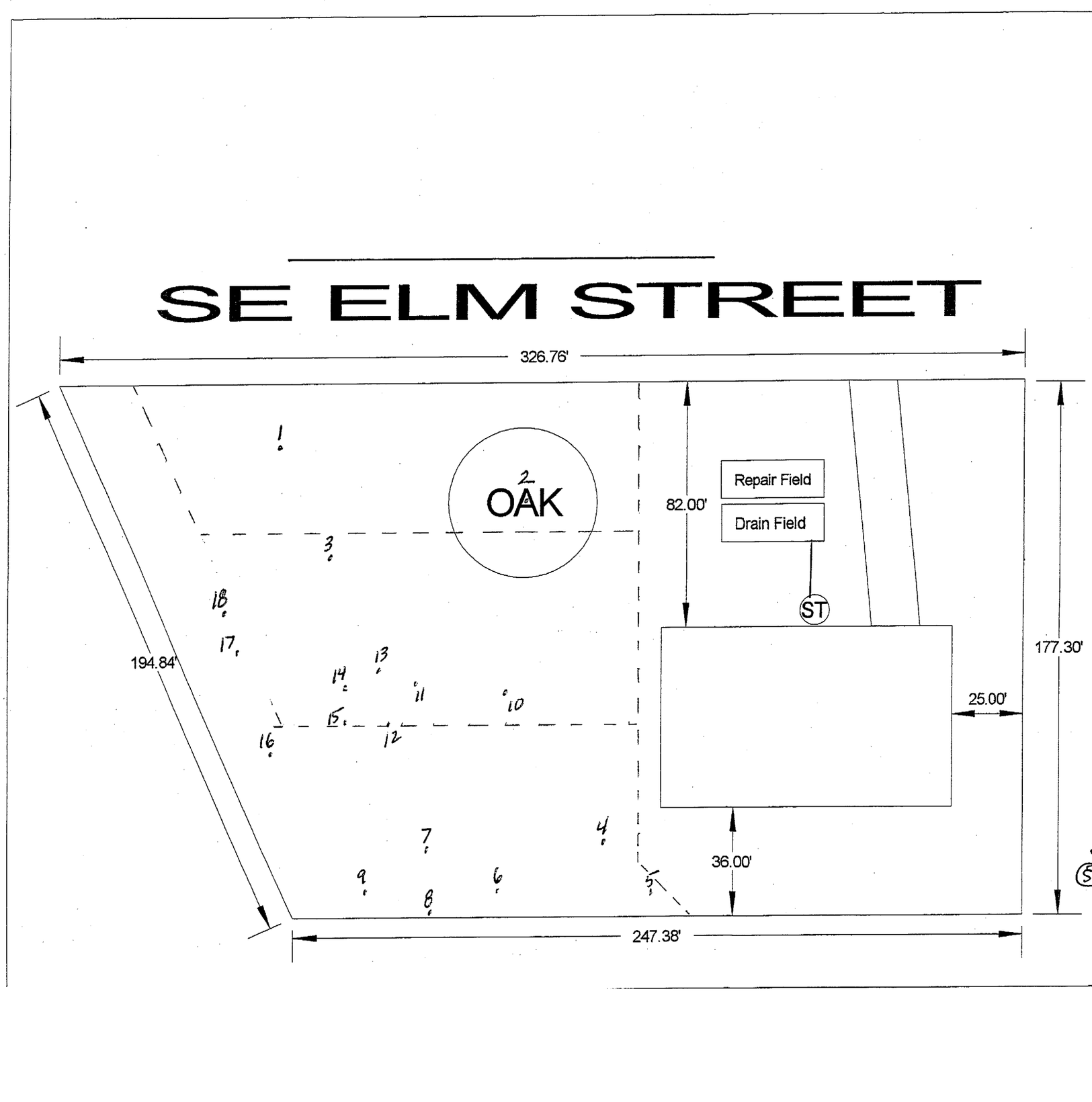
Your consideration of this property for annexation would be greatly appreciated and a good fit for the City of Scappoose.

Sincerely yours,

Art Lee

P.O. Box 1058, ST HELENS, OREGON, 97051 PHONE 366-8051 V or FAX

Exhibit 4



• = Tree with 6" or greater diameter

(ST) = Septic Tank

SCALE: 1/32" = 1'

Crystal Ridge Construction L.L.C.
P.O. Box 1058
St. Helens, OR. 97051
503.366.8051

Bob & Becky Mikesh
34040 Elm St.
Scappoose, OR 97056

Plat Map

© 2006 Byron A. Lee

Exhibit 5

January 24, 2007

Scappoose Planning Commission,

I am writing you this letter as a concerned resident of SE Elm and 8th Court. Unfortunately, I had a prior commitment and am unable to attend the meeting to personally voice my concern.

I read the staff report on the Elm St. annexation that is on this meetings' agenda. . My concern is with the potential traffic problem on Elm St. due to increased development of newly annexed properties. The report states this annexation would only incorporate a maximum 5 homes and the "level of development can be expected to generate approximately 48 average daily trips, 5 of them during the evening peak hour."

My concern isn't with the development associated with this particular annexation, the estimated traffic impact seems minor. When it is combined with the current developments (East of 6th and Elm) and no formulated plan for the easing of future traffic, then there is cause for major concern.

By gathering information through developer websites and other sources I have determined an estimated 130 new homes are now planned for development East of 6th and Elm. If the current staff report traffic ratios of 9.6 daily trips and 1 evening peak hour trip are accurate, then we can expect approximately 1,248 daily trips and 130 peak hour trips on Elm St.

Are the Scappoose Planning Commission and Scappoose City Council looking at the imminent overall traffic problem with so many new homes being developed with Elm St. as the only outlet? It is easier to digest traffic concerns when a report only assesses the effect from a specific annexation. Since all this construction is commencing at the same time, I think it is important that both the commission and council look at overall potential traffic concerns of proposed annexed properties along with approved annexed property that is currently under construction.

The staff report states "The Police Department and the Planning Commission have expressed concern in the past that traffic associated with additional residences will negatively impact SE 6th Street and High School Way." I would like to take these concerns to a new level and refer to Section 17.136.040(A).2 of the Scappoose City Ordinances:

> *The impact upon public services which include but are not limited to police and fire protection, schools and public transportation to the extent that they shall not be unduly compromised;*

The current annexation proposal, and recent Elm St. annexations, may not be in violation of this ordinance when looked at seperately. When they are combined together, you have to seriously look at the following issues that would pertain to the ordinance:

1. Traffic congestion and safety concerns on 6th and Elm St. – Elm St. is inadequate from 6th St. half way to 8th Ct. I have heard the street is to be widened, but there will be no sidewalks. For every 3 trips I make on Elm, I have to drive on the other side of the road to avoid a bicyclist or pedestrian at least once. The thought may be that a widened road will solve this problem, but the additional vehicles using the road means more two-way traffic. Having no sidewalks in this stretch means that the safety gained from widening the road is offset by the additional (1,248 daily trips) traffic.

2. Emergency Services – A couple years ago there was a fire across Elm from 8th Ct. (was 9th St. at the time). Elm St. was temporarily blocked and residents were unable to get out to 6th St.. If a similar situation was to happen West of 8th Ct. and Elm how are the residents East of there supposed to access the community. The Police Department raised concerns about additional traffic on High School Way and 6th St., isn't the additional road coverage also going to spread the Police Department thinner, and in an emergency they only have one way to access these homes? Has an analysis been done to ensure the tax dollars being generated from these annexations provide sufficient funding for the Police and Fire Departments to maintain their level of service.

3. Evacuation – Think about a highly improbable scenario, what if the residents located East of 6th are forced to immediately evacuate. So many residents and vehicles with one inadequate outlet for safety. The probability of an immediate evacuation is remote, but, shouldn't all scenarios be taken into account when a city entity is making decisions that could have a profound effect on its citizens.

I have heard there is a plan for 9th St. to extend to Seven Oaks. Yet, there is no timetable. Do the residents in Seven Oaks, a community with many young children, know how much their streets will be used if this happens?

I do not think it is fair to associate all these concerns with this one annexation proposal. I do feel that the city does need to immediately address the concerns I have raised for the current citizens of Elm St. and consider these issues when future developments and annexations come before the city.

Thank You,

Matt Padrow
52075 SE 8th Ct.
Scappoose, OR 97056

Exhibit 6

From: cherokee@coho.net
Sent: Sunday, January 28, 2007 6:02 PM
To: brianvarricchione@ci.scappoose.or.us
Subject: Brian, Here is my Response to Padrow Ltr.

Crystal Ridge Construction,LLC

P.O. Box 1058

St Helens, OR 97051

Scappoose City Planning Commission

City Of Scappoose

33568 E. Columbia Ave.

Scappoose, OR 97056

Dear Sirs,

This letter is in response to the Letter dated Jan 24, 2007 by Mr Matt Padrow of 52075 SE 8th Ct, Scappose. Mr Padrow brought up some issues with respect to the staff report for our annexation request for the parcel of Mr and Mrs Robert Mikesh.

Mr Padrow makes it known that his concern is not with our annexation proposal but with the more core issues regarding development on Elm St due to the lack of exit routes out of the area should the need arise in the future. I don't quite know how to answer any of those concerns since I'm not involved in the decision making process regarding global issues affecting this area of Scappoose. It appears to me however, that the planning department has plans on board to aleviate the concerns of many regarding the increased trafic congestion due to development of this area of Scappoose.

The development of the three additional lots on our parcel will not be of an impact to the area until sometime in 2008 when we should have the first of the three houses built and for sale, thus ready for possible occupancy.

With regards to the widening of Elm Street in front of our parcel, that will afford a wider street than now is, with additional sidewalks the full extent of our frontage on Elm St. This will mitigate most concerns of

pedestrian traffic compromising vehicular traffic in this area. It appears to me that as development along Elm Street proceeds towards 6th Street with the resultant curbs and sidewalks, pedistrain and vehicular traffic conflicts such as was noted in Mr Padrow's letter will be increasingly mitigated.

Regarding Section 17.136.040(A).2 of the Scappoose City Ordinances referenced by Mr Padrow, it would seem to me that the widening of and placing of sidewalks along Elm St would be facilitating factors for public services such as public safety for pedistrians, easier navigation for police and fire vehicles to ingress and egress the area, as well as bus traffic for schools. Since the other subdivisions have been approved and are now under construction, our three lot addition to the housing total should not appreciably impact the concerns raised by Mr Padrow, but just the opposite, be an aleviation factor to some of his concerns.

Since I am now out of State, and will continue to be, for the projected time of the Planning Commission meeting, please accept this letter as my response to Mr Padrow's letter.

Truly yours

Art Lee

Exhibit 7

Brian Varricchione

From: Will Kessi [kwack@opusnet.com]
Sent: Wednesday, January 31, 2007 11:30 AM
To: 'Brian Varricchione'
Subject: City elm street paving.doc

Brian please give this to Gene. Thanks-Will

KESSI CONSTRUCTION, INC.
PO Box 452
Scappoose, OR 97056
503.543.2914
FAX 503.543.3449
BB # 108143

1/31/07

To Whom It May Concern:

It appears there have been some complaints about why Kessi Construction hasn't paved the south side of Elm Street from Chinook Crossing to Sixth Street like we said we would. The completion of Chinook Crossing west is almost done and the Beisley Property is currently going through the process of becoming a subdivision. We, for all practical purposes will be developing the Beisley property for the developer and will have to tear up all of Elm Street in front of that property to install and connect to utilities. We don't think it is practical to pave a strip that we will have to tear up in a few months and then repave later.

Our plan is that after the Beisley subdivision is complete we will pave the strip once and it will all flow cleanly. When we offered to pave that strip we did not give you a timeline because we didn't know when all these other projects would be completed. Whoever is complaining may want to keep in mind that we offered to pave that strip to help traffic flow and that it was never required of us from the city. We told the city we would pave that strip and we are committed to doing it. It is our money we are spending so we want to do the job when all of the other potential projects are complete and the possibility of the strip being torn up is lower than it is now. If you have any questions or concerns please call me @503-939-0673.

Sincerely,

William Kessi, Jr.

1/31/2007

Exhibit 8

Annexation sites near SE Elm St. & E. Columbia Ave.
City of Scappoose - February 2007

