



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: (503) 378-5518

Web Address: <http://www.oregon.gov/LCD>

NOTICE OF ADOPTED AMENDMENT

July 3, 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 003-06

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: July 19, 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.**

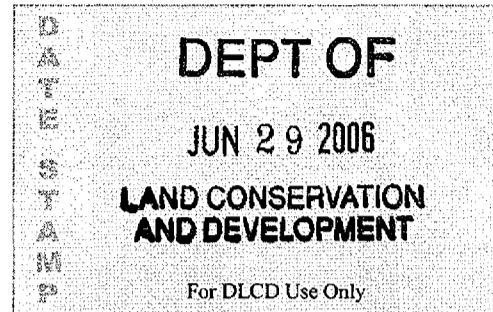
Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Gary Fish, DLCD Regional Representative
Steven Santos, DLCD Economic Development Planning Specialist
Matthew Crall, DLCD Transportation Planner
Brian Varricchione, City of Scappoose

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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



Jurisdiction: City of Scappoose Local file number: ANX1-06/ZC1-06
 Date of Adoption: 6/19/06 Date Mailed: 6/28/06
 Date original Notice of Proposed Amendment was mailed to DLCD: 3/24/06

- | | |
|--|--|
| <input type="checkbox"/> Comprehensive Plan Text Amendment | <input type="checkbox"/> Comprehensive Plan Map Amendment |
| <input type="checkbox"/> Land Use Regulation Amendment | <input checked="" type="checkbox"/> Zoning Map Amendment |
| <input type="checkbox"/> New Land Use Regulation | <input checked="" type="checkbox"/> Other: <u>Annexation</u> |

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".
The Scappoose City Council approved annexation of approximately 92 acres. Based on the requirements of the Scappoose Development Code, upon annexation this property would receive the Light Industrial (LI) zoning designation since the site had an "Industrial" Comprehensive Plan Map designation. The City Council approved a zone change from Light Industrial to Public Use Airport (PUA). The 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: Industrial (I)

Zone Map Changed from: County PA-38 & RIPD to: City PUA

Location: West Lane Road, west of Scappoose Industrial Airpark Acres Involved: Approx. 92

Specify Density: Previous: N/A (industrial) New: N/A

Applicable Statewide Planning Goals: 1, 2, 9, 11, 12, 14

Was and Exception Adopted? YES NO

DLCD File No.: 003-06(15112)

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., Columbia
County Soil Conservation District, Port of St. Helens, Columbia County, Oregon**

Department of Transportation

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. 780

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 Sierra Pacific Communities LLC 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 Light Industrial (LI) upon annexation due to the property's "Industrial" Comprehensive Plan designation, but the applicant has requested Public Use Airport (PUA) zoning, 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 (that portion of Parcel 2 of Partition Plat Number 2004-25 lying within the Scappoose Urban Growth Boundary) 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 September 19, 2006 ballot. The ballot title for such question is herein adopted, and attached hereto as Exhibit B.

Section 3. The property described in Exhibit A is hereby re-zoned from Light Industrial (LI) to Public Use Airport (PUA).

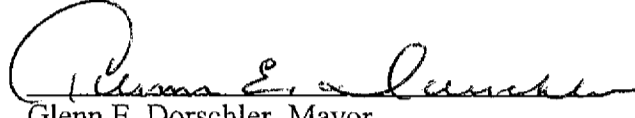
Section 4. In support of the above annexation and zone change, the City Council hereby adopts the findings, conclusions and recommendations of the Staff Report dated May 31, 2006, attached as Exhibit C attached hereto and incorporated herein.

Section 5. The annexation and zone change approved by this Ordinance shall take effect upon the date of certification of the election approving the annexation.

Section 6. 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 19th day of June, 2006, and signed by me in authentication of its passage.

CITY OF SCAPPOOSE, OREGON


Glenn E. Dorschler, Mayor

First Reading: June 5, 2006
Second Reading: June 19, 2006

Attest:

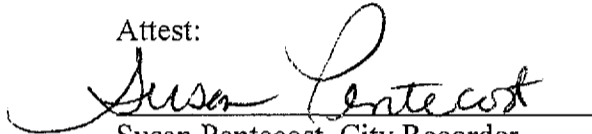
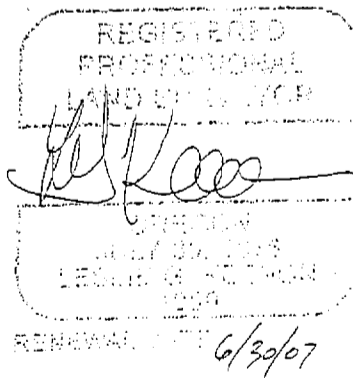

Susan Pentecost, City Recorder

Exhibit A

FOR ANNEXATION INTO
THE CITY OF SCAPPOOSE

A tract of land being a portion of Sections 1 & 12, T 3 N, R 2 W, and Sections 6 & 7, T 3 N, R 1 W, W.M., Columbia County, Oregon. Said tract more particularly described as follows;

Beginning at a point being the Northeast Corner of the herein described tract. Said point being an iron rod Surveyors Monument at the Southeast Corner of Parcel 1, Partition Plat 2004-25 as duly recorded in the Surveyors Records and as Document # 2004-12853 of Columbia County Clerks Records. Thence N 65°21'31"W, 2280.15 feet to the East Right of Way line of West Lane Road. Thence along said Right of Way line, S 07°32'25"W, 1484.00 feet, to the Northwest Corner of that tract as deeded and conveyed per Columbia County Clerks records Deed Book 5, page 500. Thence along said deeded parcel boundaries, S 85°15'00"E, 410.52 feet, to the Northeast corner thereof. Thence S 05°45'00"W, 373.56 feet, to the North line of the Columbia County Right of Way (formerly Portland Southwest Railroad Right of Way, as deeded per County Clerk records Deed Book 6, page 449 and Deed Book 45, page 40). Thence along said Right of Way tract boundary S 67°28'22"E, 1663.44 feet to an iron pipe Surveyors monument as set in Survey filed as Columbia County Survey # 2464, of County Survey records. Thence N 24°52'00"E, 1200.00 feet to the South line of that tract as deeded and conveyed to the Port of St. Helens in Clerks Deed Records Book 245; page 793. Thence along the South line of said Port of St. Helens tract S 80°19'37"W, 71.00 feet to the Southwest corner thereof being an iron rod Surveyors Monument as set in Survey recorded as County Survey # L-1629. Thence N 09°40'06"W, 497.85 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, September 19, 2006, a measure election will be
(Day of week) (Date of election)
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 WAGNER PROPERTY TO THE CITY OF SCAPPOOSE

QUESTION (20 Words)

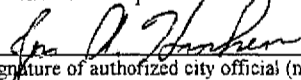
Shall the described property be annexed to the City of Scappoose?

SUMMARY (175 Words)

Sierra Pacific Communities, LLC, has requested that the City annex property owned by the Stanley C. Wagner Trust.

This measure, if approved, would annex approximately 92 acres to the City of Scappoose. The property is located on West Lane Road, west of the Scappoose Industrial Airpark. The property consists of that portion of Parcel 2 of Partition Plat Number 2004-25 lying within the Scappoose Urban Growth Boundary. The site is further described as Columbia County Assessor Map No. 3106-000-00801, 3212-011-00100, and a portion of 3107-000-00100. The property 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)

June 20, 2006
Date signed

Don G. Hanken
Printed name of authorized city official

City Manager
Title

Exhibit C

CITY OF SCAPPOOSE

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

ANX1-06/ZC1-06

May 31, 2006

Sierra Pacific Communities "Wagner Property" Annexation and Zone Change

CITY OF SCAPPOOSE STAFF REPORT

Request: Approval of an application for annexation and a corresponding zone change to Public Use Airport (PUA) for approximately 92 acres.

Location: The subject parcel is located on West Lane Road, west of the Scappoose Industrial Airpark. The property consists of that portion of Parcel 2 of Partition Plat Number 2004-25 lying within the Scappoose Urban Growth Boundary. The site is described as Columbia County Assessor Map No. 3106-000-00801, 3212-011-00100, and a portion of 3107-000-00100. See attached Vicinity Map (**Exhibit 1**).

Applicant: Sierra Pacific Communities, LLC

Owner(s): Stanley C. Wagner Trust

EXHIBITS

1. Vicinity Map
2. Application
3. Letter from Oregon Department of Land Conservation and Development, dated 4/27/06
4. Letter from Oregon Department of Transportation, dated 5/18/06
5. Letter from Scappoose Sand & Gravel Co., dated 5/10/06
6. E-mail from Oregon Department of Land Conservation and Development, dated 5/25/06

SUBJECT SITE

- The subject site is a 92-acre portion of a 233-acre parcel described as Parcel 2 of Partition Plat Number 2004-25. As noted above, the land proposed for annexation is only that portion of the parcel that lies within the City's Urban Growth Boundary (UGB), and is described with three separate tax account numbers in the Columbia County Assessor records. See **Exhibit 1**, Vicinity Map.
- The western boundary of the site is West Lane Road, a County road annexed by the City in 1997. To the west beyond West Lane Road is land zoned Heavy Industrial (M-1) by Columbia County and used as a gravel surface mine. To the east of the site is County land zoned Primary Agriculture-38 (PA-38), as well as the Scappoose Industrial Airpark, which is located within the City of Scappoose and zoned Public Use Airport (PUA). North of the site is land zoned PUA within City Limits. To the south of the site, land is zoned PA-38, Mobile Home Residential (MHR), and Single-Family Residential (R-10) by Columbia County.

Our goal is to provide courteous, efficient service with team leadership and community involvement, in order to enhance the livability and well being of our citizens.

Sierra Pacific Communities "Wagner Property" Annexation and Zone Change

- The site, which is primarily utilized for pasture, has a moderate slope from northwest to southeast. The site is improved with the house, barn, and outbuildings associated with the Wagner ranch.
- 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 the Flood Insurance Rate Map (FIRM) 41009C0463 the majority of the property is located outside of the 500-year flood plain, and some portion lies within the 100-year floodplain protected by the dike. According to the Scappoose Local Wetlands Inventory Map there are no wetlands within the property.

OBSERVATIONS

CONCURRENT ANNEXATION AND ZONE CHANGE APPLICATIONS

- The applicant has requested annexation of the property and a corresponding zone change to Public Use Airport (PUA). The site is currently zoned Primary Agriculture-38 (PA-38) and Resource Industrial - Planned Development (RIPD) by Columbia County and has an Industrial Designation on the Scappoose Comprehensive Plan Map. According to Section 17.136.070 of the Scappoose Development Code, because the parcel has an Industrial (I) Comprehensive Plan designation, upon annexation the land shall automatically be zoned Light Industrial (LI). The applicant has requested that the City annex the site and re-zone the property to Public Use Airport (see **Exhibit 2**). The applicant has not requested an amendment to the Comprehensive Plan map. Comprehensive Plan policies support reserving this land for airport-related uses.

ANTICIPATED INDUSTRIAL USE

- The applicant has stated an intention to develop the site for airport related activities. Future development proposals will be required to apply for Site Development Review to ensure compliance with the Scappoose Development Code and Public Works Design Standards. Development must be consistent with the requirements of Chapter 17.88, AO Public Use Airport Safety and Compatibility Overlay Zone, of the Scappoose Development Code.

STREET SYSTEM AND TRANSPORTATION IMPACTS

- The site has frontage on West Lane Road, a County road with a 40-foot right-of-way that was annexed by the City in 1997. The City's Transportation System Plan (TSP) designates West Lane Road as a Major Collector Street, for which the standard right-of-way (ROW) is 66 feet. Consequently, 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. If development of the site causes negative impacts prior to the completion of the County's planned improvements to

Sierra Pacific Communities "Wagner Property" Annexation and Zone Change

West Lane Road, the applicant may be required to perform additional improvements to accommodate the projected impact.

- Traffic from the site is anticipated to primarily access Highway 30 via West Lane Road southbound to Crown Zellerbach Road westbound, connecting to the highway at the signalized intersection. Upon reviewing the application, DLCDC staff raised transportation planning concerns regarding this application (**Exhibit 3**). Further analysis by staff reveals that the City can conclude that the proposed annexation and zone change application is consistent with the scheduled street improvement projects and will not cause systemwide transportation failure. After reviewing the staff report, DLCDC commented that "the additional transportation findings address the concerns raised in our previous letter and the requirements of TPR Section 0060" (**Exhibit 6**). Full discussion of the traffic impacts associated with the annexation and zone change is found in Findings of Fact #2, Transportation Planning Rule.
- 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.
- 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 airport-related development can be used to pay for improvements to projects included in the City's Transportation System Plan.

UTILITIES & STORM DRAINAGE

- Electricity, phone, and City water service are available to the site from West Lane Road. Natural gas and fiber optic service are planned for the area.
- Storm drainage and sanitary sewer service are not available to the site at this time. When the property is developed, the applicant would be required to provide infrastructure to serve the site. Nearby development is anticipated to extend public sanitary and storm sewer lines through the site to serve adjoining property. The new sanitary sewer and storm sewer can be designed to accommodate flow from the subject site.
- The eastern portion of the site lies within the Scappoose Drainage Improvement District, and the western portion would naturally drain toward the 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, Planning Department, and Board of Commissioners; the Port of St. Helens; 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. DLCD staff submitted comments attached as **Exhibits 3 and 6**. DLCD recommended analysis of transportation impacts. Following further discussion of transportation issues with DLCD, ODOT, and City staff, ODOT sent a letter attached as **Exhibit 4** stating that the annexation and zone change is consistent with the function, capacity, and performance of Highway 30. The Columbia County Road Department, which has oversight over West Lane Road, had no objections to the application.
- Notice of this request was mailed to property owners located within 200 feet of the subject site on April 20, 2006, with revised notice on May 15, 2006. Notice was also posted on the property on April 20 and published in the local newspaper on April 26, May 3, May 10, May 17, May 24, and May 31. Staff has received one written comment from the public regarding the application. **Exhibit 5** is a letter from Scott Parker, President of Scappoose Sand & Gravel Co., requesting that the applicant voluntarily record a letter or non-remonstrance with respect to the nearby gravel mine.

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 will review and comment on the proposed annexation and zoning map amendment on May 25, 2006 to make a recommendation to the City Council. The City Council will hold a hearing on June 5, 2006. The Applicant is required to post site notices, the City mails notices to nearby property owners, and notice is published in the newspaper. 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. DLCD staff has submitted comments attached as **Exhibits 3 and 6**. 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. When the site was added to the UGB, the City and the County agreed that the PA-38 agricultural zoning would be maintained until annexation to keep the property in a "holding zone" as specified by Policy #8 for the Urban Growth Boundary in the Comprehensive Plan.

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.

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 industrial use. If the annexation is 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 airport-related 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 industrial development and has not been planned for recreational opportunities. The requested zone change to Public Use Airport (PUA) will therefore 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.

Sierra Pacific Communities "Wagner Property" Annexation and Zone Change

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 City prepared a Buildable Lands Inventory and Land Use Needs Analysis in 2003. The Land Use Needs Analysis recommends the addition to the City of over 200 acres of land for industrial development in locations that are buffered from residential uses and have good access to transportation, including the nearby Scappoose Industrial Airpark. Land near the airport is suitable for industrial use as a key aspect of economic development.

The proposed annexation and zoning map amendment should result in development that contributes to the state and local economy. As noted later, the Comprehensive Plan anticipated the use of this area for airport-related economic development. Therefore, the application is consistent with this Goal.

J. Housing (Goal 10)

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

Finding:

The property proposed for annexation is designated Industrial on the Comprehensive Plan map. The proposed annexation and zone change to Public Use Airport would have no effect on the housing supply within City Limits. Goal 10 is not applicable to this request.

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 at such time that the property is developed. Water is available in West Lane, and sanitary sewer and storm sewer would be constructed as conditions of approval for future subdivision or site development review 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 1997 Scappoose TSP designates West Lane Road as a Major Collector street and identifies improvements to the roadway in the TSP project list. The 2002 Scappoose Rail Corridor Study estimated 1,700 daily trips from the industrial development of the area near the Scappoose Industrial Airpark. DLCD staff suggested that those figures are too low compared to what could be developed on the site (**Exhibit 3**). Planned improvements to West Lane Road will accommodate the anticipated traffic from the site, even if the daily volume exceeds 1,700 trips. The City will require improvements to the roadway network as conditions of approval for subsequent development proposals submitted for the site. ODOT staff has submitted comments (**Exhibit 4**) stating that the annexation is consistent with the transportation planning for Scappoose and consistent with the identified function, capacity and performance standard for Highway 30. Subsequent comments from DLCD indicate that transportation impacts have been adequately discussed in the staff report (see **Exhibit 6**). 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:

Clustering industrial activities near the airport facilitates carpooling by employees and allows for convenient access to principal roadways designated for truck traffic. The subject property is adjacent to the Scappoose Industrial Airpark and to land approved for an airport-related industrial park. Therefore, the proposal will contribute to a more 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

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site will trigger requirements for the developer to provide infrastructure, including necessary sewer lines, storm drainage lines, water line extensions, and street improvements. Demonstration of need for employment opportunities is found under Findings of Fact #3, specifically the Goal for Economics.

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

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(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.

[...]

(3) Notwithstanding sections (1) and (2) of this rule, a local government may approve an amendment that would significantly affect an existing transportation facility without assuring that the allowed land uses are consistent with the function, capacity and performance standards of the facility where:

(a) The facility is already performing below the minimum acceptable performance standard identified in the TSP or comprehensive plan on the date the amendment application is submitted;

(b) In the absence of the amendment, planned transportation facilities, improvements and services as set forth in section (4) of this rule would not be adequate to achieve consistency with the identified function, capacity or performance standard for that facility by the end of the planning period identified in the adopted TSP;

(c) Development resulting from the amendment will, at a minimum, mitigate the impacts of the amendment in a manner that avoids further degradation to the performance of the facility by the time of the development through one or a combination of transportation improvements or measures;

(d) The amendment does not involve property located in an interchange area as defined in paragraph (4)(d)(C); and

(e) For affected state highways, ODOT provides a written statement that the proposed funding and timing for the identified mitigation improvements or measures are, at a minimum, sufficient to avoid further degradation to the performance of the affected state highway. However, if a local government provides the appropriate ODOT regional office with written notice of a proposed amendment in a manner that provides ODOT reasonable opportunity to submit a written statement into the record of the local government proceeding, and ODOT does not provide a written statement, then the local government may proceed with applying subsections (a) through (d) of this section.

(4) Determinations under sections (1)-(3) of this rule shall be coordinated with affected transportation facility and service providers and other affected local governments.

(a) In determining whether an amendment has a significant effect on an existing or planned transportation facility under subsection (1)(c) of this rule, local governments shall rely on existing transportation facilities and services and on the planned transportation facilities, improvements and services set forth in subsections (b) and (c) below.

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(b) Outside of interstate interchange areas, the following are considered planned facilities, improvements and services:

(A) Transportation facilities, improvements or services that are funded for construction or implementation in the Statewide Transportation Improvement Program or a locally or regionally adopted transportation improvement program or capital improvement plan or program of a transportation service provider.

[...]

(e) For purposes of this section, a written statement provided pursuant to paragraphs (b)(D), (b)(E) or (c)(A) provided by ODOT, a local government or transportation facility provider, as appropriate, shall be conclusive in determining whether a transportation facility, improvement or service is a planned transportation facility, improvement or service. In the absence of a written statement, a local government can only rely upon planned transportation facilities, improvements and services identified in paragraphs (b)(A)-(C) to determine whether there is a significant effect that requires application of the remedies in section (2).

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 airport-area 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 airport-area development

The Scappoose Rail Corridor Study (Kittelson & Associates, October 2002) examined growth and transportation issues with particular emphasis on highway/rail grade crossing opportunities and constraints. As a part of the study, Kittelson prepared traffic projections that included anticipated industrial growth within 435 acres in the vicinity of the Scappoose Industrial Airpark. Under this "full build" scenario, development of the entire 435 acres in the vicinity of the airport would generate 1,700 daily trips, 225 weekday morning peak hour trips, and 220 weekday evening peak hour trips (Table 3-2, p. 3-7). In response to this application, DLCDC staff commented that the City's 1997 Transportation System Plan (TSP) and 2002 Rail Corridor Study might have underestimated the amount of traffic that can be anticipated from the airport area and recommended further analysis of traffic impacts (see **Exhibit 3**). Subsequent discussion with DLCDC staff identified the need to quantify the area likely to develop within the planning period and to specify the amount of traffic likely to be generated from development.

The Rail Corridor Study did not include a map or description of the 435 acres in the vicinity of the airport that were utilized as the land base for estimating trip generation for the "full build" scenario. Staff's analysis of Columbia County Assessor maps reveals that

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this figure likely includes the runway and taxiways at the Scappoose Industrial Airpark, as well as some portion of the Scappoose Sand & Gravel property, which is an active mining operation.¹ As a result, a more realistic area for which to estimate traffic may be 300 acres rather than 435 acres.

The land use classifications contained in the Institute of Transportation Engineers (ITE) "Trip Generation" manual do not directly correlate to specialized airport-related uses. DLCDC staff correctly observes that the ITE manual predicts 18,600 daily trips from 435 acres of light industrial development. However, the Public Use Airport (PUA) zone is likely to generate significantly less traffic than typical light industrial operations. The PUA zone is a relatively land-intensive zone because of the combined provision of taxiways, hangars, manufacturing facilities, parking, truck loading facilities, accessways, and related services. As a result, the PUA zone would generate fewer trips per acre than typical Light Industrial development. The following table compares the Light Industrial trip generation rates in the ITE manual with rates that may be anticipated from development in the PUA zone.

Comparison of trip generation rates for Light Industrial and PUA zones

	Light Industrial rates	Likely PUA Zone rate
Weekday trips	5.21-159.38 trips per acre (average 51.80)	10 trips per acre
Weekday AM Peak Hour	1.61-34.38 trips per acre (average 7.51)	1.75 trips per acre
Weekday PM Peak Hour	1.32-28.00 trips per acre (average 7.26)	1.75 trips per acre

Combining the 300-acre land base with the likely trip generation rate for the PUA zone, traffic generation from airport-area development may be on the order of 3,000 average daily trips, 525 weekday morning peak hour trips, and 525 weekday evening peak hour trips. While these figures are higher than those projected by the Rail Corridor Study, the Major Collector streets identified by the City's Transportation System Plan and Rail Corridor Study can accommodate the traffic volumes from airport-area development.

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

A small percentage of site-generated traffic may be expected to connect to Highway 30 by traveling north and west on West Lane Road. However, due to the existing failing conditions at the Highway 30/West Lane Road intersection, the majority of site traffic will travel southbound on West Lane Road, connecting to Highway 30 via Crown Zellerbach Road. Both West Lane Road and Crown Zellerbach Road are designated as Major Collector streets to account for the planned industrial development anticipated by the Comprehensive Plan. The signalized Highway 30/Crown Zellerbach Road/Scappoose-Vernonia Highway intersection was recently realigned to improve operations, and the

¹ Full development of this latter property would first require gravel mine reclamation, which is anticipated to be some years in the future.

City recently performed full-street improvements (consisting of through lanes, turn lanes, bicycle lanes, and sidewalks) to Crown Zellerbach Road in anticipation of airport-related development. According to the TSP, the capacity of two-lane roads is estimated at 700 vehicles per hour in each direction, not accounting for intersection operations. Therefore, West Lane Road and Crown Zellerbach Road have adequate capacity to accommodate large volumes of traffic, and the capacity-controlling facility will be the traffic signal at the Crown Zellerbach Road/Highway 30 intersection (discussed below).

The 2006-2009 Statewide Transportation Improvement Program (STIP) allocates \$2,000,000 for improvements to West Lane Road between the Scappoose Industrial Airpark and the Crown Zellerbach Road (Project 14011, scheduled for 2006). Columbia County and ODOT are currently in the process of reviewing and finalizing the intergovernmental agreement to start engineering design for this project. The improvements will widen the road to Major Collector standards to accommodate freight traffic between industrial lands and Highway 30. An access management plan and engineering design will accommodate industrial traffic from the area by providing turn lanes and other features as warranted. The intent of the scheduled street improvements is to divert traffic away from the unsignalized intersection of Highway 30 and West Lane, as well as to permit development that would stimulate job creation.

Since the West Lane Road improvements are funded for implementation in the STIP, the City finds that the West Lane improvements will be "in-place" and available to provide transportation capacity well before the end of the planning period (the year 2017) to accommodate the proposed annexation and zone change. This proposal does not "significantly affect" West Lane Road between Crown Zellerbach Road and the airport, including the West Lane Road/Honeyman Road intersection and the West Lane Road/Crown Zellerbach Road intersection.

3. Impact of development-generated traffic on affected intersections

Traffic from airport-area industrial development will utilize four primary intersections.

a. West Lane Road/Highway 30 intersection

The Rail Corridor Study indicates that the Highway 30/West Lane Road intersection currently operates at an unacceptable level of service and will continue to do so in the future regardless of whether development occurs near the airport. The intersection has a Level of Service "F" and a delay exceeding 50 seconds in the morning and evening peak hours under existing conditions (Figures 2-4 and 2-5) and under the "full growth" scenario (Figures 3-5 and 3-6).

DLCD staff underscored that the West Lane/Highway 30 intersection would operate at an unacceptable level of service with the future development of the Scappoose Industrial Airpark and nearby sites (**Exhibit 3**). The City finds that the proposal does "significantly affect" the unsignalized intersection of West Lane Road and Highway 30 because development of the site would worsen the performance of a failing intersection. Project H in the Preferred Plan of the

Scappoose Rail Corridor Study identifies needed geometric and signalization improvements at the Highway 30/West Lane intersection. In the absence of a written determination from ODOT that improvements to the West Lane Road/Highway 30 intersection are "reasonably likely," the City does not consider Project H as a "planned transportation improvement" (as defined in the Transportation Planning Rule). Therefore, there are no planned improvements that would permit the intersection of Highway 30 and West Lane to operate at acceptable levels.

The failing Level of Service at the West Lane Road/Highway 30 intersection would be slightly intensified if site-generated traffic utilizes that facility. ODOT policy would generally not permit a traffic signal at the intersection of Highway 30 and West Lane due to the classification of the road as a Statewide Highway, unless ODOT deemed that the intersection warranted a signal. To mitigate this condition, the City and County have endeavored to minimize traffic at that intersection by providing an alternate route to the signalized Highway 30/Crown Zellerbach Road/Scappoose-Vernonia Highway intersection.

ODOT Region 1 has jurisdiction over the West Lane Road/Highway 30 intersection and the Crown Zellerbach Road/Highway 30 intersection. ODOT has provided a written statement included as **Exhibit 4**. ODOT has affirmed that the proposed annexation and zone change is consistent with the planning process and Rail Corridor Study that ODOT, ODOT Rail, Portland & Western Railroad, and the City completed in 2002. Furthermore, ODOT stated that "the proposed annexation and zone change is consistent with the identified function, capacity and performance standard for the US 30 facility." ODOT staff has stated verbally that ODOT does not have concerns about the impact of the proposed annexation and zone change on the Highway 30/West Lane Road intersection due to the Crown Zellerbach Road/West Lane improvements.

b. Crown Zellerbach Road/Highway 30 intersection

The Rail Corridor Study 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 previously, 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 has provided a determination 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" (see **Exhibit 4**). The proposed annexation and zone change does not "significantly affect" this intersection.

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- c. West Lane Road/Honeyman Road intersection
- d. West Lane Road/Crown Zellerbach Road intersection

The City does not have daily, morning peak hour, or evening peak hour traffic data for the West Lane Road/Honeyman Road intersection or the West Lane Road/Crown Zellerbach Road intersection. However, it is not anticipated that additional traffic from airport-area development would cause these intersections to fall below the City's standards requiring a Level of Service "E" or better for unsignalized intersections. Crown Zellerbach Road was designed with turn lanes at its intersection with West Lane Road. Engineering design for the West Lane Road STIP improvements will include turn lanes as necessary to ensure functional operations at both these intersections. It is unlikely that traffic would meet warrants for signalized intersections at these locations. The proposed annexation and zone change does not "significantly affect" these intersections because of the inclusion of the West Lane Road project on the STIP.

4. Transportation impact conclusions

Consistent with the Comprehensive Plan, the requested zone change to Public Use Airport alters the type of industrial development that would be permitted on site, ensuring that it will be airport-related or airport-compatible. Based on trip generation levels applicable to the PUA 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. Applying the Public Use Airport zone rather than the Light Industrial zone serves to significantly reduce the number of trips that would be generated at the site compared to typical Light Industrial development.

The impact at the West Lane Road/Highway 30 intersection is mitigated to ODOT's satisfaction by the improvements to West Lane Road and Crown Zellerbach Road. ODOT is also satisfied that the Crown Zellerbach Road/Highway 30 intersection will operate acceptably. The STIP project will improve the unsignalized intersections on West Lane Road so they will operate within the City's standards. 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. DLCD staff submitted comments stating that these findings adequately address the applicable Transportation Planning Rule provisions (Exhibit 6).

It should be noted that interim transportation congestion and safety hazards could exist on West Lane Road if the site were developed before the STIP project had been completed. Consequently, the City could require mitigation between the site and Crown Zellerbach Road. As spelled out by Section 5.0013 of the Scappoose Public Works Design Standards, specific types development proposals would trigger the requirement for traffic analysis reports identifying projected trip generation levels, recommendations for public improvements, and access management. The mitigation strategies prompted by the results of the traffic analysis reports would be installed as conditions of development. To the

extent that the level of development is consistent with the engineering design and access management outlined in the STIP, site-specific studies may not be required.

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

GOAL OF THE URBAN GROWTH BOUNDARY

It is the goal of the City of Scappoose to:

- 1) *Create within the City and its growth area, optimal conditions of livability.*
- 2) *Locate all major public and private developments such as schools, roads, shopping centers, and places of employment, so that they do not tend to attract residential development to locations outside the designated urban growth boundary.*
- 3) *Include within the urban growth boundary ample land for future development.*
- 4) *Promote employment generating uses within the airport section of the urban growth boundary. The amount of land required for the use should not dominate the amount of employment generated by the use.*
- 5) *Develop the airport area in a manner to create an industrial park.*

POLICIES FOR THE URBAN GROWTH BOUNDARY

It is the policy of the City of Scappoose to:

- 2) *Review the supply of buildable lands within the Urban Growth Boundaries, in cooperation with Columbia County during each major review of the City's plan. The process of expanding the urban growth areas may begin when there is less than a five year supply of residential land or when 75 percent of the industrial or commercial lands are built on.*
- 8) *Consider annexation of industrial lands only when sufficient capacity exists for the delivery of sewer, water, street, police and fire services.*
 - A) *The area east of West Lane Road zoned PA-38 shall be retained in an agricultural "holding zone" until approved for industrial or airport related development.*

Policies 1, 3-7, and 9-11 are not applicable to this application.

Finding:

Annexing the land comprising this site will provide an industrial employment opportunity immediately adjacent to the airport. This site is zoned PA-38 and RIPD by Columbia County. Annexing the site removes the land from the agricultural holding zone and allows airport related development as envisioned by the Comprehensive Plan goals and

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policies. The site's relative proximity to residential zones within the City supports existing and proposed residential development and promotes the City's livability by allowing short commutes.

The City has reviewed its supply of buildable lands and estimated the demand for land to the year 2025, using stratified residential, commercial and industrial categories. The 2003 Land Use Needs Analysis found that the City should add more than 200 acres of industrial land to meet calculated long-term needs. The deficit was 10.5 gross acres in 2003 (not including a provision for large sites). Based on staff calculations that account for the 2003 deficit, subsequent rezoning actions, and annexation and de-annexation on West Lane, the City currently has a small deficit of industrial land (8.1 gross acres), not including a provision for large sites. Annexation of this site is consistent with the Comprehensive Plan and would satisfy the immediate deficit of industrial land.

The applicable goals and policies of the GOAL OF THE URBAN GROWTH BOUNDARY and POLICIES FOR THE URBAN GROWTH BOUNDARY are satisfied.

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.*

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- 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.*
- 20) *Approve annexations of new industrial lands only when there is sufficient capacity in the sewer, water, street, fire, and police systems of the city.*

Policies 2-8, 10-19 and 21-27 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 for industrial uses. 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. The station is located at 52751 Columbia River Highway, approximately 1.5 miles from the site. The impact to the fire protection services from annexation of this site will be relatively low since the site is already in the Fire District. Furthermore, 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.
- The impact on police services would also be relatively low from the anticipated use of airport related light industrial operations. Historically, the Scappoose Industrial Airpark and surrounding areas have required law enforcement services infrequently. The applicant has proposed airport related development for the site. The proposed use is consistent with existing uses at the airport and should not require law enforcement support beyond the historic level of the airport.

Schools

- It is unclear what impact additional employees and their families will have on local 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.

Water Service

- There is an existing 18" City water line in West Lane Road to which the property would have access upon annexation.

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Sewer and Storm Drainage

- The nearest sanitary sewer can be found south of the Crown Zellerbach Road in West Lane Road and in Miller Road. The City does not propose to fund extension of sewer service to the site at this time due to the distance between the site and existing sewer infrastructure. The applicant would be required to extend sewer lines to connect to the sewer system at the time of development. The City has approved a nearby airport-related industrial park (Subdivision SB5-05) which will necessitate the construction of sewer lines passing through the subject site. Future development of the site could utilize the new sewer infrastructure.
- There is no public storm drain system in the vicinity of the site so the applicant will have to provide stormwater management at such time that the property develops. 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.
- Upon annexation and a zone change, a closer evaluation of the sewer service and drainage options will happen during Site Development Review.

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

GOAL FOR ECONOMICS

It is the goal of the City of Scappoose to:

- 1) *Maintain conditions favorable for a growing, healthy, stable, and diversified business and industrial climate.*
- 2) *Establish greater local control over the density of local economic development.*

POLICIES FOR ECONOMICS

It is the policy of the City of Scappoose to:

- 1) *Make sufficient land available for the anticipated expansion of commercial and industrial activities.*
- 4) *Encourage the expansion of employment opportunities within the urban area, so residents can work within their community as well as commute to jobs outside the City.*
- 5) *Promote pollution free industrial development necessary to provide a balanced tax base for the operation of local government services.*
- 7) *Assist in programs to attract desirable industries in terms of diversification, labor-intensiveness, and non-pollution rather than accept any industry which may*

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wish to locate here; additionally, to prohibit industries with excessive levels of pollution or other undesirable effects which would cancel possible economic benefits or threaten the existing quality of living.

- 11) *Identify special locations for industrial activities that will assist in energy conservation; specifically, industries should be clustered:*
 - a. *Close to existing rail lines.*
 - b. *To allow for employees to use carpools.*

- 13) *Coordinate its plans for public facilities to accommodate expected industrial and residential growth.*

Policies 2-3, 6, 8-10, 12, and 14-17 are not applicable to this application.

Finding:

The subject property is located in the Scappoose Urban Growth Boundary and is designated Industrial on the Comprehensive Plan Map in recognition of planned industrial uses at such time that the City annexes the property. Industrial development will enhance the City's economic base, providing additional employment opportunities within the City Limits. The 92-acre site is not adjacent to a rail line, but the site and the adjacent Scappoose Industrial Airpark provide an opportunity for carpooling. The City's system plans for water and sanitary sewer service are capable of accommodating industrial use of the subject property. The Crown Zellerbach Road was recently improved to City standards to accommodate truck traffic between Highway 30 and businesses near the airport.

The 2003 Land Use Needs analysis indicated that Scappoose had a need for an additional 10.5 gross acres of industrial land, plus a need for large sites totaling roughly 200 acres to accommodate large industrial users. Staff has updated this figure to account for subsequent annexations, zone changes, and one de-annexation, and has computed that the City has a current deficit of 8.1 industrial acres plus a need for large sites. Annexing this 92-acre site will satisfy the immediate need for industrial land. Annexation of this property also affords the City direct control over development.

The proposed airport related operations would be low-pollution activities that would bolster the City's tax base and provide employment opportunities for City residents. Annexation will allow this development to occur within City Limits.

The applicable goals and policies of the GOAL FOR ECONOMICS and the POLICIES FOR ECONOMICS 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.*
- 3) *A suitable balance between competing land use should be established so that, insofar as possible, the complete range of social, economic, cultural, and aesthetic needs of the community are met.*
- 8) *Industrial areas should be suitable for their purpose, properly located, and adequate for future needs.*
- 13) *A safe and convenient transportation system should be developed to meet future needs.*
- 14) *The local economy should be strengthened and diversified.*

Goals 2, 4-7, 9-12, and 15-19 are not applicable to this application.

Finding:

The subject property is located in the UGB by the Scappoose Industrial Airpark and is suitably located to accommodate contemporary industrial needs. This area is not in conflict with residential uses and would benefit from the proximity of nearby industrial development. Annexation of this site provides for orderly development of the area around the Scappoose Industrial Airpark and provides a balanced land use supply by eliminating the immediate deficit of industrial land within the City. Providing an opportunity for development by annexing the site will increase the number of job opportunities within the City.

The applicable goals and policies of the GENERAL GOALS FOR LAND USES are satisfied.

GOAL FOR THE INDUSTRIAL LAND USE DESIGNATION

It is the goal of the City of Scappoose to:

- 1) *Provide a place for industrial activities where their requirements can be met, and where their environmental effects will have a minimal impact upon the community.*

POLICIES FOR THE INDUSTRIAL LAND USE DESIGNATION

It is the policy of the City of Scappoose to:

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- 1) *Provide suitable areas for industrial expansion, utilizing for such purposes relatively large, flat areas that are separated by buffers from the City's residential districts.*

- 3) *Locate industrial areas so they have a convenient relationship to the community's transportation system, without generating heavy traffic through residential districts; additionally, the clustering of industrial activities will allow carpooling by employee.*

Policies 2 and 4-6 are not applicable to this application.

Finding:

The subject site is suitable for industrial uses since it is clustered near existing industrial and noise-generating uses (i.e., the airport) rather than being located adjacent to residential areas. Access to the property from Highway 30 is relatively direct via West Lane Road and Crown Zellerbach Road, which was recently improved.

The 2003 Land Use Needs analysis indicated that Scappoose had a need for an additional 10.5 gross acres of industrial land, plus a need for large sites totaling roughly 200 acres to accommodate large industrial users. The City Council approved two Zone Changes in 2004 and one Zone Change in 2006 that converted land from industrial to residential uses, annexed approximately 36 industrial acres in 2005, and approved the withdrawal of one parcel from City Limits in 2006. Collectively, these changes have led to an immediate deficit of 8.1 acres of industrial land, plus a need for large sites. Annexing this 92-acre site would satisfy the immediate need for industrial land and could accommodate large industrial users. Rezoning the site to PUA is consistent with the Industrial Comprehensive Plan designation.

The applicable goals and policies of the GOAL FOR THE INDUSTRIAL LAND USE DESIGNATION and POLICIES FOR THE INDUSTRIAL LAND USE DESIGNATION are satisfied.

GOAL FOR TRANSPORTATION

[...]

- 8) *To assure that roads have the capacity for expansion and extension to meet future demands.*

POLICIES FOR TRANSPORTATION

- 1) *Require all newly established streets and highways to be of proper width, alignment, design and construction, and to ensure that they are in conformance with the City's Subdivision Ordinance.*

- 2) *Review diligently all subdivision plats and road dedications to insure the establishment of a safe and efficient road system.*

Finding:

West Lane will require improvements in conjunction with any future development of the subject site to ensure a safe and efficient road system. The required improvements and construction of new streets serving the site must meet the requirements of the Transportation System Plan and the Public Works Design Standards. The City has designated West Lane as a Major Collector, which will be constructed to accommodate heavy traffic volumes. Additional findings are found in Findings of Fact #2, Transportation Planning Rule.

- 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 Light Industrial (LI) zoning designation since the site had an "Industrial" Comprehensive Plan Map designation. The applicant requests that the property be re-zoned to Public Use Airport (PUA) if the annexation is successful. The Comprehensive Plan *Goal of the Urban Growth Boundary and Policies for the Urban Growth Boundary* specify that the area around the airport has been identified for airport-related development. The purpose of the PUA zone is to encourage and support the continued operation and vitality of the Scappoose Industrial Airpark by allowing certain airport-related commercial, manufacturing and recreational uses in accordance

with state law. The PUA zone thus most closely achieves the Comprehensive Plan goals and is consistent with the Industrial Comprehensive Plan designation.

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

The proposed annexation is consistent with the Comprehensive Plan because the property lies within the urban growth boundary. The zone change to PUA rather than LI implements the Industrial Comprehensive Plan designation while tailoring the type of development that may occur. Operations of industrial or airport-related developments are regulated to ensure minimal off-site impacts. Therefore the proposal will 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 Industrial in the Comprehensive Plan Map. Comprehensive Plan policies state that land adjacent to the airport is slated for industrial development. The PUA zone more closely achieves this objective than does the LI zone. It would therefore be inconsistent to apply Section 17.136.070 by automatically zoning the property Light Industrial. The requested zone change to PUA rectifies that mistake by reserving the site for airport-related development.

Chapter 17.70 LI LIGHT INDUSTRIAL

17.70.030 Permitted uses. In the light industrial zone, activities are subject to site development review, Chapter 17.120, Site Development Review. Only the following uses and their accessory uses are permitted outright:

[...]

F. Building materials sales and service;

[...]

L. Retail facilities on sites greater than one hundred thousand square feet;

M. Manufacturing of finished products;

N. Manufacturing of components for use in finished products;

O. Packaging of previously processed materials;

Sierra Pacific Communities "Wagner Property" Annexation and Zone Change

- P. Participation sports and recreation: indoor and outdoors;
- Q. Processing and packing of food products; [...]
- Y. Wholesale, storage, and distribution; [...]

Finding:

A variety of uses are permitted in the Light Industrial zoning district, including uses that are not airport-related. The applicant has request that the zoning for the site be changed to Public Use Airport (PUA). Section 17.70.030 is satisfied.

Chapter 17.69 PUA PUBLIC USE AIRPORT

17.69.040 Permitted uses. The following uses and activities are permitted outright in the PUA zone:

[...]

F. Flight instruction, including activities, facilities, and accessory structures located at airport sites that provide education and training directly related to aeronautical activities. Flight instruction includes ground training and aeronautic skills training, but does not include schools for flight attendants, ticket agents or similar personnel;

G. Aircraft service, maintenance and training, including activities, facilities and accessory structures provided to teach aircraft service and maintenance skills and to maintain, service, refuel or repair aircraft or aircraft components. "Aircraft service, maintenance and training" includes the construction and assembly of aircraft and aircraft components for personal use, but does not include activities, structures or facilities for the manufacturing of aircraft or aircraft-related products for sale to the public;

[...]

I. Aircraft sales and the sale of aeronautic equipment and supplies, including activities, facilities and accessory structures for the storage, display, demonstration and sales of aircraft and aeronautic equipment and supplies to the public but not including activities, facilities or structures for the manufacturing of aircraft or aircraft-related products for sale to the public;

[...]

L. Manufacturing, assembly, processing, packaging, testing, treatment, repair, or distribution of aircraft or aircraft related components or products for sale to the public; and

M. Other airport compatible light industrial uses.

Finding:

A variety of airport-compatible uses are permitted in the Public Use Airport zoning district, some of which are listed above. Future development proposals would be reviewed for consistency with the permitted uses in the proposed zone. Section 17.69.040 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 connects two areas that are already part of the City, expanding the City's logical service area. Revenues from the area are anticipated to cover the cost of providing services, especially factoring in the employment that could occur on site. Annexation will allow the City to manage growth and alleviate an immediate need for industrial property within the City Limits. Annexation of the property provides 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

Sierra Pacific Communities "Wagner Property" Annexation and Zone Change

services and does not cause an unreasonable disruption of the current City boundary. The proposed annexation site can be served by urban services provided that the applicant installs sewer and storm facilities to serve the site and improves the streets in conjunction with future development. 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; water is available immediately and sewer could be provided when the applicant extends the sewer lines. The water treatment plants and wastewater treatment plant have excess capacity to accommodate development of this and other sites.

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 92 acres for airport-related development and long-term employment, and would also create temporary employment opportunities for the construction of streets, utilities, and structures. Annexation would stimulate economic development. 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 and is bordered on three sides by land within the City. Water service is available to the site from West Lane Road, 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 Highway 30 via West Lane and Crown Zellerbach Road and is close to existing industrial development, making carpooling and energy conservation possible. Urbanization of the site is consistent with the City's Comprehensive Plan, and site development is not anticipated to impose adverse social impacts. Increasing the industrial land supply will benefit the City by providing employment opportunities and satisfying the immediate need for industrial land. 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.*

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

Finding:

The site has a Comprehensive Plan designation of I, Industrial. Upon annexation, the site would automatically be zoned LI, Light Industrial. The applicant has requested that the site be zoned Public Use Airport in accordance with Comprehensive Plan goals and policies. Section 17.136.070 is satisfied.

Chapter 17.162 PROCEDURES FOR DECISION MAKING--OUASI-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*

Sierra Pacific Communities "Wagner Property" Annexation and Zone Change

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

The airport-related use proposed for this site is consistent with the City of Scappoose Comprehensive Plan and the parcel is within the city's Urban Growth Boundary. The site is also within the boundaries of the special districts and departments providing public services to the areas within the City.

Based on the findings of fact, the conclusionary findings for approval, and the material submitted by the applicant, staff recommends that the Planning Commission recommend **APPROVAL** of the application ANX1-06/ZC1-06 by the City Council for placement on the ballot.

IMPORTANT
This Map for Assessment
and Taxation Purposes
ONLY

SEC.06 T3N R1W WM
COLUMBIA COUNTY

Scale 1" = 400'

3106-000-
SCAPPOOSE

Canceled No.

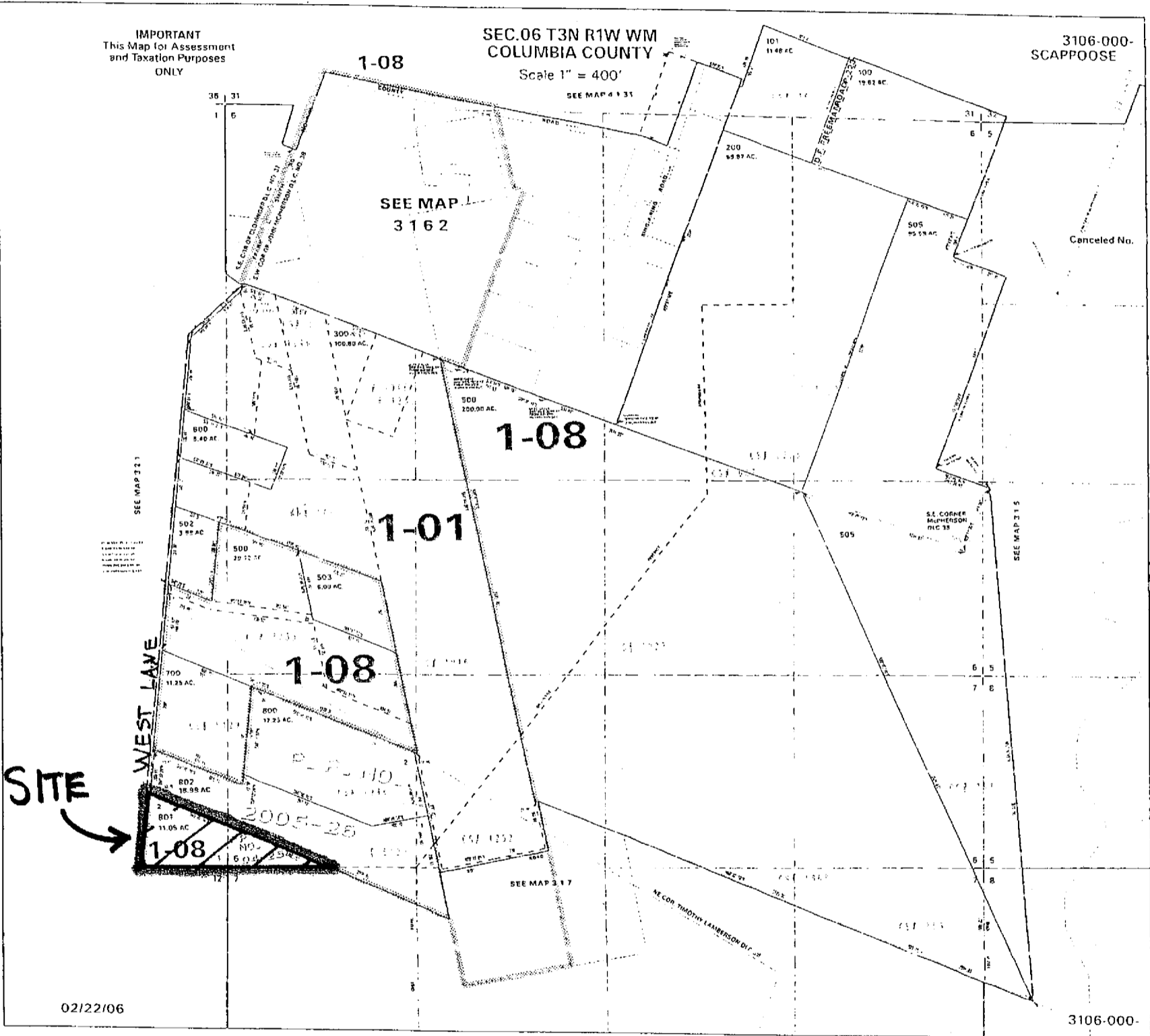


Exhibit (p.1 of 3)

NE 1/4 NE 1/4 SEC. 12 T. 3 N. R. 2 W. W.M.
COLUMBIA COUNTY

3 2 12 1 1

THIS MAP HAS BEEN PREPARED FOR ASSESSMENT PURPOSES ONLY
Scale: 1" = 100' Current Revision Date: 2 / 11 / 05

CDP 221
CDP 214

SITE →

SEC 3 2 12

1-08

SEC 3 1 7

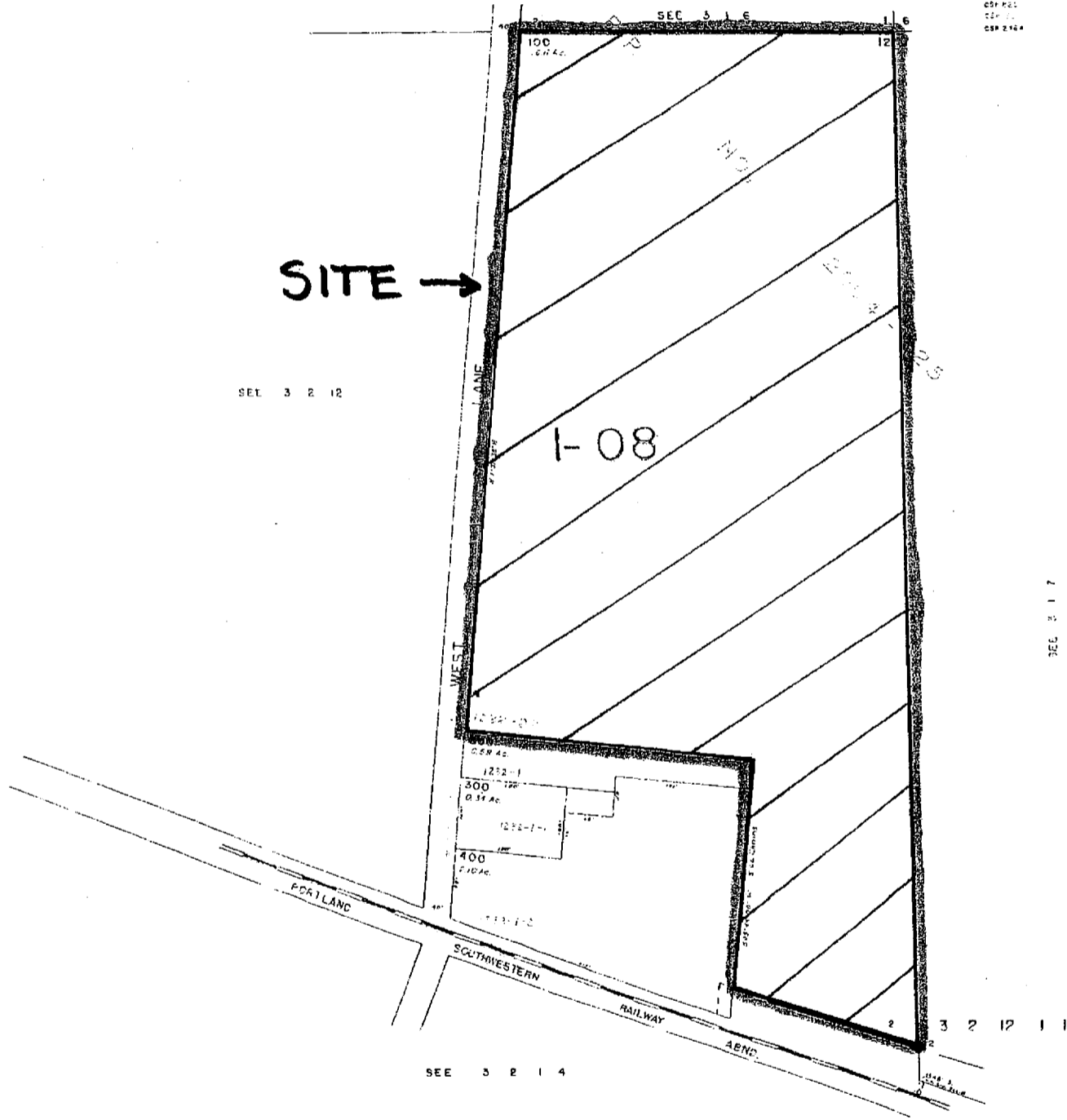


Exhibit 1 (p. 2 of 3)

**Request for Annexation
&
Zone Change**

Applicant: Ed Freeman, Principal
Sierra Pacific Communities, LLC
P.O. Box 1754
Lake Oswego, Oregon 97035

Property Owner: Marsha Murray-Lusby, Trustee of the
Stanley C. Wagner Trust
851 S.W. Sixth Avenue
Suite 1500
Portland, Oregon 97204-1357

Property Location:
52970 West Lane Road

Tax Account Numbers:
All of Tax Lot 3106-000-00801 (11.05 ac), all of Tax Lot 3212-011-00100
(16.11 ac), and a portion of Tax Lot 3107-000-00100 ($\approx 64.80\pm$ ac).

Proximate Property: (within 200' of site as determined by the Columbia County Land
Development Services Department)

Port of St. Helens
PO Box 598
St. Helens, OR 97051
3106-000-00300

Glacier Northwest Inc.
PO Box 1730
Seattle, WA 98111
3106-000-00504

Lawrence & Phyllis Janke
34579 East Columbia Blvd.
Scappoose, OR 97056
3107-000-01200

Frederick & Leona Jones
53311 West Lane Road
Scappoose, OR 97056
3201-040-00900

Ronald M. Roark
53285 West Lane Road
Scappoose, OR 97056
3201-040-00800

Martha M. Molony (Trustee)
29348 Scappoose-Vernonia Hwy
Scappoose, OR 97056
3106-000-00502

William & Johanna Myers
53351 West Lane Road
Scappoose, OR 97056
3201-40-1201

W. R. Walker
52976 West Lane Road
Scappoose, OR 97056
3212-011-00200

Steven Yett
2737 NE Alameda
Portland, OR 97212
3106-000-00700

Scott Parker
PO Box AF
Scappoose, OR 97056
3201-040-00602

City of Scappoose
PO Box P
Scappoose, OR 97056
3107-000-00500

Michael Lobby
53333 West Lane Road
Scappoose, OR 97056
3201-040-01200

County Assessor Map:

Columbia County Assessor Maps are attached as Exhibit 1.

Metes & Bounds Description:

A Metes and Bounds (Legal Description) description is attached as Exhibit 2.

Vicinity Map:

A vicinity map is attached as Exhibit 3.

Conceptual Development Plan:

The site is to be developed to accommodate airport related activities. Detailed drawings will be available and made a part of the site-design review process.

Narrative:

The applicant, Sierra Pacific Communities, LLC, requests that approximately 92± acres of land within the Scappoose Urban Growth Area be annexed into the City of Scappoose and zoned to permit airport related activity as permitted in the City's Public Use Airport Zone (Ch. 17.69). This application is supported by the landowner, Stanley C. Wagner Trust.

The property included in this application is in the City of Scappoose Urban Growth Area under the land use authority of Columbia County consistent with the provisions of the Urban Growth Area Management Agreement (UGAMA) between the City and Columbia County.

City of Scappoose Ordinance Number 581 (adopted January 1992) amended the City's Urban Growth Area to include the Scappoose Industrial Airpark and surrounding areas, including the property described in this application. Ordinance Number 581 did not include a metes and bounds description of the expanded Urban Growth Area. In preparing this application, the applicant has consulted the Columbia County Surveyor and City of Scappoose staff and are agreed that the metes and bounds description provided in Exhibit 2 accurately reflects the City Urban Growth Area Boundary and that the property described in this application is located within that Boundary.

Specific findings in support of the adoption of Ordinance Number 581 (Exhibit 4) approved by the County and acknowledged by the Land Conservation and Development Commission include the following goals: (1) "Promote employment generating uses within the airport section of the urban growth boundary" (Ord. No. 851, Section 5(4)); (2) "Develop the airport area in a manner to create an industrial park" (Ord. No. 581 Section 5(5)); (3) "The area east of West Lane Road zoned PA-38 shall be retained in a [sic] agricultural "holding zone" until approved for industrial or airport related

development" (Ord. No. 581 Section 6 (8)(A); and (4) "The land currently zoned PA-38 is identified (as) an industrial reserve area" (Ord. No. 581 Section 6 (8)(B).

Section (7) [Property #3] of Ordinance 581 amended the City's Comprehensive Plan Map to reflect zoning as "...Industrial for 414 acres including the Scappoose Industrial Airpark, the area surrounding the airpark and immediately west of West Lane Road." (Ordinance No. 851, p. 3)

Approval of the annexation and zone change sought under this application would be consistent with the provisions of the existing UGAMA between the City and the County. The proposed use of the property is for airport related activities as provided in the City's Public Use Airport Zone that will not conflict with Chapter 17.88 Airport Safety and Compatibility Overlay Zone.

Facilities, Services and Transportation

Water is available from the existing City of Scappoose 18" water line which extends along West Lane Road.

Sanitary sewer service from the City is planned but not currently available.

Access to the property is via West Lane Road which is the westernmost boundary of the property. West Lane Road is a County road with a 40-foot right-of-way; however the City annexed West Lane Road in 1997. The City transportation plan designates West Lane Road as a major collector requiring a 66-foot right-of-way. The City and Columbia County have applied for a state grant to improve West Lane Road to City standards. Access to US 30 will be by the "Crown Road" which has been recently improved to City standards.

The City of Scappoose Rail Corridor Study (Kittelson & Associates, October 2002,) examined growth and transportation issues with particular emphasis on highway/rail grade crossing opportunities and constraints. As a part of the Study, Kittelson prepared traffic projections based on anticipated growth in several areas of the City including anticipated industrial growth within 435 acres adjacent to the Scappoose Industrial Airpark. Under a "full build" scenario, the development of the entire 435 acres adjacent to the airport would generate 1,700 daily trips. (Table 3-2, pg. 3-7)

Even given the "full build" scenario, Kittelson forecasts that with the exception of the Highway 30/West Lane Road intersection, all unsignalized and signalized intersections in the City and immediate area would be capable of operating within acceptable levels of service. (pgs 3-13, 3-14)

Access to the property which is the subject of this annexation application will be from West Lane Road with access to US 30 via the "Crown Road" to the signalized intersection at the Scappoose-Vernonia Road crossing and by the "Crown Road" east of West Lane Road.

Future improvements to West Lane Road have not yet been determined by the City and/or Columbia County.

Electrical service is provided by the Columbia River People's Utility District.

Telephone service is provided by Century Tel.

Natural gas and fiber optic service are planned for the area but not currently available.

Storm water drainage mitigation will meet Federal, State and local standards.

Topography & Soils

The property is essentially flat with a moderate slope from northwest to southeast. The property is outside the 500-year flood plain as defined by Flood Insurance Map (FIRM) number 41009C0463. The Columbia County Soil Inventory indicates that the property consists primarily of Sifton Loam soil types. The National Wetlands Inventory Map does not indicate the presence of wetlands on property subject to this annexation application.

Anticipated Impacts:

Law Enforcement:

Historically, the Scappoose Industrial Airpark and surrounding areas have required law enforcement services infrequently. The planned use for the property that is the subject of this annexation application is for aviation related activity. The proposed use is consistent with existing uses at the airport and should not require law enforcement support beyond historic levels.

Fire Suppression and EMT:

Development of the site will comply with all applicable fire codes and will include hydrants in sufficient numbers and at locations deemed appropriate by the Scappoose Rural Fire District.

Education:

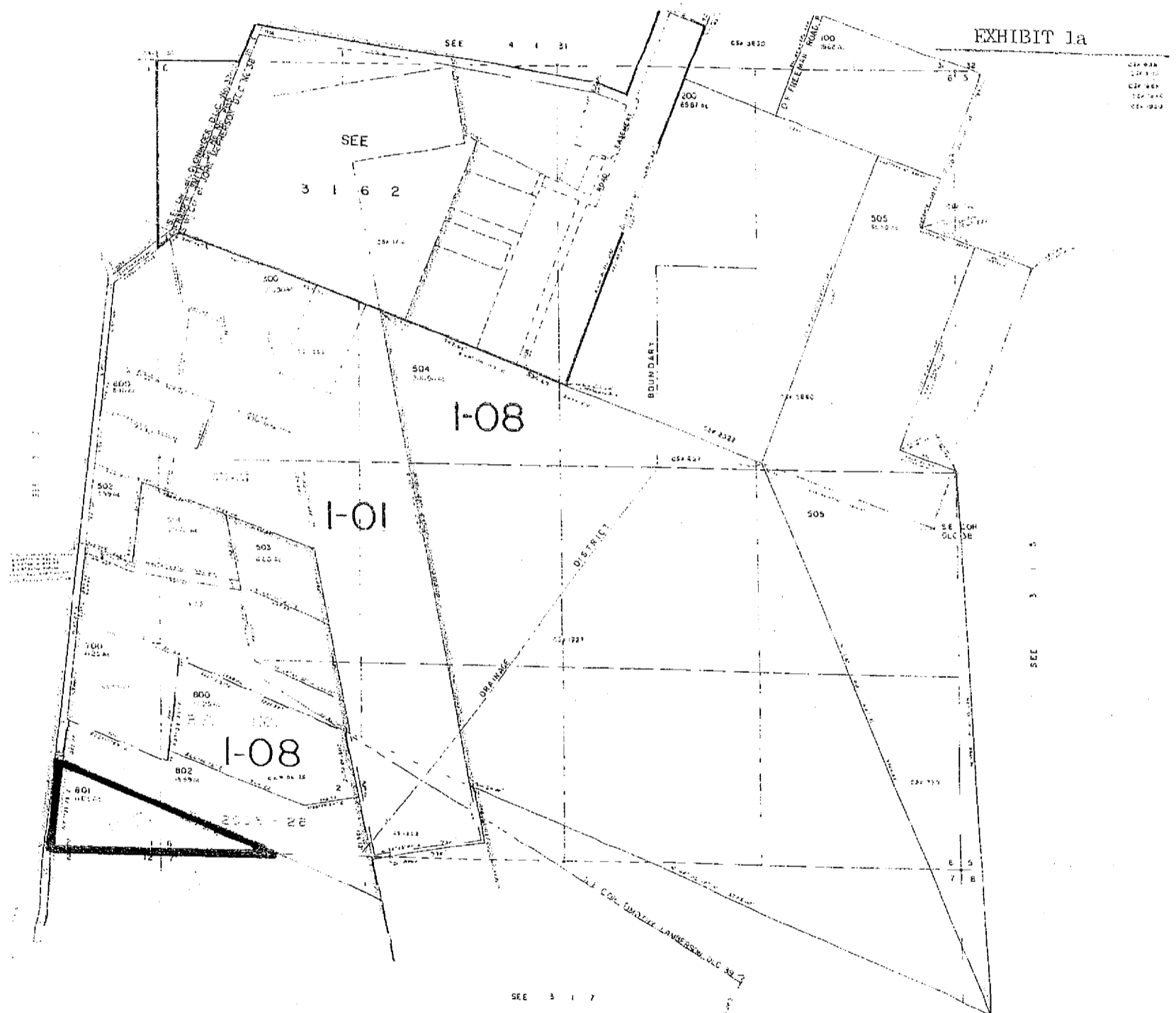
It is unclear how many, if any, school-aged children will be added to the Scappoose School District population as a result of airport related development of the property. The assessed value of the property would be increased as a result of annexation and development which will provide additional property tax revenue to the local school district.

Summary:

The city of Scappoose and Columbia County anticipated the need for land for job creation and other economic development activities with the adoption of City of Scappoose Ordinance 581 in 1992 which expanded the City's Urban Growth Management Area to include the area near the Scappoose Industrial Airpark.

This application for the annexation of approximately 92± acres is consistent with the purpose and intent expressed in Ordinance 581. We respectfully request that this application be approved and submitted to the electors of the City of Scappoose and if approved by the electors, be zoned Public Use Airport as defined in Chapter 17.69 of the City's Development Code.

EXHIBIT 1a



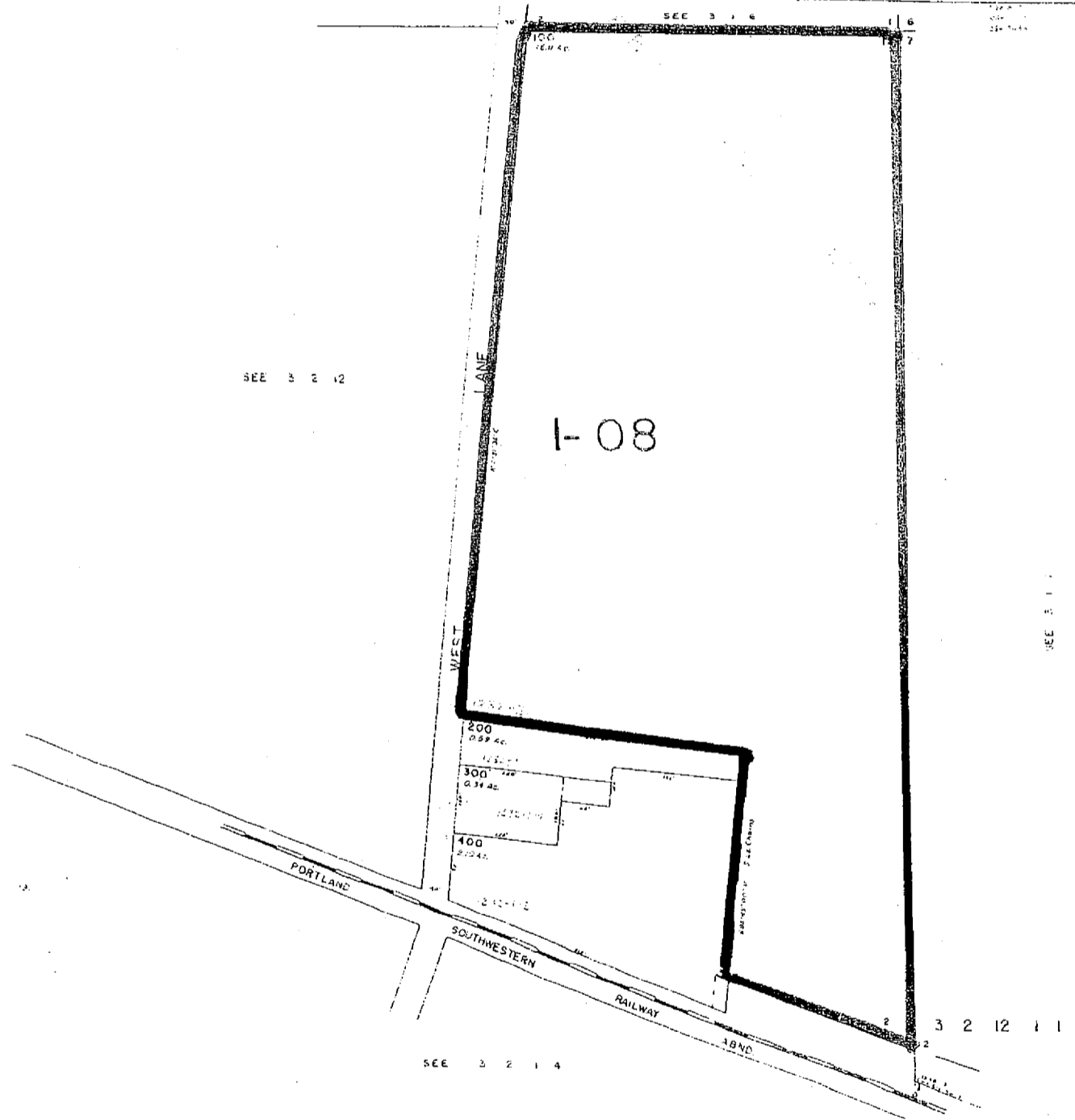
CITY MAP
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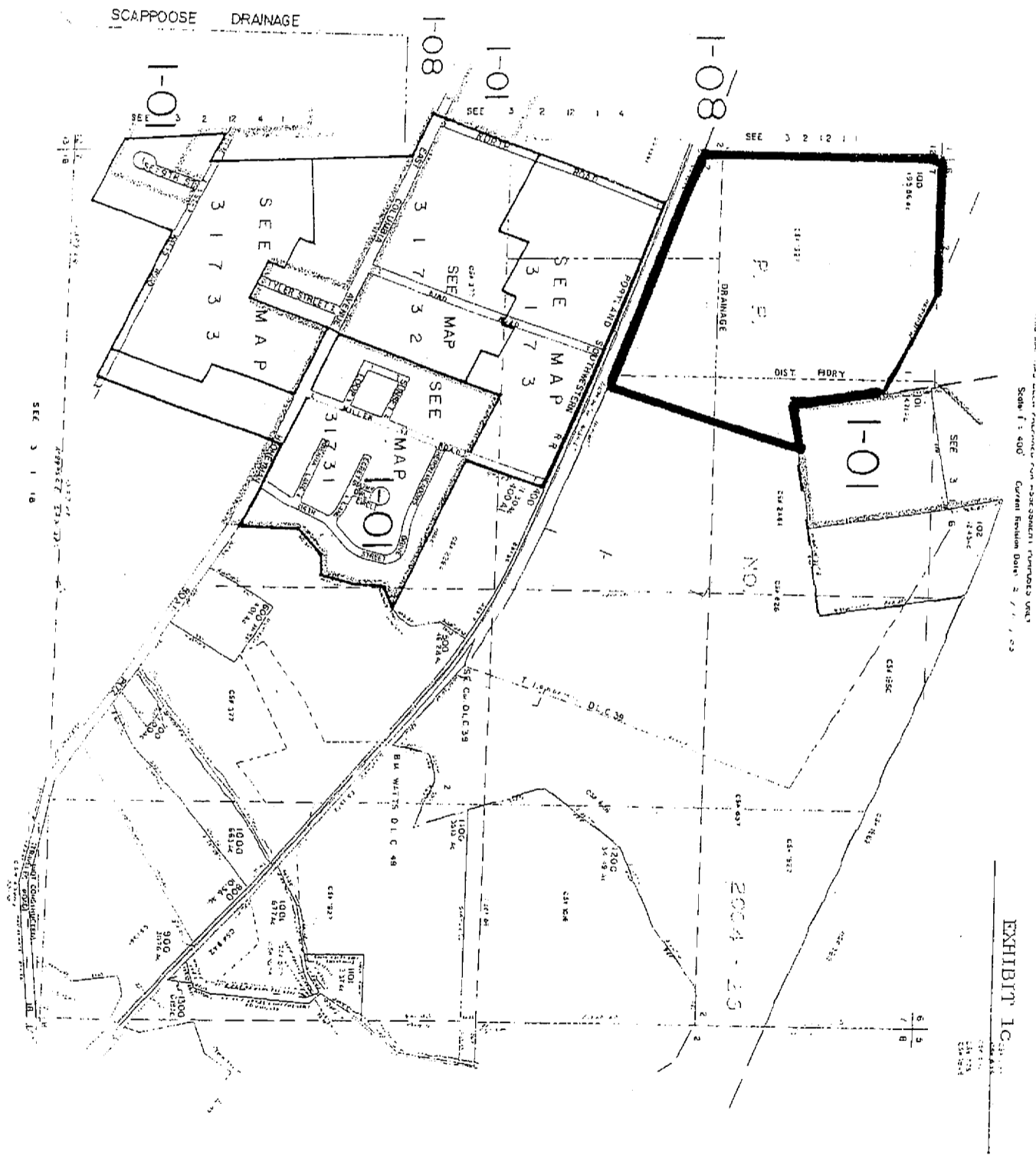
SEE 3 1 7

NE 1/4 NE 1/4 SEC. 12 T. 3 N. R. 2 W. W.M.
COLUMBIA COUNTY
THIS MAP HAS BEEN PREPARED FOR ASSESSMENT PURPOSES ONLY
Scale: 1" = 100' Current Revision Date: 2 / 1 / 2009

3 2 12 1 1

EXHIBIT 1b





Scale 1 : 400' Current Edition Date: 2 / 1 / 93

EXHIBIT 1C

EXHIBIT 2

FOR ANNEXATION INTO
THE CITY OF SCAPPOOSE

A tract of land being a portion of Sections 1 & 12, T 3 N, R 2 W, and Sections 6 & 7, T 3 N, R 1 W, W.M., Columbia County, Oregon. Said tract more particularly described as follows;

Beginning at a point being the Northeast Corner of the herein described tract. Said point being an iron rod Surveyors Monument at the Southeast Corner of Parcel 1, Partition Plat 2004-25 as duly recorded in the Surveyors Records and as Document # 2004-12853 of Columbia County Clerks Records. Thence N 65°21'31"W, 2280.15 feet to the East Right of Way line of West Lane Road. Thence along said Right of Way line, S 07°32'25"W, 1484.00 feet, to the Northwest Corner of that tract as deeded and conveyed per Columbia County Clerks records Deed Book 5, page 500. Thence along said deeded parcel boundaries, S 85°15'00"E, 410.52 feet, to the Northeast corner thereof. Thence S 05°45'00"W, 373.56 feet, to the North line of the Columbia County Right of Way (formerly Portland Southwest Railroad Right of Way, as deeded per County Clerk records Deed Book 6, page 449 and Deed Book 45, page 40). Thence along said Right of Way tract boundary S 67°28'22"E, 1663.44 feet to an iron pipe Surveyors monument as set in Survey filed as Columbia County Survey # 2464, of County Survey records. Thence N 24°52'00"E, 1200.00 feet to the South line of that tract as deeded and conveyed to the Port of St. Helens in Clerks Deed Records Book 245, page 793. Thence along the South line of said Port of St. Helens tract S 80°19'37"W, 71.00 feet to the Southwest corner thereof being an iron rod Surveyors Monument as set in Survey recorded as County Survey # L-1629. Thence N 09°40'06"W, 497.85 feet to the point of beginning.

REGISTERED
PROFESSIONAL
LAND SURVEYOR
[Signature]
RENEWAL DATE 6/30/07

EXHIBIT 3





Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



April 27, 2006

Brian Varricchione
City Planner
City of Scappoose
33568 E. Columbia Ave.
Scappoose OR 97056

Also via email: brianvarricchione@ci.scappoose.or.us

Regarding: Transportation planning for annexations (DLCD 003-06 & 004-06)

Dear Brian:

I appreciated speaking with you on the phone about the two proposed annexations in the vicinity of the Scappoose Industrial Airpark. Working with your regional representative, Gary Fish, I have been looking into the transportation implications of these annexations and rezonings. Our conclusion is that further transportation planning is needed to comply with the requirements of the Transportation Planning Rule (TPR), Section 0060.

The applicant's material states that the intersection of West Road and Highway 30 is expected to have traffic exceeding the acceptable level of congestion. Nothing in the applicant's submittal addresses how this congestion should be addressed or who will pay for improvements.

The applicant's transportation finding was not based upon a new traffic study, but was based on existing planning for the area. These existing plans, however, do not appear to account for the full impact of potential industrial development. The Scappoose Transportation System Plan assumes 125 jobs in the area by the year 2015 (Appendix C, page 6, TAZ 3). Given the size of the current annexation and other areas designated for industrial uses, this would imply less than one employee per acre. Clearly full build-out of this area has the potential to employ quite a few more people.

The more recent Rail Corridor Study also includes assumptions about trips generated by industrial development around the airport, but only as a basis to evaluate rail crossings, not as the primary focus of the study. The study assumes 1,700 trips per day, which appears to be very low

Brian Varricchione, City of Scappoose
April 27, 2006

Page 2 of 2

Regarding: Transportation planning for annexations (DLCD 003-06 & 004-06)

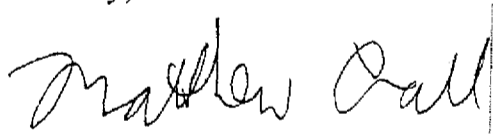
estimate. According to *Trip Generation* published by the Institute of Traffic Engineers, each acre of light industrial land (classification 110) might generate as few as 5.21 trips or as many as 159.38 trips per weekday (page 108, 7th Edition). That would suggest a range of 2,266 to 69,330 trips per day for this area with a projected value of just over 18,600 trips. Clearly the high end of that range is not realistic for Scappoose, but also clear is the potential for significant traffic impact.

We recommend that the City, Columbia County, the applicant and the Port of St. Helens join together to prepare a comprehensive transportation plan for the entire industrial area around the airport. The study would address the potential for congestion, but should also address freight mobility, access spacing, pedestrian and bicycle connections, and transportation demand management for industrial employers. The study should also establish the funding mechanism for the necessary improvements. This comprehensive study would greatly simplify the development permitting process, since applicants would not need to prepare individual traffic studies and would know ahead of time what their share of the improvements will cost.

We request that this letter be entered into the record of the proceedings. When additional information such as staff reports or revised drafts becomes available, we would appreciate receiving a copy. If there are significant changes to the proposal or significant new evidence, we would request that the record be held open at least seven days (but preferably fifteen days) pursuant to Oregon Revised Statutes (ORS) 197.763(4)(b), to allow us time to review and respond. Submitting computer files via email can speed our review. Naturally, we would also request a copy of the final decision, within five working days as required by ORS 197.610.

If you have any questions please do not hesitate to contact me (503-373-0050 extension 272, matthew.crall@state.or.us) or to contact your regional representative Gary Fish (503-373-0050 extension 254, gary.fish@state.or.us).

Sincerely,



Matthew Crall
Land Use and Transportation Planner

cc: Gary Fish, DLCD Regional Representative, via email
Tim Wilson, ODOT Region 1, via email



Oregon

Theodore R. Kulongoski, Governor

Exhibit 4

Oregon Department of Transportation

ODOT Region I

123 NW Flanders St

Portland, OR 97209 - 4037

Telephone (503) 731-8200

FAX (503) 731-8259

May 18, 2006

File code: PLA9 2A - 92

ODOT Case No:

City of Scappoose
Planning Department
PO Box P
Scappoose, OR 97056-

Attn: Brian Varricchione, Planner

Re: Annexation and Zone Change
Intersection of Lower Columbia River Highway (Hwy30) and Crown Zellerbach Road

Dear Brian,

We have reviewed the applicant's proposal to for annexation and zone change to Public Use Airport (PUA) at the Scappoose Industrial Airpark. The site is in the vicinity of Lower Columbia River Highway (Hwy 30). ODOT has jurisdiction of this State highway facility and an interest in assuring that the proposed zone change is consistent with the identified function, capacity and performance standard of this facility. According to the 1999 Oregon Highway Plan (OHP), this facility is classified a Statewide Urban highway and the performance standard is .80 volume to capacity (v/c) ratio.

For zone changes local governments must make findings that the proposed amendment complies with the Transportation Planning Rule (TPR) OAR 660-012-0060. There must be substantial evidence in the record to either make the finding of "no significant effect" on the transportation system, or if there is a significant effect assurance that the allowed land uses are consistent with the identified function, capacity, and performance standard of the transportation facility.

This annexation and zone change is consistent with the planning process and Rail Corridor Study that ODOT, ODOT Rail, the Portland Western Railroad and the city completed in 2002. This study determined the consolidation or elimination of the number of at-grade highway/rail grade crossing and which intersections would be up-grades with signal interconnects.

The study indicated the unsignalized intersection at West Lane Rd, outside the city limits, would fail as development occurs at the airpark. To address the deficiency at the West Lane Rd intersection, during the planning process it was determined that improvements would be concentrated on the existing signal at Scappoose-Vernonia Road and the rails inter-connect with the signal and make road improvements to roads within the city. The study designated the primary access to the Industrial Airpark would be within the city limits from the signalized intersection and rail interconnect at Hwy 30 and Crown Zellerbach Road to West Lane Road.

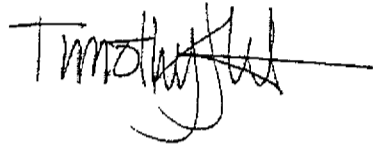
City of Scappoose - Annexation and Zone Change
ODOT RESPONSE

2

These improvements are sufficient to avoid degradation of the ODOT mobility standards for the Hwy 30 intersection at Crown Zellerbach Road. The proposed annexation and zone change is consistent with the identified function, capacity and performance standard for the US 30 facility.

Thank you for providing ODOT the opportunity to participate in this land use review. If you have any further questions regarding this matter, please contact me at (503) 731-8221.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy Wilson", with a horizontal line extending to the right from the end of the signature.

Timothy Wilson, AICP
Development Review Planner

cc: Jason Grassman PE, ODOT Region 1 Traffic
Mark Ellsworth, NW ERT
Lydia Gaebel, Chair NW ACT

ODOT Log No:

Exhibit 5



Scappoose Sand & Gravel Co.

33485 E. Crown Zellerbach Road • P.O. Box AF • Scappoose, Oregon 97056
Phone (503)543-8821 • Fax (503) 543-7997

City of Scappoose
33568 E. Columbia Ave.
Scappoose, OR 97056

May 10, 2006

Attn: Planning Commission

Ref. Docket #ANX1-06/ZC1-06

Dear Commissioners,

I am the owner of Scappoose Sand & Gravel Co., and also the owner of approximately 94 acres of property directly west of Sierra Pacific's newly acquired "Wagner Ranch" property. I am writing to support Sierra Pacific's request, for an annexation and zone change, to the City of Scappoose. Although I would prefer to see this property surface mined, its highest and best use will probably be to develop into the "Public Use Airport" zone to enhance development around the Scappoose Airport.

I respectfully request that Sierra Pacific voluntarily record a letter of non-remonstrance identifying the existence of my permitted "Limited Exempt" Surface Mine as their neighbor, so as to avoid any future conflict with my surface mining activities and their potential tenants or purchasers.

Also please note, they did this on the original parcel they purchased from the Wagners so there should be no problem with them recording another one for this parcel. Hopefully they would do this but it also could be made a condition of their annexation/zone change approval.

Thank you for your consideration.

Sincerely,

Scott T. Parker
President
Scappoose Sand & Gravel Co.

Exhibit 6

Brian Varricchione

From: Matthew Crall [Matthew.Crall@state.or.us]
Sent: Thursday, May 25, 2006 3:54 PM
To: brianvarricchione@ci.scappoose.or.us
Cc: jonhanken@ci.scappoose.or.us; Gary Fish; Mark Ellsworth; Timothy J Wilson
Subject: Re: Staff reports for Scappoose annexation applications

Brian,

Thanks for sending the revised staff report. The additional transportation findings address the concerns raised in our previous letter and the requirements of TPR Section 0060.

I also wanted to say that I appreciate the effort you've put into this issue and the time you took meeting with us to help us understand the issues facing Scappoose. Please don't hesitate to contact me if you have future questions about the TPR or transportation planning.

Matt Crall
matthew.crall@state.or.us
(503) 373-0050 x272

Transportation & Growth Management Program
Department of Land Conservation and Development
635 Capitol St. NE, Suite 150
SALEM OR 97301-2564

Fax: (503) 378-5518
www.oregon.gov/LCD/TGM

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

COPY

June 28, 2006

Ed Freeman
Sierra Pacific Communities, LLC
PO Box 1754
Lake Oswego, OR 97035

RE: Notice of Final Decision for Annexation ANX1-06 and Zone Change ZC1-06 for properties owned by the Stanley C. Wagner Trust.

Dear Mr. Freeman:

The Scappoose City Council has approved your application for Annexation ANX1-06 and Zone Change ZC1-06. On June 19, 2006, the City Council adopted Ordinance 780 approving the application. A copy of the ordinance is attached.

Annexation of the property will be placed on the September 19, 2006 ballot. The ordinance shall take effect upon the date of certification of the election. If the electorate approves the annexation, the property will be zoned to PUA, Public Use Airport.

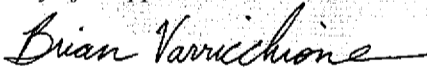
On May 25, 2006, the Scappoose Planning Commission reviewed your application and recommended adoption to the City Council. The City Council held public hearings on June 5 and June 19, 2006. The first reading of the ordinance took place on June 5, 2006, with the second reading on June 19, 2006. The Council adopted the findings contained in the May 31, 2006 staff report, which is included as an Exhibit to the ordinance. All notices required by Scappoose Municipal Code Chapter 17.162 have been filed in a timely manner.

The approval of ANX1-06 and ZC1-06 by the Scappoose City Council is final. This decision may be appealed by filing a Notice of Intent to Appeal with the state Land Use Board of Appeals within 21 days of the date the decision became final as described by OAR 661-010-0010(3).

If you have any questions or comments, please do not hesitate to contact me at (503) 543-7184.

Respectfully Submitted,

City of Scappoose



Brian Varricchione
City Planner

cc: Oregon Department of Land Conservation and Development
Oregon Department of Transportation, Region 1
Bruce Hugo
Marsha Murray-Lusby, Trustee of the Stanley C. Wagner Trust, Dunn Carney Allen Higgins & Tongue LLP
Ty Wyman, Dunn Carney Allen Higgins & Tongue LLP
Scott Parker, Scappoose Sand & Gravel
Post on Municipal Bulletin Board (Remove 7/19/06)

Our goal is to provide courteous, efficient service with team leadership and community involvement, in order to enhance the livability and well being of our citizens.