



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/Costal Fax: (503) 378-6033

Second Floor/Director's Office: (503) 378-5518

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

NOTICE OF ADOPTED AMENDMENT

September 1, 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 008-06



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: September 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.**

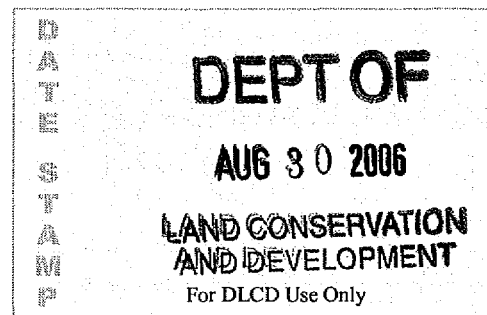
Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Gary Fish, DLCD Regional Representative
Matthew Crall, DLCD Transportation Planner
Brian Varricchione, City of Scappoose

<paa> ya/



FORM 2 Notice of Adoption

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



Jurisdiction: City of Scappoose Local file number: ANX3-06/ZC3-06
Date of Adoption: 8/21/06 Date Mailed: 8/28/06
Date original Notice of Proposed Amendment was mailed to DLCD: 6/8/06

- | | |
|--|--|
| <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 10 acres to reduce the number of "islands" of unincorporated Columbia County land. Upon annexation 9 acres received the Light Industrial (LI) zoning designation since they had an "Industrial" Comprehensive Plan Map designation. The City Council rezoned these 9 acres to Public Use Airport (PUA). The remaining 1 acre was zoned "Manufactured Housing" due to its "Manufactured Housing" Comprehensive Plan designation. This approval will only become effective if the electorate approves the annexation.

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

Same

Plan Map Changed from: (no change) to: (no change)
Zone Map Changed from: County PA-38, AI, & MHR to: City PUA and MH
Location: West Lane Road, west of Scappoose Industrial Airpark Acres Involved: Approx. 10
Specify Density: Previous: N/A (industrial) New: N/A
Applicable Statewide Planning Goals: 1, 2, 9, 10, 11, 12, 14
Was and Exception Adopted? ☐ YES ☒ NO

DLCD File No.: 008-06 (15308)

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.

CITY OF SCAPPOOSE

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

COPY

August 28, 2006

Jon Hanken, City Manager
City of Scappoose
33568 E. Columbia Ave.
Scappoose, OR 97056

RE: Notice of Final Decision for Annexation ANX3-06 and Zone Change ZC3-06 for properties on and near West Lane Road.

Dear Mr. Hanken:

The Scappoose City Council has approved staff's application for Annexation ANX3-06 and Zone Change ZC3-06. On August 21, 2006, the City Council adopted Ordinance 782 approving the application. A copy of the ordinance is attached.

Annexation of the property will be placed on the November 7, 2006 ballot. The ordinance shall take effect upon the date of certification of the election. If the electorate approves the annexation, the properties affected by the annexation will be zoned to Public Use Airport (PUA) and Manufactured Housing (MH) as specified in the ordinance.

On July 27, 2006, the Scappoose Planning Commission reviewed staff's application and recommended adoption to the City Council. The City Council held public hearings on August 7 and 21, 2006. The first reading of the ordinance took place on August 7, 2006, with the second reading on August 21, 2006. The Council adopted the findings contained in the July 28, 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 ANX3-06 and ZC3-06 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).

Respectfully Submitted,

City of Scappoose

Brian Varricchione

Brian Varricchione
City Planner

cc: Oregon Department of Land Conservation and Development
Gary Olson
Port of St. Helens
William & Gail Walker
Joyce Yates & Ella Baggenstos
Linda Di Pietro
Jim Reichel
Post on Municipal Bulletin Board (Remove 9/18/06)

*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.*

ORDINANCE NO. 782

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

WHEREAS, the City has prepared an application to annex property described in Exhibits A and B, attached hereto and incorporated herein, to the City of Scappoose; and

WHEREAS, owners of the property described in Exhibits A and B have provided written consent to annex; 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 Comprehensive Plan policies support reserving this land for airport-related development; and

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

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

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

THE CITY OF SCAPPOOSE ORDAINS AS FOLLOWS:

Section 1. The application to annex the property described in Exhibits A and B is hereby approved, subject to approval by the voters of the City. Pursuant to ORS 222.160, the Exhibits A and B 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 Exhibits A and B property will be submitted to Columbia County to be placed on the November 7, 2006 ballot. The ballot title for such question is herein adopted, and attached hereto as Exhibit C.

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

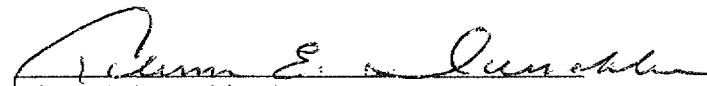
Section 4. In support of the above annexation and zone change, the City Council hereby adopts the findings, conclusions and recommendations of the Staff Report dated July 28, 2006, attached as Exhibit D attached hereto and incorporated herein.

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 21st day of August, 2006, and signed by me in authentication of its passage.

CITY OF SCAPPOOSE, OREGON


Glenn E. Dorschler, Mayor

First Reading: August 7, 2006
Second Reading: August 21, 2006

Attest:

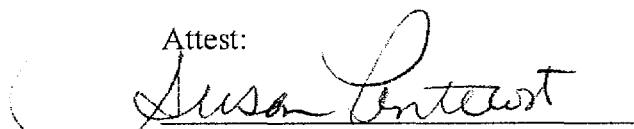

Susan Pentecost, City Recorder

Exhibit A (page 1 of 2)
Legal descriptions of properties to be annexed and zoned Public Use Airport

Columbia County Assessor Map No. 3212-011-00400

LEGAL DESCRIPTION

Beginning at a rock set at the intersection of the North line of the Crown Zellerbach logging road with the East boundary of the present West Lane road, and running thence 98 feet North; thence at right angles 150 feet East; thence at right angles 66 feet North; thence at right angles 68 feet East; thence at right angles 58 feet North; thence at right angles 192 feet East; thence at right angles 333 feet South to a rock set in the North boundary of the Crown Zellerbach road; thence West 415 feet along the North boundary of said logging road to the point of beginning, located in the Northeast one-quarter of Section 12, Township 3 North, Range 2 West of the Willamette Meridian in the County of Columbia and State of Oregon.

Columbia County Assessor Map No. 3212-011-00300

Parcel 1: Part of the Timothy Lamberson Donation Land Claim in Section 12, Township 3 North, Range 2 West of the Willamette Meridian, Columbia County, Oregon, described as follows: Beginning at a point that is 99 feet Northeasterly from a rock set in the intersection of the Northerly right of way line of the Crown Zellerbach logging road (formerly Portland and Southwestern Railroad right of way) and the Easterly right of way line of the present West Lane Road (formerly Old Portland-St. Helens Road); thence Northeasterly along the Easterly right of way line of said West Lane Road, a distance of 100 feet; thence Southeasterly at right angles to said West Lane Road, a distance of 150 feet; thence Southwesterly parallel to the Easterly right of way line of said West Lane Road a distance of 100 feet; thence Northwesterly at right angles to said West Lane Road, a distance of 150 feet to the Easterly right of way line of said West Lane Road and point of beginning.

Parcel 2: Part of the Timothy Lamberson Donation Land Claim in Section 12, Township 3 North, Range 2 West of the Willamette Meridian, Columbia County, Oregon, described as follows: Beginning at the Northeast corner of the William J. Ruegsegger et ux tract as described in deed recorded March 25, 1969 in Book 172, page 455, Deed Records of Columbia County, Oregon; thence Southeasterly at right angles to West Lane Road and along the Southerly line of the Robert D. Davis et ux tract as described in deed recorded May 16, 1974 in Book 196, page 244, Deed Records of Columbia County, Oregon, a distance of 66 feet to a point in the most Northerly West line of the Jasper L. McJunkin et ux tract as described in deed recorded May 22, 1969 in Book 173, page 309, Deed Records of Columbia County, Oregon; thence Southerly along the said McJunkin line a distance of 34 feet to an interior angle corner of said McJunkin tract; thence Westerly along a Northerly line of said McJunkin tract, a distance of 60 feet to the Easterly line of said Ruegsegger tract; thence Northerly, along the Easterly line of said Ruegsegger tract, a distance of 34 feet to the point of beginning.

Exhibit A (page 2 of 2)
Legal descriptions of properties to be annexed and zoned Public Use Airport

Columbia County Assessor Map No. 3212-011-00200

Part of the Timothy Lamberson Donation Land Claim in Section 12,
Township 3 North, Range 2 West of the Willamette Meridian, Columbia
County, Oregon, described as follows:

Beginning at a rock set in the intersection of the Northerly
right of way line of the Crown Zellerbach logging road (formerly
Portland and Southwestern Railroad right of way) and the Easterly
right of way line of the present West Lane Road (formerly Old
Portland-St. Helens Road); thence, along the Easterly right of way
line of said West Lane Road, North 5°45' East 6 chains to a rock;
thence South 84°15' East 6.22 chains to a rock; thence South 5°45'
West 5.66 chains to a rock set in the North boundary of said
Crown Zellerbach logging road; thence along the North boundary
of said Crown Zellerbach logging road Westerly to the point of
beginning. EXCEPTING THEREFROM the following described tracts:
(a.) Tract conveyed to William J. Rueggesser et ux by deed
recorded February 25, 1969 in Book 172, page 255, Deed Records
of Columbia County, Oregon.

(b.) Tract conveyed to Jasper L. McJunkin et ux by deed
recorded May 22, 1969 in Book 171, page 399, Deed Records of
Columbia County, Oregon.

(c.) Tract conveyed to William J. Rueggesser et ux by deed
recorded May 19, 1971 in Book 151, page 598, Deed Records of
Columbia County, Oregon.

Columbia County Assessor Map No. 3106-000-00503

PARCEL 1: BEGINNING AT A POINT WHICH IS SOUTH 67°54'53" EAST 20.00 FEET FROM THE
SOUTHWEST CORNER OF THE JOHN MCPHERSON DONATION LAND CLAIM NO. 38 IN SECTION 6,
TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON,
SAID POINT BEING ON THE EASTERLY RIGHT OF WAY OF THE FRANK L. SMITH COUNTY ROAD NO.
P-65, SAID POINT ALSO BEING ON THE SOUTH LINE OF THE MCPHERSON DONATION LAND CLAIM;
THENCE ALONG THE EASTERLY RIGHT OF WAY LINE OF SAID FRANK L. SMITH COUNTY ROAD SOUTH
22°28'01" WEST 5.05 FEET; THENCE SOUTH 50°04'38" WEST 527.61 FEET TO ITS INTERSECTION
WITH THE EASTERLY RIGHT OF WAY LINE OF WEST LANE COUNTY ROAD; THENCE SOUTH 7°31'38"
WEST, ALONG THE EASTERLY RIGHT OF WAY LINE OF WEST LANE COUNTY ROAD 1,755.16 FEET;
THENCE SOUTH 66°33'31" EAST 325.03 FEET; THENCE SOUTH 80°56'05" EAST 697.71 FEET TO
THE TRUE POINT OF BEGINNING OF THIS PARCEL HEREIN DESCRIBED; THENCE SOUTH 9°40'23"
EAST A DISTANCE OF 31.68 FEET; THENCE SOUTH 67°13'11" EAST A DISTANCE OF 627.45 FEET;
THENCE NORTH 9°40'23" WEST A DISTANCE OF 500.00 FEET; THENCE NORTH 68°09'31" WEST A
DISTANCE OF 621.06 FEET; THENCE SOUTH 9°40'23" EAST A DISTANCE OF 456.26 FEET TO THE
TRUE POINT OF BEGINNING.

ORDINANCE NO. 782

Exhibit B
Legal descriptions of properties to be annexed and zoned Manufactured Housing

Columbia County Assessor Map No. 3212-014-02201

Legal Description:

PARCEL 1:

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

Beginning at a point on the East line of West Lane that is South 20° 08' West 209 feet from the North line of the B. M. Watts Donation Land Claim, said point being the Southwest corner of tract conveyed to Gilbert R. Olson et ux, by deed recorded April 22, 1943 in Book 72, page 84, Deed Records of Columbia County, Oregon; thence North 20° 08' East along the West line of said Olson tract 65 feet; thence Southeasterly 209 feet to a point on the East line of said Olson tract that is North 20° 08' East 65 feet from the Southeast corner of said Olson tract; thence South 20° 08' West 65 feet; thence Northwesterly along the Southerly line of said Olson tract, 209 feet to the point of beginning.

PARCEL 2:

A tract of land being a portion of the B.M. Watts Donation Land Claim and situated in the Northeast quarter of Section 12, Township 3 North, Range 2 West, Willamette Meridian, City of Seapossess, Columbia County, Oregon, being more particularly described as follows:

Commencing at the intersection of the Easterly right of way line of West Lane with the Northerly line of said B.M. Watts Donation Land Claim; thence South 20° 05' 47" West along said Easterly right of way line a distance of 208.00 feet to the Southwest corner of that tract conveyed to Gilbert R. Olson, et ux, by deed recorded April 22, 1943 in Book 72, page 84, Deed Records of Columbia County, Oregon and the point of beginning; thence continuing South 20° 05' 47" West along said Easterly right of way line a distance of 9.22 feet to a set 5/8 inch iron rod; thence departing said right of way line South 69° 40' 02" East a distance of 127.63 feet to a set 5/8 inch iron rod; thence South 69° 12' 00" East parallel with the Southerly line of said Olson property a distance of 81.36 feet to a set 5/8 inch iron rod located on the Southerly extension of the Easterly line of said Olson property; thence North 20° 05' 47" East along said Southerly extension a distance of 6.18 feet to the Southeast corner of said Olson property; thence North 69° 12' 00" West along the Southerly line of said Olson property a distance of 208.02 feet to the point of beginning.

Columbia County Assessor Map No. 3212-014-02200

Beginning at a point where the East boundary line of the St. Helens and Portland County Road intersects the North line of the B. M. Watts Donation Land Claim and thence running Easterly along said North line of said claim 209 feet; thence running Southerly and parallel with said East line of said County Road 209 feet; thence running Westerly and parallel with said North line of said Claim 209 feet to the East line of said County Road; thence running Northerly with said East line of said road 209 feet to place of beginning, and being a part of the Benjamin M. Watts Donation Land Claim in Section 12, Township 3 North of Range 2 West of the Willamette Meridian;

EXCEPTING THEREFROM A tract in the Northeast quarter of Section 12, Township 3 North, Range 2 West, Willamette Meridian, Columbia County, Oregon, described as follows: Beginning at a point on the East line of West Lane that is South 20° 06' West 209 feet from the North line of the B. M. Watts Donation Land Claim, said point being the Southwest corner of tract conveyed to Gilbert R. Olson et ux by deed recorded April 22, 1943 in Book 72, page 94, Deed Records of Columbia County, Oregon; thence North 20° 06' East along the West line of said Olson tract 65 feet; thence Southeasterly 209 feet to a point on the East line of said Olson tract that is North 20° 06' East 65 feet from the Southeast corner of said Olson tract; thence South 20° 06' West 65 feet; thence Northwesterly along the Southerly line of said Olson tract, 209 feet to the point of beginning -----

**Exhibit C
Ballot Title**

NOTICE OF CITY MEASURE ELECTION

City of Scappoose
(Name of City)

Notice is hereby given that on Tuesday, November 7, 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 WEST LANE PROPERTY TO THE CITY OF SCAPPOOSE

QUESTION (20 Words)

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

SUMMARY (175 Words)

The City of Scappoose has prepared an application to annex property on and near West Lane Road. The objective of the annexation is to reduce the number of "islands" of unincorporated Columbia County land that are surrounded by land within the City.

This measure, if approved, would annex approximately 10 acres to the City of Scappoose. The property is contiguous to Scappoose City limits and consists of six parcels with four different owners. The parcels include property owned by the Port of St. Helens (Columbia County Assessor Map No. 3106-000-00503), by William & Gail Walker (3212-011-00200, 3212-011-00300, & 3212-011-00400), by Gary Olson (3212-014-02200), and by Joyce Yates & Ella Baggenstos (3212-014-02201). Annexation would cause the property to be placed on the City's tax rolls and would result in additional revenues to the City.

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

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

Date signed

Printed name of authorized city official

Title

ORDINANCE NO. 782

CITY OF SCAPPOOSE

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

EXHIBIT D

ANX3-06/ZC3-06

July 28, 2006

West Lane Annexation & Zone Change

Port of St. Helens, Walker, Olson, and Yates/Baggenstos properties

CITY OF SCAPPOOSE STAFF REPORT

Request: Annexation of approximately 10 acres and corresponding zone changes to Public Use Airport (PUA) for 9 acres and Manufactured Housing (MH) for 1 acre.

Location: The subject parcels are located on or near West Lane Road, west of the Scappoose Industrial Airpark. The properties are described as Columbia County Assessor Map No. 3106-000-00503, 3212-011-00200, 3212-011-00300, 3212-011-00400, 3212-014-02200, and 3212-014-02201. See attached Vicinity Map (**Exhibit 1**).

Applicant: City of Scappoose

Owner(s): Port of St. Helens (3106-000-00503)
William & Gail Walker (3212-011-00200, 3212-011-00300, & 3212-011-00400)
Gary Olson (3212-014-02200)
Joyce Yates & Ella Baggenstos (3212-014-02201)

EXHIBITS

1. Vicinity Map
2. Columbia County Assessor Maps
3. Letter from Oregon Department of Transportation, dated July 7, 2006

BACKGROUND

- The City Council recently approved two applications submitted by a private developer (Sierra Pacific Communities) to annex approximately 120 acres adjacent to West Lane Road and to re-zone the sites to Public Use Airport (PUA). The City Council referred the annexations to the electorate for a vote on September 19, 2006. If the voters approve the annexation, the resulting City jurisdiction will surround unincorporated Columbia County land in several locations.
- City staff contacted the affected property owners of the seven parcels on and near West Lane, and owners of six of the seven parcels have expressed interest in joining the City. The current proposal is to annex these six parcels illustrated on **Exhibit 1**. For the purposes of this proposal, the parcels are identified as Parcels A through F, with the applicable Columbia County Assessor Map identification numbers and lot areas listed below.

Parcel Designation	Columbia County Assessor Map ID	Parcel Area
Parcel A	3212-014-02201	0.35 acres
Parcel B	3212-014-02200	0.70 acres
Parcel C	3212-011-00400	2.10 acres
Parcel D	3212-011-00300	0.34 acres
Parcel E	3212-011-00200	0.59 acres
Parcel F	3106-000-00503	6.00 acres

The applicable tax maps have been attached as Exhibit 2.

SUBJECT SITE

- The subject site consists of six parcels, five of which (Parcels A through E) have frontage on West Lane Road across the street from Scappoose Sand and Gravel. The sixth parcel (Parcel F) does not have frontage on a public street but is adjacent to Skyway Drive, a private street at the Scappoose Industrial Airpark. The total area of all six parcels is approximately 10 acres.
- 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, all six parcels are located outside the 100-year flood plain. According to the Scappoose Local Wetlands Inventory Map there are no wetlands within the site.

OBSERVATIONS

CONCURRENT ANNEXATION AND ZONE CHANGE APPLICATIONS

- Parcels A & B are currently zoned Mobile Home Residential (MHR) by Columbia County, Parcels C through E are zoned Primary Agriculture-38 (PA-38) by the County and Parcel F is zoned Airport Industrial (AI) by the County.
- Parcels A & B (totaling 1.05 acres) are designated "Manufactured Housing" (MH) on the Comprehensive Plan map. The City proposes to re-zone Parcels A & B to Manufactured Housing (MH) in accordance with Section 17.136.070 of the Scappoose Development Code, which specifies that because the parcels have a MH Comprehensive Plan designation, upon annexation the land shall automatically be zoned MH.
- Parcels C through F (totaling 9.03 acres) are designated "Industrial" (I) on the Comprehensive Plan map. According to Section 17.136.070 of the Scappoose Development Code, because the parcels have an Industrial (I) Comprehensive Plan designation, upon annexation the land shall automatically be zoned Light Industrial (LI). The City proposes to immediately re-zone the property to Public Use Airport (PUA). Comprehensive Plan policies support reserving this land for airport-related uses.

ANTICIPATED USES

- Parcels A through E have no specific redevelopment plans. Parcel F, which is owned by the Port of St. Helens, is likely to be developed in the future with airport-related uses. 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

- Parcels A through E have frontage on West Lane Road, a County road with a varying right-of-way width. 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. Additional ROW dedication and street improvements would be required for some segments in the future to comply with the City's street standard.
- The City's 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 West Lane Road, the developers 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 connecting to Crown Zellerbach Road westbound, which has a signalized intersection at the highway. 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. 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 future 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.

- Parcels A through E lie within a few hundred feet of existing sanitary sewer and storm sewer infrastructure. Parcels C, D, and E may need to pump to get to the nearest sewer main. Parcel F is not currently near storm sewer or sanitary sewer but nearby development will extend infrastructure to within approximately 1,000 feet.
- The site lies outside the Scappoose Drainage Improvement District but naturally drains 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. The Columbia County Road Department, which has jurisdiction 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 July 12, 2006. Notice was also posted on the property on July 13 and published in the local newspaper on July 12, July 19, July 26, and August 2. Staff has received no written comments from the public regarding the application.

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

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process allows for citizens to communicate their input into the zoning map amendment review conducted by the City at public hearings or by submitting written comments. The City of Scappoose Planning Commission reviewed the proposed annexation and zoning map amendment on July 27, 2006 and recommended that the City Council approve the application. The City Council will hold a hearing on August 7, 2006. City staff posted notices on site on July 13, mailed notices to nearby property owners on July 12, and published notice in the newspaper on July 12, 19, and 26 and August 2. This process complies with the Goal.

B. Land Use Planning (Goal 2)

Objective: To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Finding:

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

C. Agricultural Lands (Goal 3)

Objective: To preserve and maintain agricultural lands.

Finding:

The site is within the City of Scappoose Urban Growth Boundary. Parcels C through E are zoned PA-38 by the County. 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:

Parcels A & B are planned for residential use, and Parcels C through F are 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 residential and 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 residential and industrial development and has not been planned for recreational opportunities. The requested zone change to Manufactured Housing (MH) for Parcels A & B and Public Use Airport (PUA) for Parcels C-F 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.

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 for Parcels C through F 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:

Parcels A & B are designated Manufactured Housing. Their combined area is 1.05 acres, which will have a nearly insignificant impact on the City's residential land supply. These two parcels currently have three residences. Parcels C through F are designated Industrial on the Comprehensive Plan map. The proposed annexation and zone change to Public Use Airport for these parcels 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, Crown Zellerbach Road, and Sheena Place, and sanitary sewer is available in Sheena Place. A storm sewer is available in Crown Zellerbach Road.

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. Those figures may be too low compared to what could be developed on the site. Planned improvements to West Lane Road will accommodate the anticipated traffic from the site and neighboring properties, even if the daily volume exceeds 1,700 trips. ODOT Region 1 staff has submitted comments stating that the annexation is consistent with the transportation planning for Scappoose and consistent with the identified function, capacity and performance standards for Highway 30 (Exhibit 3). 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 near 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 for Parcels C-F as foreseen in the Comprehensive Plan. Development of the site will trigger requirements for the developer to provide infrastructure, including necessary sewer lines, storm drainage lines, water line extensions, and street improvements. 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

(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.

(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 airport-area traffic on local street segments;
3. Impact of airport-area traffic on affected intersections; and
4. Transportation impact conclusions.

1. Traffic likely to be generated from airport-area development

The Scappoose Rail Corridor Study (Kittelton & 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). 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.

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 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. 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.

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

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.

Annexation of 1 acre of residential land with three existing residences (Parcels A & B) will have an insignificant impact on traffic levels for the affected streets.

2. Impact of airport-area traffic on local street segments

A small percentage of airport-area 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 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 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

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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 airport-area 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).

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 affirmed that the proposed annexation and zone changes are 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.” See Exhibit 3.

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 determined that the planned improvements to West Lane and the prior improvements to Crown Zellerbach Road “are sufficient to avoid degradation of the ODOT mobility standards for the Hwy 30 intersection at Crown Zellerbach Road.” The proposed annexation and zone change does not “significantly affect” this intersection.

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. Signal conduit was previously installed at the intersection of West Lane Road and Crown Zellerbach Road in anticipation of the possibility that at some point in the future, traffic signals may be required at that location. It is unlikely that traffic would meet warrants for signalized intersections at these locations due to the annexation and zone change. The

proposed annexation and zone change does not “significantly affect” these intersections because of the inclusion of the West Lane Road project on the STIP.

4. Transportation impact conclusions

The annexation and zone change for Parcels A & B, which comprise 1 acre with 3 residences, will not significantly impact transportation infrastructure.

Consistent with the Comprehensive Plan, the proposed zone change to Public Use Airport for 9 acres (Parcels C-F) 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 for these parcels 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.

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.*

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- 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.*
- 7) *Approve annexation of residential lands, except in the cases of health hazards, only when:*
 - A) *There is sufficient capacity in the sewer, water, street, school, police and fire systems to service the potential additional populace.*
 - B) *Sufficient in-filling of vacant land has occurred to warrant an expansion.*
- 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, 3-6, and 9-11 are not applicable to this application.

Finding:

Annexing Parcels A & B will add an insignificant amount of land to the City's residential land base. Annexing Parcels C through F will provide an industrial employment opportunity in the vicinity of the airport. Parcels C through E are zoned PA-38 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 policies. Parcel F is zoned Airport Industrial by the County.

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. If the electorate approves the pending annexation of 120 acres on September 19, 2006, the City's industrial land deficit would be alleviated even without this application.

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.*
- 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 of future development proposals. 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 near Crown Zellerbach Road. 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 proposed use is consistent with existing uses at the airport and should not require law enforcement support beyond the historic level of the airport. The annexation of five existing residences will not significantly increase the demand for police protection.

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. Parcels A-E, which have five residences combined, are already in the school district and are unlikely to lead to a significant number of new students.

Water Service

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

West Lane Annexation & Zone Change

Port of St. Helens, Walker, Olson, and Yates/Baggenstos properties

Sewer and Storm Drainage

- Parcels A through E could utilize the sewer in West Lane Road, and Parcels A & B could potentially also connect to the sanitary sewer in Sheena Place. The City has approved a nearby airport-related industrial park (Subdivision SB5-05) which will necessitate the construction of sewer lines passing just west of airport property. Future development of Parcel F could utilize the new sewer infrastructure, and Parcels A through E could utilize the sewer in West Lane Road.
- There is no public storm drain system in the vicinity of Parcel F so the property owner would 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. Parcels A through E are near the City's storm line in Crown Zellerbach Road.

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 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:

Parcels C through F are 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 site is not adjacent to a rail line, but the site and the nearby 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. 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. Annexation of this property also affords the City direct control over development.

The anticipated 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.

GOAL FOR HOUSING

- 1) *Increase the quantity and quality of housing for all citizens*
- 2) *Locate housing so that it is fully integrated with land use, transportation and public facilities*

3) *Not applicable*

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

POLICIES FOR HOUSING

10) *Ensure that the urban growth boundary is not so small as to put an artificial limit on housing opportunities and thus drive up the cost of housing.*

(Policies 1 through 9 are not applicable to this application.)

Finding:

The proposed annexation and zoning of Parcels A & B for residential uses is consistent with Goals 1, 2, and 4 of the Comprehensive Plan because the inclusion of 1 acre with the potential for additional housing will marginally increase the quantity of residential land in the City. The proposed use does not conflict with existing land uses because the site is adjacent to existing single family residential uses. In addition, the new residences will not generate unnecessary through traffic or undesirable influences.

The zoning of the site for residential use is consistent with the policies of the Comprehensive Plan because the site will meet the City's housing needs. The applicable goals and policies of the GOAL FOR HOUSING and the POLICIES FOR HOUSING 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.*

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

8) *Industrial areas should be suitable for their purpose, properly located, and adequate for future needs.*

West Lane Annexation & Zone Change

Port of St. Helens, Walker, Olson, and Yates/Baggenstos properties

- 13) *A safe and convenient transportation system should be developed to meet future needs.*
- 14) *The local economy should be strengthened and diversified.*
- 15) *Housing that meets the local residents' basic needs should be promoted.*

Goals 2, 4-5, 7, 9-12, and 16-19 are not applicable to this application.

Finding:

Parcels C through F are located in the UGB by the Scappoose Industrial Airpark and are suitably located to accommodate contemporary industrial needs. Annexation of this site provides for orderly development of the area around the Scappoose Industrial Airpark and provides a balanced land supply for residential and industrial land within the City. Providing an opportunity for development by annexing the site will increase the number of job opportunities within the City.

Parcels A & B currently have residential uses and would continue to do so in the future upon annexation. The subject property is a desirable location for residential development because its central location is close to the City's business district.

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:

- 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:

Parcels C through F are suitable for industrial uses since they are 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. Rezoning these parcels 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 re-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 Parcels A & B are annexed, they will automatically be zoned MH due to the existing MH Comprehensive Plan designation. If Parcels C through F are annexed they would automatically receive the Light Industrial (LI) zoning designation since the site has an "Industrial" Comprehensive Plan Map designation. The City proposes to re-zone Parcels C through F 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. Parcels A & B are already developed with residences. The zone change to PUA rather than LI for Parcels C through F 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.

Parcels A & B are proposed to be zoned MH in accordance with the Comprehensive Plan. Parcels C through F are 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 proposed 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;*
- 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 City proposes that the zoning for Parcels C through F 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 17.54 MH MANUFACTURED HOUSING

17.54.030 Permitted uses. A. In the MH zone outside of the Scappoose Creek Flood Plain, only the following uses and their accessory uses are permitted outright:

[...]

2. Duplex;

[...]

4. Manufactured homes on individual lots subject to Section 17.94.030;

[...]

6. Multifamily up to four units per lot;

[...]

9. Single-family detached residential dwelling units.

[...]

Finding:

A variety of residential uses is permitted within the MH zoning district. Section 17.54.030 is satisfied.

Chapter 17.136 ANNEXATIONS

17.136.020 Policy.

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

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

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

Finding:

The proposed annexation complies with the goals and policies of the Comprehensive Plan as previously discussed in Finding of Fact #3. The annexation connects areas that are already part of the City or are anticipated to be in the City, expanding the City's logical

service area (see **Exhibit 1**). Revenues from the area are anticipated to cover the cost of providing services, especially factoring in the employment that could occur on Parcels C-F. 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 services and does not cause an unreasonable disruption of the current City boundary. The proposed annexation site can be served by urban services. Section 17.136.020(B) is satisfied.

17.136.040 Approval standards.

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

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

Finding:

Existing municipal police services can be made available to the site immediately. Parcels A-E front onto an existing road within the City and Parcel F connects to public right-of-way via Skyway Drive on airport property. 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 with necessary extensions. 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 1 acre for residential use and 10 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 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>
SR	R-1, Low Density Residential
GR	R-4, Moderate Density Residential
MH	MH, Manufactured Home Residential
C	Expanded Commercial
I	Light Industrial

Finding:

Parcels A & B have a Comprehensive Plan designation of MH, Manufactured Home, and will automatically be zoned MH. Parcels C through F have a Comprehensive Plan designation of I, Industrial. Upon annexation, the site would automatically be zoned LI, Light Industrial. The City proposes to zone these parcels Public Use Airport in accordance with Comprehensive Plan goals and policies. Section 17.136.070 is satisfied.

Chapter 17.162 PROCEDURES FOR DECISION MAKING--QUASI-JUDICIAL

17.162.090 Approval authority responsibilities. [...]

C. The planning commission shall conduct a public hearing in the manner prescribed by this chapter and shall have the authority to approve, approve with conditions, approve with modifications or deny the following development applications:

- 1. Recommendations for applicable comprehensive plan and zoning district designations to city council for lands annexed to the city;*
- 2. A quasi-judicial comprehensive plan map amendment except the planning commission's function shall be limited to a recommendation to the council. The commission may transmit their recommendation in any form and a final order need not be formally adopted;*
- 3. A quasi-judicial zoning map amendment shall be decided in the same manner as a quasi-judicial plan amendment; [...]*

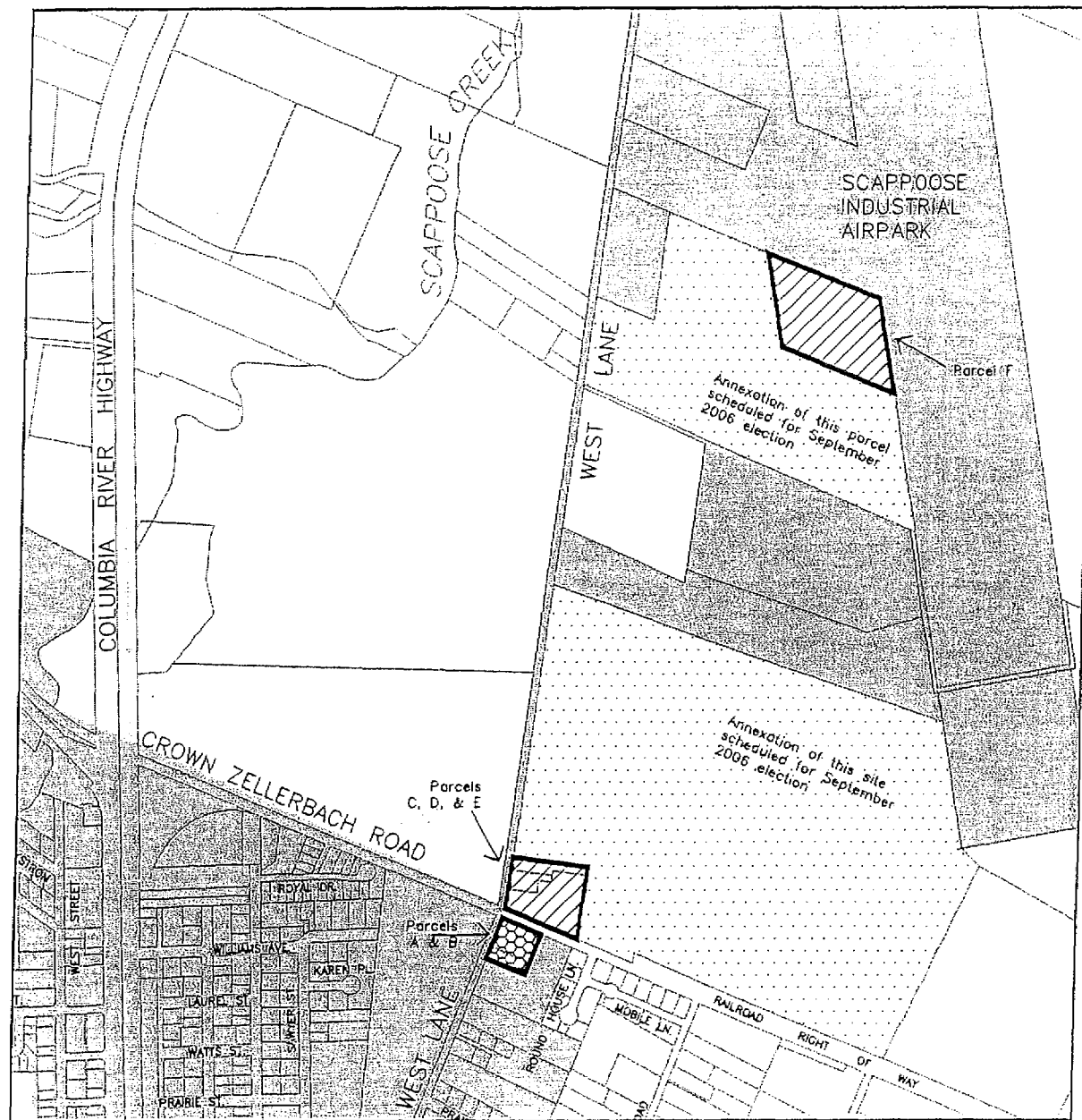
Finding:

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

RECOMMENDATION

Based on the findings of fact, the conclusionary findings for approval, and the material submitted by the applicant, the Planning Commission and staff recommend **APPROVAL** of the application ANX3-06/ZC3-06 for placement on the ballot.

City of Scappoose
Annexation/Zone Change Application #ANX3-06/ZC3-06



Legend






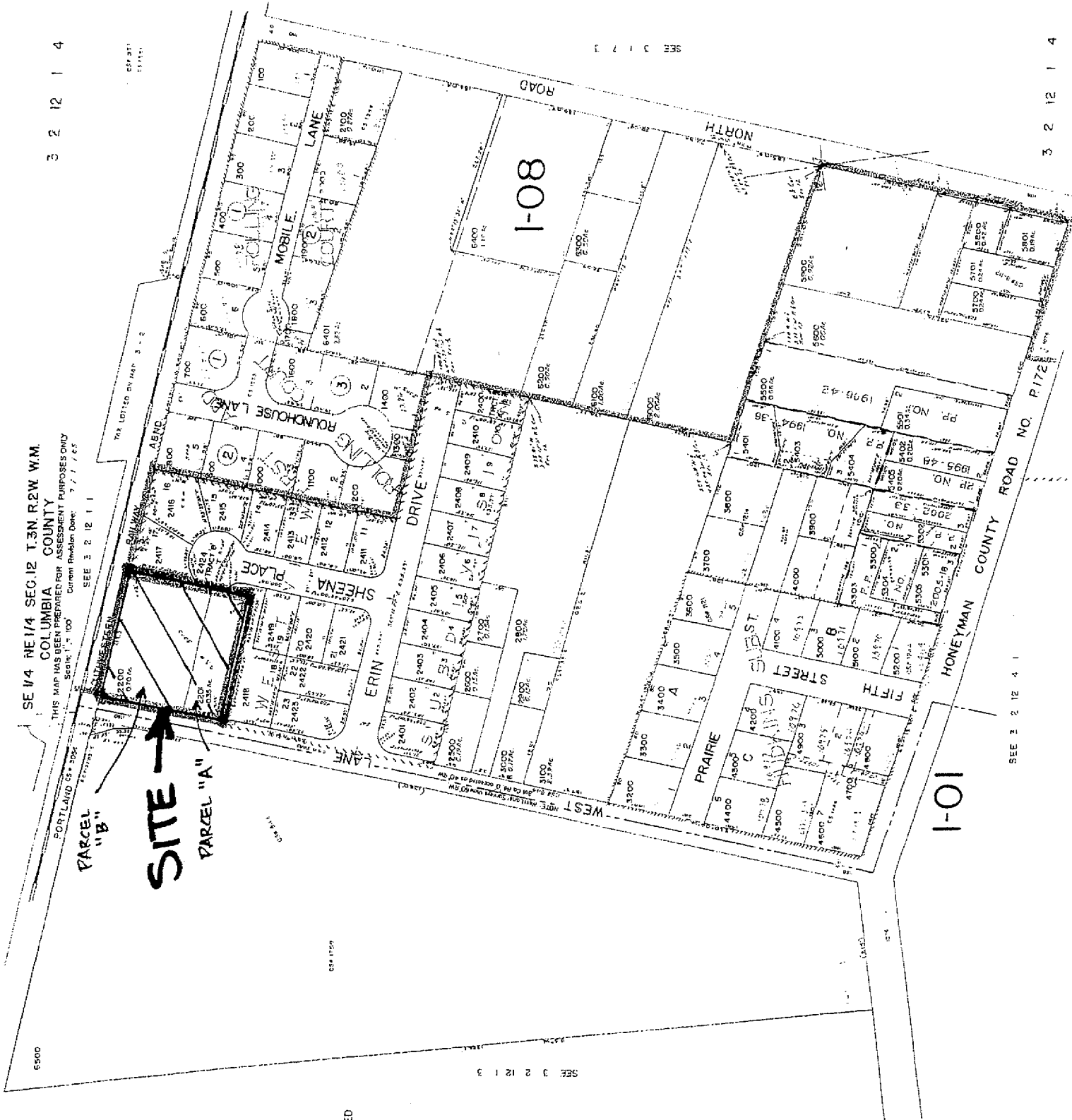
-  Property within existing City Limits
-  Property outside existing City Limits
-  Property scheduled for September annexation election
-  Sites proposed for November annexation and Public Use Airport (PUA) zoning
-  Sites proposed for November annexation and Manufactured Home (MH) zoning

Exhibit 2
page 1 of 3



3 2 i2 1 1

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

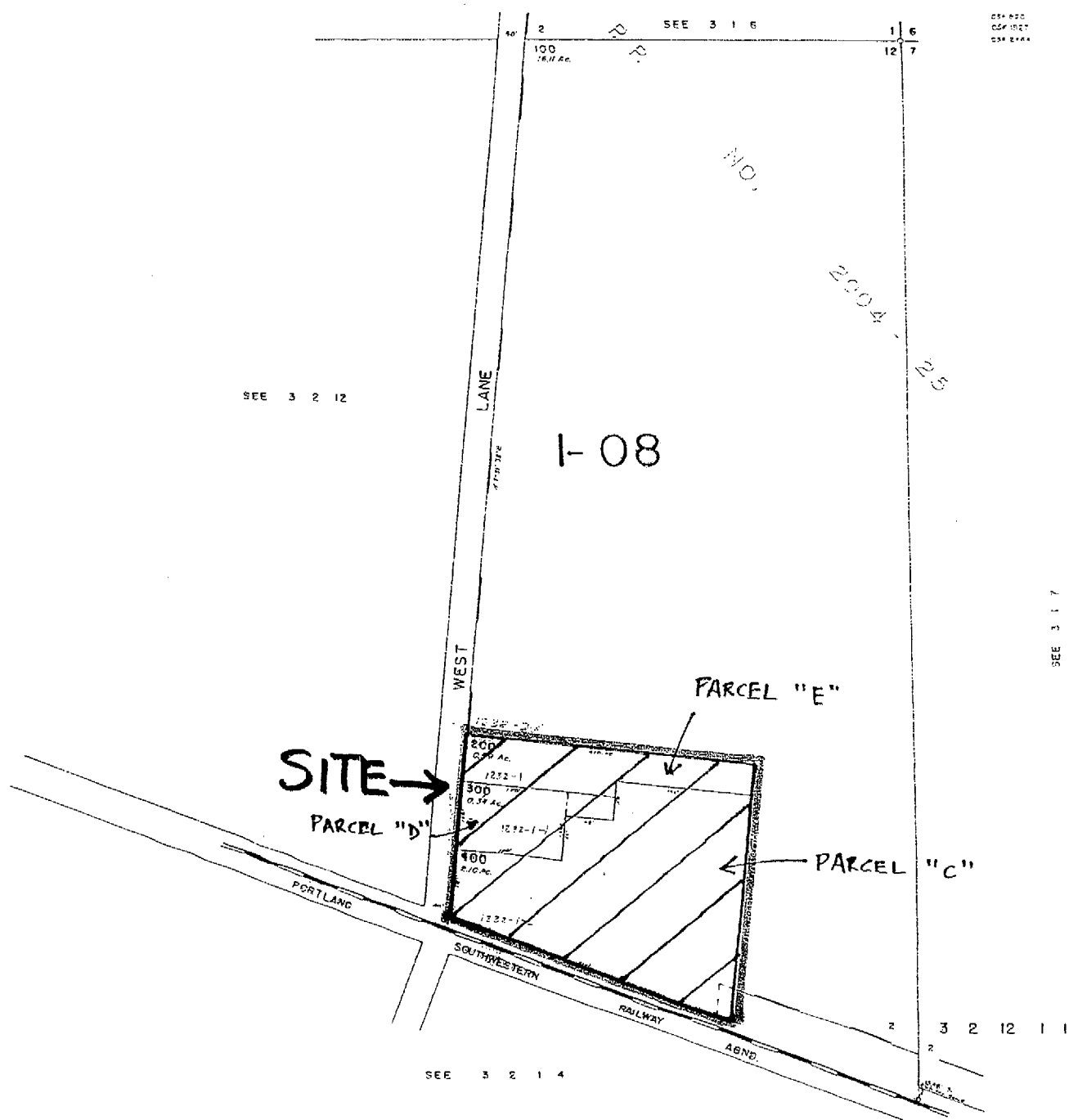


Exhibit 2
Page 2 of 3

IMPORTANT
This Map for Assessment
and Taxation Purposes
ONLY

SEC.06 T3N R1W WM
COLUMBIA COUNTY

Scale 1" = 400'

3106-000-
SCAPPOOSE

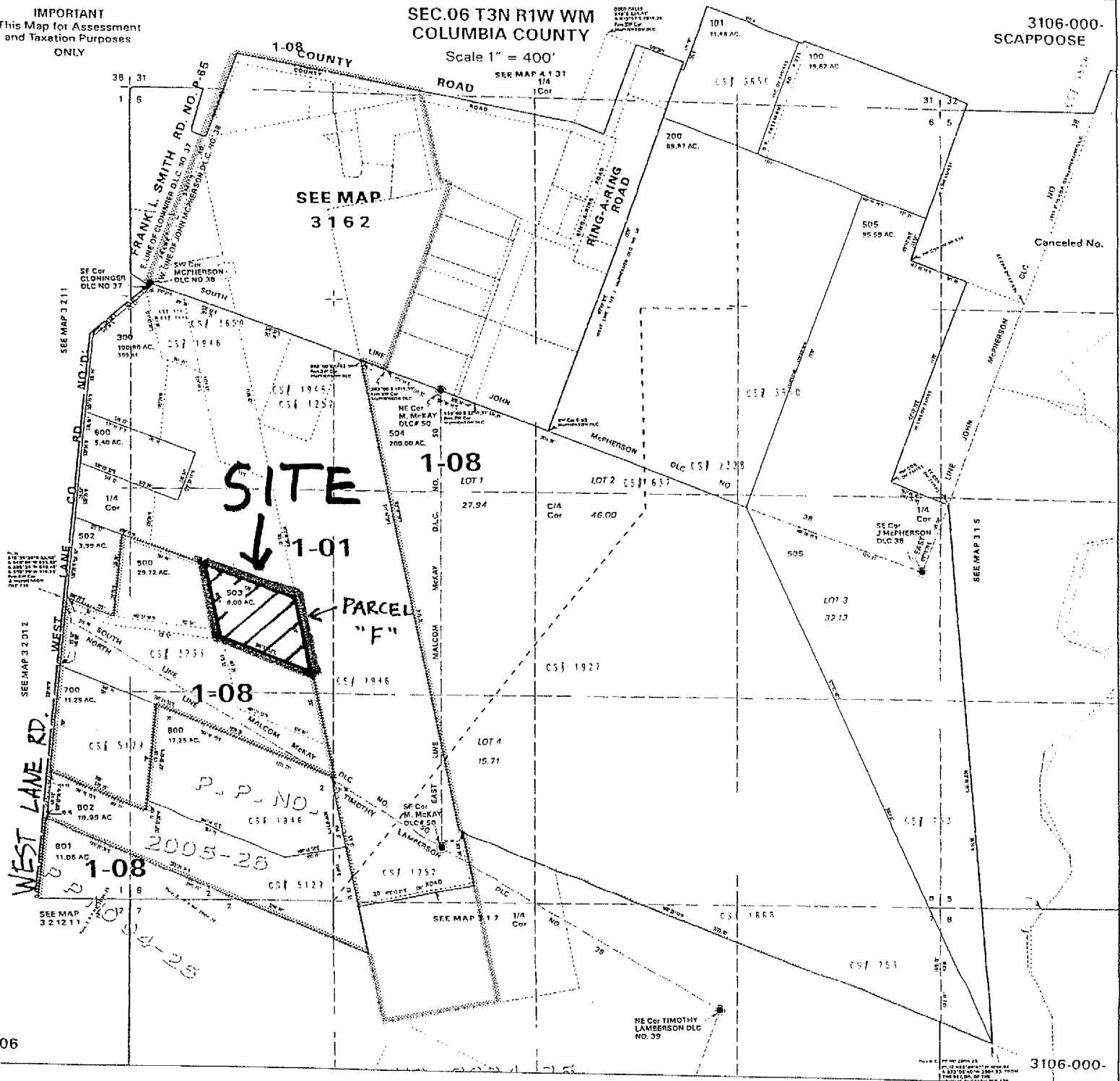


Exhibit 2
Page 3 of 3

Exhibit 3



Oregon
Theresa R. Kulongoski, Governor

Oregon Department of Transportation
ODOT Region 1
125 NW Flanders St
Portland, OR 97209 - 4037
Telephone (503) 731-8200
FAX (503) 731-8259

File code: PLAS 2A - 92
ODOT Case No: 2504

July 7, 2002

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

Attn: Brian Varricchio, City Planner

Re: 3-05: West Lane Annexation and Rezone

Dear Brian,

We have reviewed the applicant's proposal for the annexation of approximately 10 acres and corresponding zone changes to Public Use Airport (PUS) for 9 acres and Manufactured Housing (MH) for 1 acre). 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 annexation and 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 0.80 volume to capacity (v/c) ratio.

For zone changes and comprehensive plan amendments 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 Highway, ODOT Rail, 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-grade with signal interconnects.

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

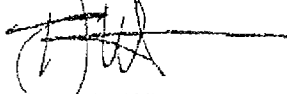
ODOT RESPONSE
City of Scappoose,
3-06 West Lane Annex and Rezone

2

Oregon Transportation Investment Act (OTIA) funding has been used to improve the intersection and rebuild the Crown Zellerbach Road. OTIA III Freight funding will rebuild West Lane Road to the Crown Zellerbach Road creating access to the Airpark from Hwy 30. These improvements are sufficient to avoid degradation of the ODOT mobility standards for the Hwy 30 intersection at the Crown Zellerbach Road. The proposed annexation and zone change is consistency with the identified function, capacity and performance standards for the Hwy 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) 731.8534.

Sincerely,



Timothy Wilson, AICP
Development Review Planner

C: Jason Grassman PE, ODOT Region 1 Traffic