



Oregon

John A. Kitzhaber, M.D., Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: (503) 373-0050

Fax: (503) 378-5518

www.oregon.gov/LCD



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

Date: June 24, 2015
Jurisdiction: City of Scappoose
Local file no.: ANX 2-14/ZC 2-14
DLCD file no.: 002-14

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 06/22/2015. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD less than 35 days prior to the first evidentiary hearing.

Appeal Procedures

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

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

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

DLCD Contact

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



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

FOR DLCD USE
File No.: 002-14 {22602}
Received: 6/22/2015

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

Jurisdiction: City of Scappoose

Local file no.: **ANX2-14/ZC2-14**

Date of adoption: 5/19/2015

Date sent: 6/25/2015

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

Yes: Date (use the date of last revision if a revised Form 1 was submitted): 12/18/2015

No

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

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

No change

Local contact (name and title): Laurie Oliver, Associate City Planner

Phone: 503-543-7184

E-mail: loliver@cityofscappoose.org

Street address: 33568 E Columbia Ave

City: Scappoose

Zip: 97056-

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

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

For a change to a comprehensive plan map:

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

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

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

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

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

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

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

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

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

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

For a change to a zoning map:

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

Change from County R-10 to R-1 Low Density Residential Acres: 2
Change from to Acres:
Change from to Acres:
Change from to Acres:

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

Overlay zone designation: Acres added: Acres removed:

Location of affected property (T, R, Sec., TL and address): 51956 SE 6th St., Tax Lot 30118BB-01200

List affected state or federal agencies, local governments and special districts: Columbia County

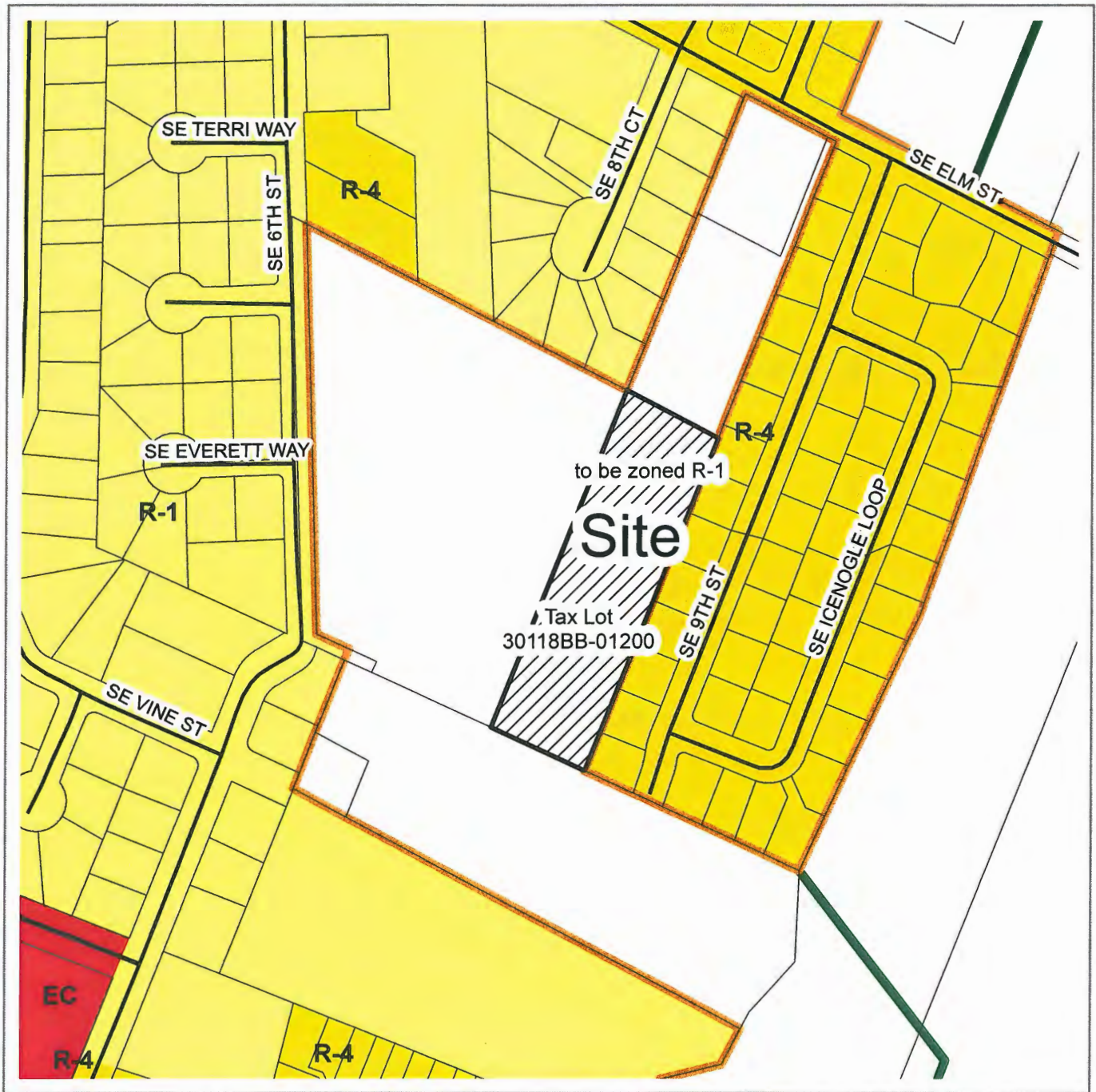
Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a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

Annexation of approximately 2.3 acres of land within the UGB and automatic zone change to R-1 Low Density Residential in conformance with Comprehensive Plan and Development Code provisions.

Zoning Map - Annexation ANX2-14 & Zone Change ZC2-14

Location: 51956 SE 6th St

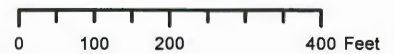
Columbia County Assessor Map: 30118-BB-01200



SCAPOOSE GIS

Legend

- Streets
- Taxlots Boundary
- City Limits
- UGB
- R-1 Low Density Residential
- R-4 Moderate Density Residential
- EC Expanded Commercial





SCAPPOOSE
Oregon

DEPT OF

|| IN 2 2 2015

**LAND CONSERVATION
AND DEVELOPMENT**

June 16, 2015

Re: Annexations into the City of Scappoose

On the May 19, 2015 ballot there was one application for annexation that was passed by the citizens of Scappoose.

As per Oregon Revised Statutes I am sending you the following:

Resolution proclaiming the annexation

The Legal Description

The voting Abstract

Copy of the application to annex, from the landowner (also included staff report)

A copy of the Ordinance approving the annexation, which the Council adopted before the election.

This property will be automatically zoned Low Density Residential (R-1).

If you have any questions, please do not hesitate to contact me at 503-543-7146, ext 224.

Sincerely,

Susan M. Reeves, MMC
City Recorder

ORDINANCE NO. 838

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

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

WHEREAS, pursuant to Section 17.136.070 of the Scappoose Municipal Code, the property described in Exhibit A would automatically be zoned Low Density Residential (R-1) upon annexation due to the property's "Suburban Residential" Comprehensive Plan designation; and

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

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

THE CITY OF SCAPPOOSE ORDAINS AS FOLLOWS:

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

Section 2. Pursuant to Scappoose Municipal Code Chapter 17.136, annexation of the Exhibit A property will be submitted to Columbia County to be placed on the May 19, 2015 ballot. The ballot title for such measure is herein adopted, and attached hereto as Exhibit B.

Section 3. In support of the above annexation, the City Council hereby adopts the findings, conclusions and recommendations of the Staff Report dated January 15, 2015, attached as Exhibit C.

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

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

PASSED AND ADOPTED by the City Council this 17th day of February, 2015, and signed by the Mayor and City Recorder in authentication of its passage.

CITY OF SCAPPOOSE, OREGON

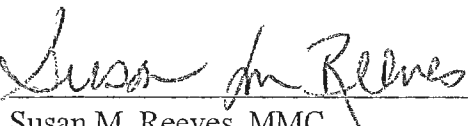


Scott Burge, Mayor

First Reading: February 2, 2015

Second Reading: February 17, 2015

Attest:



Susan M. Reeves, MMC
City Recorder

Exhibit A

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

Columbia County Assessor Map No. 3118-BB-01200

A TRACT OF LAND IN THE SOUTHWEST QUARTER OF SECTION 7, AND THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 3 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH BEARS, NORTH 211.12 FEET, AND EAST 206.73 FEET AND S64°13'30"E 170.00 FEET FROM THE SOUTHWEST CORNER OF SECTION 7, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON, SAID POINT BEING ON THE WEST LINE OF "CASCADE MEADOW", A DULY RECORDED PLAT IN THE COLUMBIA COUNTY PLAT RECORDS; THENCE N64°13'30"W 170.00 FEET TO THE NORTHEAST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED TO GEORGE L. GEORGE ET UX RECORDED NOVEMBER 10, 1949 IN BOOK 105, PAGE 434, DEED RECORDS; THENCE S20°06'00"W, ALONG THE EAST LINE OF SAID GEORGE TRACT, A DISTANCE OF 598.30 FEET; THENCE S66°44'30"E, A DISTANCE OF 169.42 FEET MORE OR LESS TO A POINT S20°06'00"W FROM THE POINT OF BEGINNING; THENCE N20°06'00"E, A DISTANCE OF 590.82 FEET TO THE POINT OF BEGINNING, CONTAINING 2.31 ACRES MORE OR LESS.

**Exhibit B
Ballot Title**

NOTICE OF CITY MEASURE ELECTION
City of Scappoose

Notice is hereby given on February 20, 2015, that a measure election will be held in Columbia County, Oregon on May 19, 2015,
(Name of county) (Date of election)

The following shall be the ballot title of the measure to be submitted to the county's voters on this date: May 19, 2015.

CAPTION (10 Words)

ANNEXATION OF SE 6TH STREET PROPERTY TO SCAPPOOSE

QUESTION (20 Words)

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

SUMMARY (175 Words)

Kirsten Van Loo has requested that the City annex approximately 2.3 acres of property to the City of Scappoose. The property is located at 51956 SE 6th Street, and is described as Columbia County Assessor Map No. 3118-BB-01200. The property is located in the Scappoose Urban Growth Boundary and is contiguous to Scappoose City limits. Upon annexation, the property would be zoned Low Density Residential (R-1). The Scappoose Planning Commission and City Council have approved this annexation proposal.

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

RESOLUTION NO. 15-11

A RESOLUTION PROCLAIMING CERTAIN PROPERTY ANNEXED TO THE CITY

WHEREAS, Measure No. 5-244, proposing to annex certain property to the City of Scappoose (“City”), was submitted to voters in the City at the May 19, 2015 general election; and

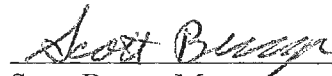
WHEREAS, according to the abstract provided by the Columbia County Elections Officer and attached hereto as Exhibit A, the measure was approved by a majority of City voters; and

WHEREAS, as required by ORS 222.160, legal description of the property is attached hereto as Exhibit B and incorporated herein by reference;

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

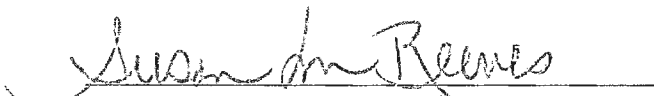
The properties approved for annexation by the City’s voters on May 19, 2015, and described in Exhibit B to this Resolution, are hereby annexed to the City and will be automatically zoned Low Density Residential (R-1).

PASSED AND ADOPTED by the Council and signed by me, and the City Recorder in authentication of its passage this 15th day of June, 2015.



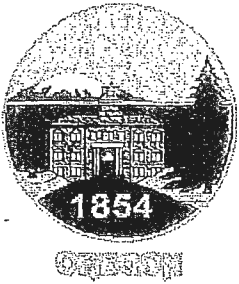
Scott Burge, Mayor

ATTEST:



Susan M. Reeves, MMC, City Recorder

COLUMBIA COUNTY

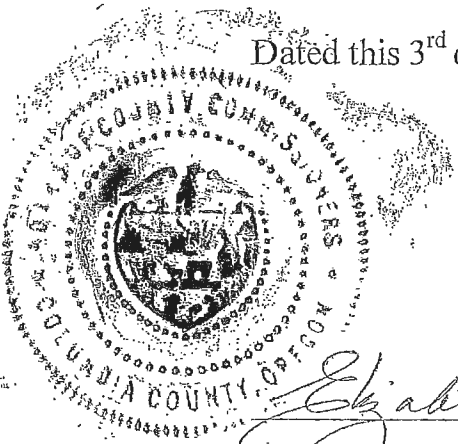


ELIZABETH E. HUSER
County Clerk of Columbia County
Courthouse, 230 Strand St., St. Helens, Oregon 97051-2041
Telephone: (503) 397-3796
(503) 397-7214 – Elections

Recording, Dog Control, Elections, Board of Equalization

I certify that the votes recorded on the following abstract/canvass correctly summarize the tally of votes cast at the Special District Election held on Tuesday, May 19, 2015.

Dated this 3rd day of June, 2015,



Elizabeth E. Huser

Elizabeth E. Huser
Columbia County Clerk

5-244 City of Scappoose

VOTES PERCENT

VOTES PERCENT

Vote for 1

01 = Yes

02 = No

910 79.20

239 20.80

03 = OVER VOTES

04 = UNDER VOTES

0

55

01 02 03 04

0031 Scappoose 1

185 35 0 16

0032 Scappoose 2

155 62 0 7

0033 Scappoose 3

321 77 0 19

0034 Scappoose 4

249 65 0 13



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

Columbia County Assessor Map No. 3118-BB-01200

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ANX2-14/ZC2-14

January 15, 2015

Turner Property: SE 6th Street

CITY OF SCAPPOOSE STAFF REPORT

Request: Approval of an application for annexation and a corresponding zone change to Low Density Residential (R-1) for approximately 2.3 acres.

Location: The subject parcel is located at 51956 SE 6th Street. The parcel is described as Columbia County Assessor Map No. 30118BB-01200. See attached Vicinity Map (**Exhibit 1**).

Applicant: Todd and Claudette Turner

Owner(s): Todd and Claudette Turner

APPENDIX

A. Application, Legal Descriptions

EXHIBITS

- 1. Vicinity Map, Zoning Map, Comprehensive Plan Map
- 2. Applicant's Narrative
- 3. Conceptual Layout, Utilities and Future Street Plan

SUBJECT SITE

- o The subject site consists of one parcel with an area of approximately 2.3 acres. The subject property is located between SE 6th Street and SE 9th Street, west of and adjacent to the Cascade Meadow subdivision. The site currently abuts the city limits on one side, and the adjacent property to the south was recently annexed into the city on the November 2014 ballot. Adjacent properties to the west and north are within the City of Scappoose urban growth boundary, but outside the city limits. Access to the site is currently from a 20' wide section of ROW off of 6th, and an easement across the property to the south. See **Exhibit 1**, Vicinity Map.
- o The subject site is designated as Suburban Residential (SR) on the Comprehensive Plan map. Abutting the south side of this property is a vacant field recently rezoned R-1. Adjacent property to the west and north consists of a vacant field, which is not included in the R-1 zoning boundary. To the east of this parcel is a fully developed R-4 subdivision.

Turner Property: NE 6th St. Annexation and Zone Change

- The site is within the boundaries of the Scappoose Rural Fire Protection District and the Scappoose Public School District. The site is currently under the police protection of the Columbia County Sheriff's Department.
- According to Flood Insurance Rate Map (FIRM) 41009C0463C the property is located outside the 100-year floodplain and outside the Scappoose Drainage District. The Scappoose Local Wetlands Inventory Map does not illustrate wetlands within the property.
- The site is nearly level and has an existing residence and a large field.

OBSERVATIONS

CONCURRENT ANNEXATION AND ZONE CHANGE APPLICATIONS

- The site is currently zoned Suburban Residential (SR) by Columbia County. According to Section 17.136.070 of the Scappoose Development Code, because the parcel has a Suburban Residential (SR) Comprehensive Plan designation, upon annexation the land shall automatically be zoned Low Density Residential (R-1). The applicant has not requested an amendment to the Comprehensive Plan map.

PROPOSED RESIDENTIAL USE

- The applicant has provided a preliminary concept plan of the site showing how it could be developed in the future with up to 10 detached single family residences if the voters approve the annexation (**Exhibit 2**). A diagram of a conceptual layout and the locations of future streets is included as **Exhibit 3**.
- This application has been analyzed based on the most intense development that could occur, which would be approximately 10 detached single family residences.
- Future development proposals will be required to apply for Planning approval (either Tentative Subdivision Plan Review or Partition) to ensure compliance with the Scappoose Development Code and Public Works Design Standards.

STREET SYSTEM AND TRANSPORTATION IMPACTS

- Currently, the site is landlocked, and the only street access is via a 20' wide ROW off of 6th Street. Additional ROW dedication and street improvements would be required as part of a development proposal following annexation. The City's standard practice is to require half-street improvements as minimum conditions of development proposals, to be installed and funded by developers.

Turner Property: NE 6th St. Annexation and Zone Change

- Section 9 of the OAR 660-012-0060 Transportation Planning Rule stipulates that if a proposed rezoning is consistent with the existing comprehensive plan map designation, and the acknowledged transportation system plan, then it can be approved without considering the effect on the transportation system. Staff finds that the proposed change is consistent with the acknowledged comprehensive plan and Transportation System Plan.
- Development proposals may need to be accompanied by analysis of traffic impacts to ensure that the affected streets and intersections have adequate capacity to accommodate increased traffic.
- The City's Transportation System Development Charges (SDC's) are directly related to the volume of traffic generated by specific types of use. The SDC's collected from development can be used to pay for improvements to projects included in the City's Transportation System Plan.
- Full discussion of the traffic impacts associated with the annexation and zone change is found in Findings of Fact #2, Transportation Planning Rule.

UTILITIES & STORM DRAINAGE

- Electricity, telephone, and gas are provided to adjacent residential properties and could be made available through the extension of nearby lines and public service infrastructure. An 8" water line is available from SE 6th Street. A 12" sewer line runs along the west property line, and a storm sewer line would need to be addressed by the future developer of the property.
- The applicant would be responsible for managing stormwater at the time of development. On-site infiltration is the most likely method. Any development proposals will have to ensure that development of the site does not degrade water quality or increase water quantity draining to the Scappoose Drainage Improvement Company. This evaluation would be made at the time of a review of a specific development proposal.

PUBLIC & PRIVATE AGENCIES AND PUBLIC NOTICE

- The City of Scappoose City Manager, Engineering, Building, and Police Departments; Columbia County Road Department, Planning Department, and Board of Commissioners; the Scappoose 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. No agencies objected to the proposed annexation.
- Notice of this request was mailed to property owners located within 200 feet of the subject site on December 29, 2014. Notice was also posted on the property on December 22, 2014 and published in the local newspaper on January 9 and January 16, 2015. Staff has received no written comments from the public regarding the application.

Turner Property: NE 6th St. Annexation and Zone Change

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

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

A. Citizen Involvement (Goal 1)

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

Finding:

The City's acknowledged Comprehensive Plan & Development Code includes citizen involvement procedures with which the review of this application will comply. This process allows for citizens to communicate their input into the application review conducted by the City at public hearings or by submitting written comments. The City of Scappoose Planning Commission will review the proposed annexation and zoning map amendment on January 22, 2015 to make a recommendation to the City Council. The City Council will hold a hearing on February 2, 2015. The Applicant posted site notices on December 22, 2014, the City mailed notices to nearby property owners on December 29, 2014, and notice was published in the newspaper on January 9 and January 16, 2015. This process complies with the Goal.

B. Land Use Planning (Goal 2)

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

Finding:

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

C. Agricultural Lands (Goal 3)

Objective: To preserve and maintain agricultural lands.

Finding:

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

D. Forest Lands (Goal 4)

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

Finding:

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

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

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

Finding:

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

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

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

Finding:

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

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

Objective: To protect people and property from natural hazards.

Finding:

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

H. *Recreational Needs (Goal 8)*

Objective: To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Finding:

The site is presently designated for residential development on the Comprehensive Plan and has not been planned for recreational opportunities. The requested annexation and zone change to Low Density Residential (R-1) will not result in a reduction in land planned or reserved for recreational use. Consequently, the proposed Annexation and Zone Change will have no significant impact on the City's planning for recreational needs.

I. *Economic Development (Goal 9)*

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

Finding:

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

J. *Housing (Goal 10)*

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

Finding:

The property proposed for annexation is designated Suburban Residential on the Comprehensive Plan map. The proposed annexation and zone change to Low Density Residential (R-1) would increase the residential land supply within City Limits and would allow more intense development than currently permitted under County regulations. Furthermore, the site could only connect to City water or sewer if it were inside City

Turner Property: NE 6th St. Annexation and Zone Change

Limits. If the site is developed as intensely as City regulations would allow, up to 10 housing units could be constructed.

K. Public Facilities and Services (Goal 11)

Objective: To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Finding:

The subject property lies within the Urban Growth Boundary (UGB) and therefore requires the extension of public facilities and services at the developer's expense. Full urban services are available to serve the site. Electricity, telephone, and gas are provided to adjacent properties and could be made available through the extension of nearby lines and public service infrastructure. An 8" water line is available from SE 6th Street. A 12" sewer line runs along the west property line, and storm drainage facilities will be designed to comply with regulations at the time of development.

L. Transportation (Goal 12)

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

Finding:

This Goal requires the City to prepare and implement a Transportation System Plan (TSP). The Scappoose TSP assumed that this site would be developed under the City's Suburban Residential (SR) and Low Density Residential Comprehensive Plan and Zoning designations, respectively. The site falls into Traffic Analysis Zone #14, which is an area bounded by Columbia Avenue, 6th Street, and North Park Place. In 1995, this area had a population of 181 people, and the TSP projected a population of 748 in the year 2015 based on the Comprehensive Plan designations. Street classifications were chosen accordingly.

The TSP classifies SE 6th Street as a Secondary Arterial street, which requires a 72-foot right-of-way width and a 44-foot pavement width. Traffic analysis may be required at the time of development to determine the improvements required to protect health and safety and ensure efficient traffic circulation.

Traffic projections from future development have been computed using standard trip generation ratios published by the Institute of Transportation Engineers. If the site were developed with 10 single family dwellings under the R-1 zone, the site could be expected to generate approximately 95 average daily trips. The City does not anticipate that this level of development would cause failure of the local street network, provided that the applicant installs appropriate street improvements at the time of development. The

Turner Property: NE 6th St. Annexation and Zone Change

applicant may need to submit a traffic study with future development proposals to analyze individual intersections and street segments.

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

M. Energy Conservation (Goal 13)

Objective: *To conserve energy.*

1. Land use plans should be based on utilization of the following techniques and implementation devices which can have a material impact on energy efficiency:

- a. Lot size, dimension, and siting controls;*
- b. Building height, bulk and surface area;*
- c. Density of uses, particularly those which relate to housing densities;*
- d. Availability of light, wind and air;*
- e. Compatibility of and competition between competing land use activities; and*
- f. Systems and incentives for the collection, reuse and recycling of metallic and nonmetallic waste.*

Finding:

The site is located immediately adjacent to existing residential areas. The proposed R-1 zoning would permit development in accordance with the Comprehensive Plan with the potential to create an energy-efficient land use pattern within the City's Urban Growth Boundary.

N. Urbanization (Goal 14)

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

Finding:

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

O. Other Goals

Finding:

The following goals are not applicable to this application:

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

Turner Property: NE 6th St. Annexation and Zone Change

- o Ocean Resources (Goal 19)

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

TRANSPORTATION PLANNING RULE

OAR 660 Division 12 – Transportation Planning:

660-012-0060 Plan and Land Use Regulation Amendments

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

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

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

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

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

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

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

Finding:

The most intense development of the site would consist of 10 single family dwelling units.

The Transportation System Plan (TSP) analyzed traffic throughout the City. The site falls into Traffic Analysis Zone #14, which is an area bounded by Columbia Avenue, 6th Street, and North Park Place. In 1995, this area had a population of 181 people, and the TSP projected a population of 748 in the year 2015 based on the Comprehensive Plan

designations. Street classifications were chosen accordingly.

The annexation of this site and the application of the R-1 zoning are consistent with the Comprehensive Plan and the level of development analyzed in the TSP.

Traffic projections from future development have been computed using standard trip generation ratios published by the Institute of Transportation Engineers. If the site were developed with 10 single family dwellings under the R-1 zone, the site could be expected to generate approximately 95 average daily trips. The City does not anticipate that this level of development would cause failure of the local street network, provided that the applicant installs appropriate street improvements at the time of development. The applicant may need to submit a traffic study with future development proposals to analyze individual intersections and street segments.

Traffic to and from the site will utilize SE 6th Street, which is identified as a Secondary Arterial street.

This proposal does not "significantly affect" the impacted street segments (as defined by the Transportation Planning Rule) because the annexation and zoning are consistent with the TSP traffic assumptions. Full determination of the required improvements would be deferred until the time of development of the site, and would consist of half-street improvements at a minimum.

Based on trip generation levels applicable to the R-1 zone, the City finds that the proposed annexation and zone change are consistent with the land uses envisioned by the Comprehensive Plan and the Transportation System Plan.

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

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

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

GOAL FOR PUBLIC FACILITIES AND SERVICES

Turner Property: NE 6th St. Annexation and Zone Change

- 1) *Provide the public facilities and services which are necessary for the well being of the community and which help guide development into conformance with the Comprehensive Plan.*
- 2) *Direct public facilities and services, particularly water and sewer systems, into the urban growth area.*
- 3) *Ensure that the capacities and patterns of utilities and other facilities are adequate to support the residential densities and intensive land use patterns of the Comprehensive Plan.*
- 4) *Avoid the provision or expansion of public utilities and facilities in sparsely settled non-urban areas, when this would tend to encourage development or intensification of uses, or to create the need for additional urban services.*

Goals 5-11 are not applicable to this application.

POLICIES FOR PUBLIC FACILITIES AND SERVICES

- 1) *Design urban facilities and services, particularly water and sewer systems, to eventually serve the designated urban growth area; also, ensure that services are provided to sufficient vacant property to meet anticipated growth needs; also, develop a design review process to insure that public services and facilities do not unreasonably degrade significant fish and wildlife habitats.*
- 9) *Control local flooding and groundwater problems through the use of existing storm drainage systems and construction of new facilities in accordance with the Scappoose Storm Drain System Master Plan.*
- 19) *Approve annexations of new residential lands, except in the case of a health hazard, only when:*
 1. *There is sufficient capacity in the sewer, water, street, school, fire, and police systems to service the potential additional populace.*
 2. *Sufficient in-filling of vacant land has occurred to warrant an expansion.*

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

Finding:

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

Turner Property: NE 6th St. Annexation and Zone Change

Scappoose Municipal Code and the Public Works Design Standards and Standard Specifications.

Fire & Police Protection

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

Streets

- Traffic to and from the site will utilize SE 6th Street, which is identified as a Secondary Arterial street. This proposal does not “significantly affect” the impacted street segments (as defined by the Transportation Planning Rule) because the annexation and zoning are consistent with the TSP traffic assumptions. Full determination of the required improvements would be deferred until the time of development of the site, and would consist of half-street improvements at a minimum. Based on trip generation levels applicable to the R-1 zone, the City finds that the proposed annexation and zone change are consistent with the land uses envisioned by the Comprehensive Plan and the Transportation System Plan.

Schools

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

Water Service

- The site could connect to the water line to be extended from SE 6th Street.

Sewer and Storm Drainage

- A sanitary sewer line runs along the west property line.
- The storm drainage system would need be designed to ensure that development of the site does not degrade water quality or increase water quantity draining to the Scappoose Drainage District or cause other flooding or groundwater problems.

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

GENERAL GOALS FOR LAND USES

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

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

Finding:

The subject property is located in the UGB immediately adjacent to land zoned R-1 by the City. Annexation would permit development in an orderly outward expansion. Development of the subject site is required to provide the infrastructure associated with new residential development, including public streets with curbs and sidewalks. The R-1 zoning permits single-family residences, adding to the housing stock in the city.

The applicable GENERAL GOALS FOR LAND USES are satisfied.

GOAL FOR HOUSING

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

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

- 3) *Not applicable*

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

POLICIES FOR HOUSING

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

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

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

Finding:

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

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

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

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

17.22.030 Quasi-judicial amendments. Quasi-judicial amendments shall be in accordance with the procedures set forth in Chapter 17.162 and the following:

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

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

B. The council shall decide the applications on the record.

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

Finding:

1. THE APPLICABLE COMPREHENSIVE PLAN POLICIES AND MAP DESIGNATION

As specified by Section 17.136.070 of the Scappoose Municipal Code, if this property is annexed it would automatically receive the Low Density Single Family Residential (R-1) zoning designation since the site had a "Suburban Residential" Comprehensive Plan Map designation. The applicable comprehensive plan policies are outlined above.

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

The zone change to R-1 implements the Suburban Residential Comprehensive Plan designation. The proposed annexation would permit new development consistent with the existing residential character, which would reinforce and enhance a residential neighborhood. The annexation and zone change could allow up to 10 dwellings, which would not adversely affect health, safety, and welfare.

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

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

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

The subject site is designated Suburban Residential in the Comprehensive Plan Map. Applying Section 17.136.070 by automatically zoning the property Low Density Residential (R-1) is consistent with the Comprehensive Plan.

Chapter 17.44 R-1 Low Density Residential

17.44.030 Permitted uses. A. In the R-1 zone outside of the Scappoose Creek Flood Plain, only the following uses and their accessory uses are permitted outright: [. . .]

6. Single-family detached residential dwelling units.

Finding:

Detached single family residential uses are permitted within the R-1 zoning district. Future development proposals would be reviewed for consistency with the permitted uses in the proposed zone. Section 17.44.030 is satisfied.

Chapter 17.136 ANNEXATIONS17.136.020 Policy.

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

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

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

Finding:

The proposed annexation complies with the goals and policies of the Comprehensive Plan as previously discussed in Finding of Fact #3. The annexation is contiguous to land zoned R-1 and R-4 within the City, expanding the City's logical service area. Pursuant to Scappoose Municipal Code Chapter 13.12.100, sewer services are not provided outside the City limits, so annexation would allow this site to be served by the municipal sewer system. Annexation will allow the City to manage growth by providing for City inspection and approval of all development. Section 17.136.020(A) is satisfied.

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

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

Finding:

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

Turner Property: NE 6th St. Annexation and Zone Change

does not decrease the ability of the City to provide services. Section 17.136.020(B) is satisfied.

17.136.040 Approval standards.

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

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

Finding:

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

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

The facility planning for the City’s water and wastewater treatment facilities assumed that this site would be zoned R-1. The site could be developed with approximately 10 housing units if a housing development were constructed.

Right of way improvements would be required as conditions imposed on future development identified as part of traffic impact analysis performed in conjunction with future development proposals. The City can conclude that surrounding streets can be made adequate with appropriate improvements.

Section 17.136.040(A)(1) is satisfied.

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

Finding:

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

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

Finding:

This annexation would provide an additional 2.3 acres for residential development and would also create temporary employment opportunities for the construction of streets, utilities, and structures. Section 17.136.040(A)(3) is satisfied.

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

Finding:

This site is contiguous to the existing City limits. Public services are already available to neighboring properties and use of these will improve efficiency by utilizing existing trunk lines and service lines. Water service is available to the site from SE 6th Street, sanitary sewer borders the property line, and sewer service could be tied into from future development of adjacent parcel identified as tax lot 1000, and would be the responsibility of the future developer. Police and fire protection can be supplied by the Scappoose Police Department and Scappoose Rural Fire Protection District, respectively. The site has convenient transportation access to downtown Scappoose. Increasing the supply of land for housing will benefit the City by providing additional land to meet the demand for residential development. Urbanization of the site is consistent with the City's Comprehensive Plan, and site development is not anticipated to impose adverse social impacts. Section 17.136.040(A)(4) is satisfied.

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

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

Finding:

The site has a Comprehensive Plan designation of SR, Suburban Residential. Upon annexation, the site would automatically be zoned R-1, Low Density Residential. The findings demonstrate that the City's infrastructure has the capacity to absorb development of this site. Section 17.136.070 is satisfied.

Chapter 17.162 PROCEDURES FOR DECISION MAKING--QUASI-JUDICIAL

17.162.090 Approval authority responsibilities. [...]

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

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

Finding:

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

RECOMMENDATION

Based on the findings of fact and the material submitted by the applicant, staff recommends that the Planning Commission recommend **APPROVAL** of this application to the City Council for placement on the May 19, 2015 ballot.

**CITY OF SCAPPOOSE
COMMUNITY DEVELOPMENT CENTER
SITUS: 52610 NE 1ST SUITE 120, SCAPPOOSE, OREGON 97056
(MAILING: 33568 E. COLUMBIA AVE.)
PH: (503) 543-7184 FX: (503) 543-5679**

| | |
|-------------------------------------|---|
| <input checked="" type="checkbox"/> | Annexation (ORD 17.136) |
| <input type="checkbox"/> | Comp Plan Map Amendment |
| <input type="checkbox"/> | Conditional Use (ORD 17.130) |
| <input type="checkbox"/> | Determination of Similar Use |
| <input type="checkbox"/> | Development Code/Comp Plan Text Amendment |
| <input type="checkbox"/> | Home Occupation: Type II (ORD 17.147) |
| <input type="checkbox"/> | Modification to Previous Approval |
| <input type="checkbox"/> | Partition: Major or Minor (ORD 17.152) |
| <input type="checkbox"/> | Pre-Application Conference |
| <input type="checkbox"/> | Property Line Adjustment (ORD 17.152) |
| <input type="checkbox"/> | Public Land Tree Removal (ORD 17.140) |

| | |
|--------------------------|--|
| <input type="checkbox"/> | Sensitive Lands Development: Flooding (ORD 17.84) |
| <input type="checkbox"/> | Sensitive Lands Development: Riparian Corridor (17.89) |
| <input type="checkbox"/> | Sensitive Lands Development: Steep Slope (17.86) |
| <input type="checkbox"/> | Sensitive Lands Development: Wetlands (ORD 17.85) |
| <input type="checkbox"/> | Sign Permit (ORD 17.114) |
| <input type="checkbox"/> | Site Development Review (ORD 17.120) |
| <input type="checkbox"/> | Subdivision Tentative Plan (ORD 17.150) |
| <input type="checkbox"/> | Temporary Commercial Use (ORD 17.128) |
| <input type="checkbox"/> | Vacation: Street or Easement (ORD 17.150.220) |
| <input type="checkbox"/> | Variance: Major or Minor (ORD 17.134) |
| <input type="checkbox"/> | Zone Change |

Requirements for each specific type of application will be attached to this form and constitute part of the application packet.

Applicant's Rep: Kristin Van Lee - Van Lee Assoc.

Property Owner: Todd + Claudette Turner

Mailing Address: 30495 SW Buckhagen Rd.

Mailing Address: 31136 Leafy Lane

City: Hillsboro State: OR Zip: 97123

City: Scappoose State: OR Zip: 97056

Phone: 503 956 4180 Fax: _____

Phone: _____ Fax: _____

Property Address or Location: 51956 SE 6th Street

Tax Account Number: 5326 / 03 01 1888 Tax Lot 1200

A Legal Description of the Property must be attached.

Is a pre-application conference required: yes If required, pre-application conference date: 9/3/2014

if pre-application conference is waived, the applicant must sign here: _____

I certify that this application and its related documents are accurate to the best of my knowledge. I understand that the signature on this application authorizes the City and its agents to enter upon the subject property to gather information pertinent to this request.

[Signature]

[Signature]

Signature of Applicant (required)

Signature of Owner (required)

Date application was submitted: 10-29-14 Amount of Fee paid: \$1550.⁰⁰ Receipt Number: 710997/1054831

Before this application will be processed, the Planner must certify that all applicable items are included and the application is complete. Date application accepted as complete: _____

**PROPERTY OWNERS' AND ELECTORS'
Standard Consent to Annex to the City of Scappoose, Oregon**



TO: The Council of the City of Scappoose, Oregon

We, the undersigned, hereby consent to annexation to the City of Scappoose as provided by ORS Chapter 222. In addition, we agree to all terms and conditions on the reverse side of this form. (Please read the standard consent to annex and instructions on the reverse side before signing.)

Property Address: 51956 SE 6th Street

Legal Description: See attached Exhibit "A"

Precinct: _____

| Print Owners' Names | Signatures | Date |
|----------------------------|---|-----------------|
| 1. <u>Todd Turner</u> | <u></u> | <u>10/25/14</u> |
| 2. <u>Claudette Turner</u> | <u></u> | <u>10/25/14</u> |

| Print Electors' Names | Signatures | Date |
|-----------------------|------------|-------|
| 1. _____ | _____ | _____ |
| 2. _____ | _____ | _____ |
| 3. _____ | _____ | _____ |
| 4. _____ | _____ | _____ |

Waiver of Time Limit

We certify that we have received the information required by ORS 222.175. We also understand the annexation process may take more than one year. Therefore, we agree to waive the one-year time limitation on this consent as provided by ORS 222.173, and further agree that this consent shall be effective:

| | | | Signatures |
|----|------------------------|-------------|------------|
| 1. | Indefinitely or, _____ | Until _____ | X _____ |
| 2. | Indefinitely or, _____ | Until _____ | X _____ |
| 3. | Indefinitely or, _____ | Until _____ | X _____ |
| 4. | Indefinitely or, _____ | Until _____ | X _____ |

Mail Consent to:
Planning Department, City of Scappoose, 33568 East Columbia Avenue, Scappoose, OR 97056

SELECT ONE OF THE FOLLOWING CERTIFICATIONS

FOR PROPERTY OWNERS WHO ARE ALSO REGISTERED ELECTORS:

The undersigned individuals (print names here) Todd Turner Claudette Turner warrant that they are registered electors, reside at and are the sole owners of real property addressed as _____ in Columbia County, Oregon, which real property is located outside the corporate limits of the City of Scappoose but within the City's urban growth boundary and that said real property is described by Subdivision Lot and Block, Metes and Bounds or other valid Legal Descriptions as provided on Page 1 hereof.

Dated: 10/25, 2014

OWNER/ELECTOR: _____

OWNER/ELECTOR: _____

FOR PROPERTY OWNERS WHO ARE NOT REGISTERED ELECTORS:

The undersigned individuals (print names here) Todd Turner Claudette Turner warrant that they are the sole owners of real property addressed as 51956 SE 6th Street in Columbia County, Oregon, which real property is located outside the corporate limits of the City of Scappoose but within the City's urban growth boundary and that said real property is described by Subdivision Lot and Block, Metes and Bounds or other valid Legal Descriptions as provided on Page 1 hereof.

Dated: 10/25, 2014

OWNER Todd Turner

OWNER Claudette Turner

FOR ELECTORS WHO ARE NOT PROPERTY OWNERS:

The undersigned individuals (print names here) Claudette Turner and Todd Turner warrant that they are registered electors residing at Scappoose, Oregon in Columbia County, Oregon, which real property is located outside the corporate limits of the City of Scappoose but within the City's urban growth boundary and that said real property is described by Subdivision Lot and Block, Metes and Bounds or other valid Legal Descriptions as provided on Page 1 hereof.

Dated: _____, 20____

ELECTOR _____

ELECTOR _____

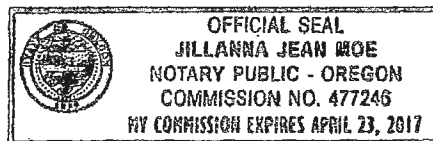
STATE OF OREGON)

County of Columbia) ss.

THIS INSTRUMENT was subscribed and sworn to before me on October 25, 2014 by Claudette Turner and Todd Turner

Jillanna Jean Moe
NOTARY PUBLIC FOR OREGON

My Commission Expires: April 23, 2017



CASWELL / HERTEL
SURVEYORS, INC.

Professional Land Surveyors
info@chsurveyinc.com

6150 S.W. 124th Avenue
Beaverton, Oregon 97008-4724

Telephone 503/644-3179
Fax 503/644-3190

DECEMBER 23, 2014
JOB 8489

LEGAL DESCRIPTION
FOR
ANNEXATION
SCAPPOOSE, OREGON

A TRACT OF LAND IN THE SOUTHWEST QUARTER OF SECTION 7, AND THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 3 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH BEARS, NORTH 211.12 FEET, AND EAST 206.73 FEET AND S64°13'30"E 170.00 FEET FROM THE SOUTHWEST CORNER OF SECTION 7, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON, SAID POINT BEING ON THE WEST LINE OF "CASCADE MEADOW", A DULY RECORDED PLAT IN THE COLUMBIA COUNTY PLAT RECORDS; THENCE N64°13'30"W 170.00 FEET TO THE NORTHEAST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED TO GEORGE L. GEORGE ET UX RECORDED NOVEMBER 10, 1949 IN BOOK 105, PAGE 434, DEED RECORDS; THENCE S20°06'00"W, ALONG THE EAST LINE OF SAID GEORGE TRACT, A DISTANCE OF 598.30 FEET; THENCE S66°44'30"E, A DISTANCE OF 169.42 FEET MORE OR LESS TO A POINT S20°06'00"W FROM THE POINT OF BEGINNING; THENCE N20°06'00"E, A DISTANCE OF 590.82 FEET TO THE POINT OF BEGINNING, CONTAINING 2.31 ACRES MORE OR LESS.

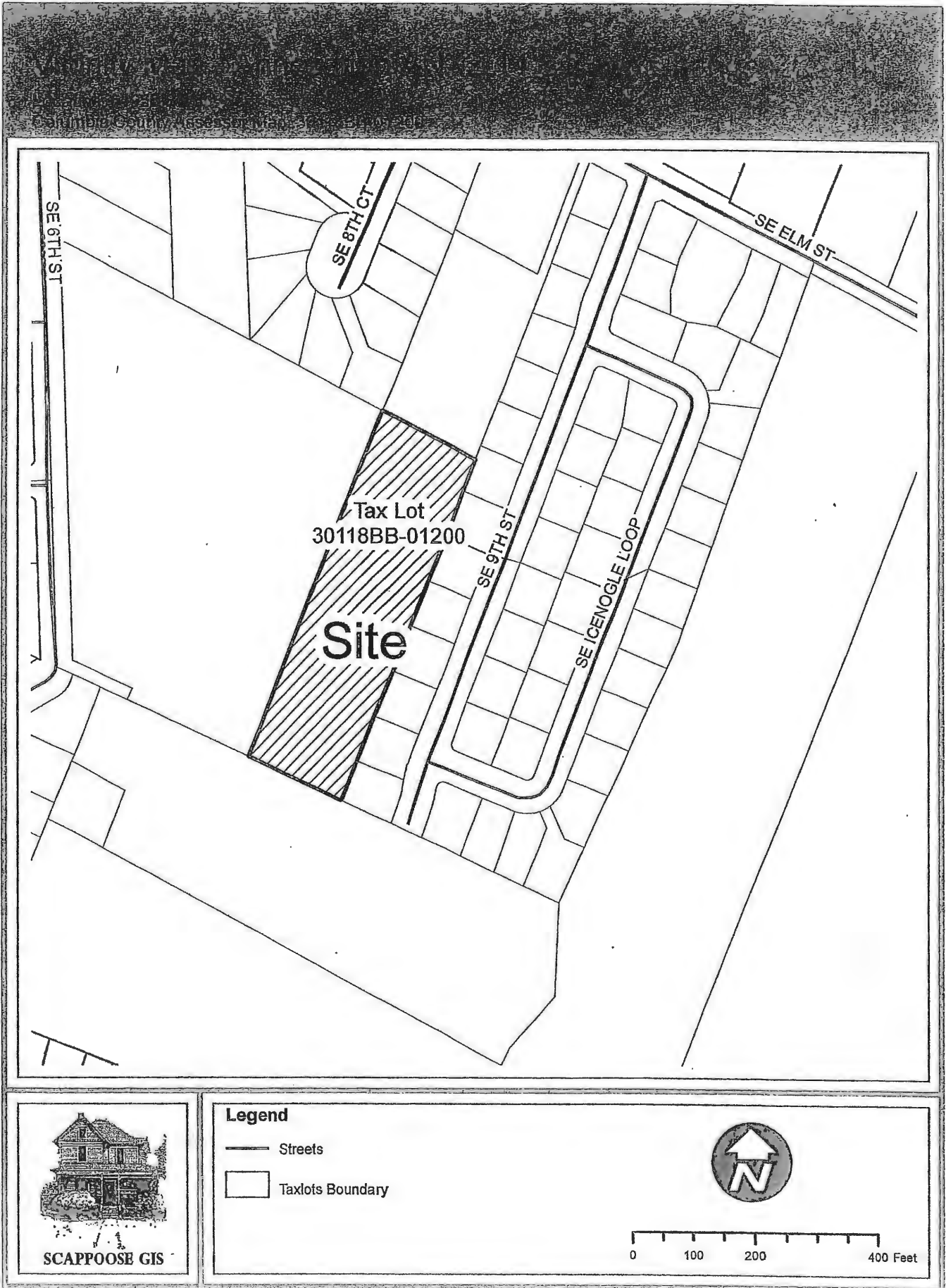
REGISTERED
PROFESSIONAL
LAND SURVEYOR

Albert Hertel 12-24-14

OREGON
JULY 18, 1980
ALBERT HERTEL
1896

RENEWS: 6/30/2015

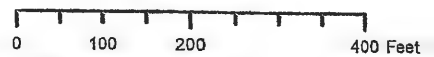
Exhibit 1



SCAPPOOSE GIS

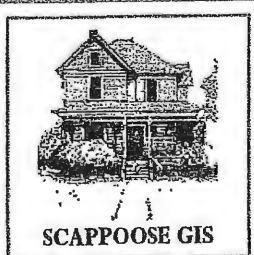
Legend

- Streets
- Taxlots Boundary



Zoning Map - Annexation ANX2-14 & Zone Change ZC2-14

Location: 61956 SE 6th St
Columbia County Assessor Map: 30118-BB-01200



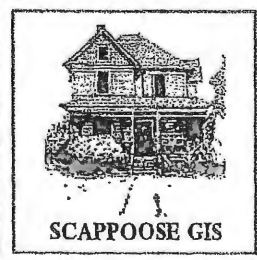
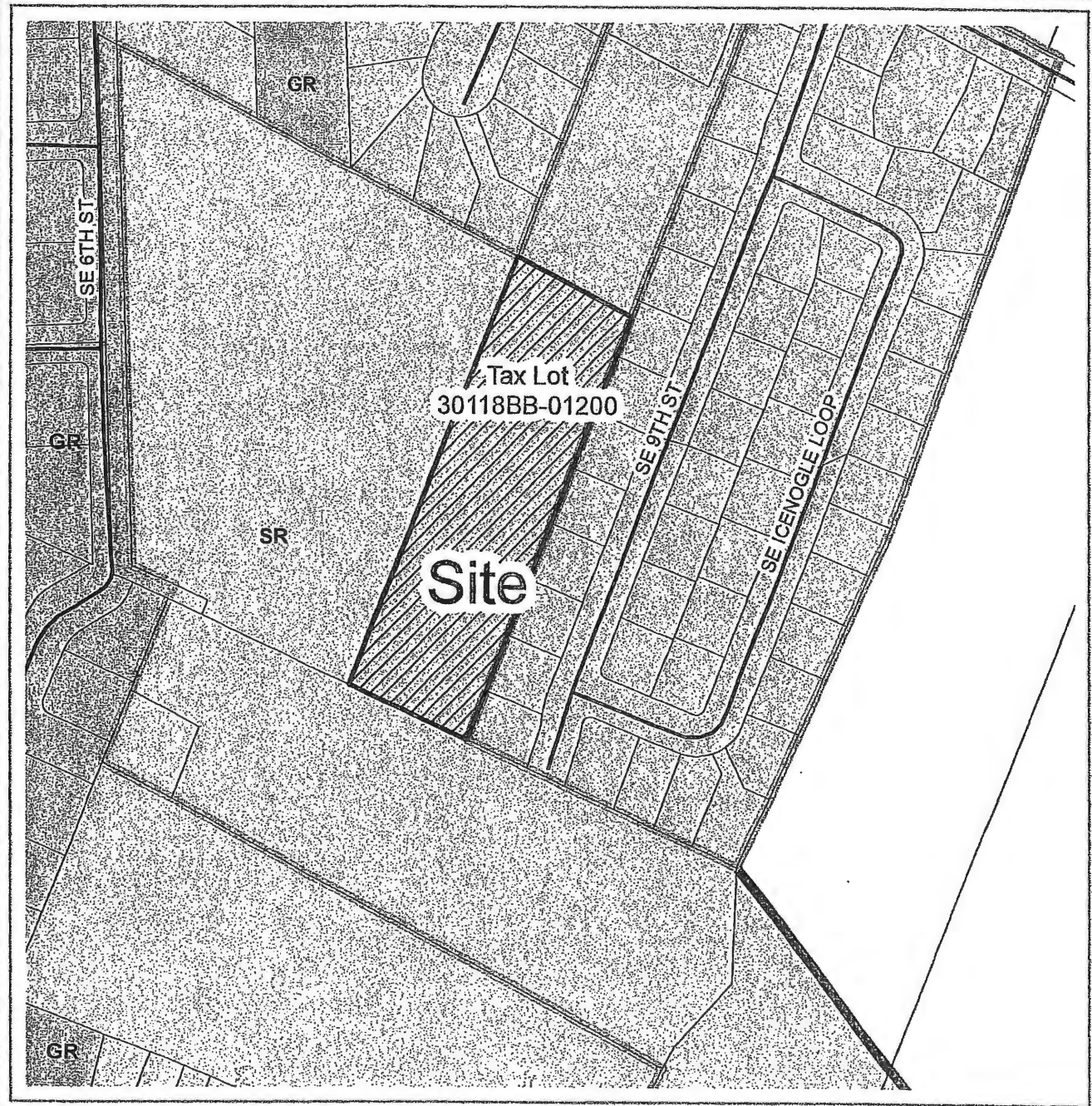
Legend

| | |
|------------------|----------------------------------|
| Streets | R-1 Low Density Residential |
| Taxlots Boundary | R-4 Moderate Density Residential |
| City Limits | EC Expanded Commercial |
| UGB | |

0 100 200 400 Feet

Comprehensive Plan Map - Annexation ANX2-14 & Zone Change ZC2-14

Location: 51956 SE 6th St
Columbia County Assessor Map: 30118BB-01200



Legend

| | |
|------------------|-------------------------|
| Streets | GR General Residential |
| Taxlots Boundary | SR Suburban Residential |
| City Limits | |
| UGB | |

N

0 100 200 Feet

**Application and Findings
for
Annexation into the City of Scappoose in the May 2015 Election**

Applicant/Owner: Todd & Claudette Turner
31136 Leafy Lane
Scappoose, OR 97056

**Applicant's
Representative** Van Loo² Associates, LLC
Kirsten Van Loo
30495 SW Buckhaven Road
Hillsboro, OR 97123
503-956-4180

Location: The property is addressed as 51956 SE 6th, located between SE 6th Street and SE 9th Street. The parcel is described by Columbia County as tax map/lot 30118BB-01200.

Request: Proposal to initiate annexation of approximately 2.3 acres into the City of Scappoose. The site is within the UGB and is adjacent to the City limits. Upon annexation the property will be rezoned R-1.

Proposal

This application requests approval to initiate the process to annex approximately 2.3 acres of land into the incorporated boundary of the City of Scappoose, with a corresponding zone change to the City designation of R-1.

Site Description

The subject property is located between SE 6th Street and SE 9th Street, west of and adjacent to the Cascade Meadow subdivision. The site currently abuts the city limits on one side, and the adjacent property to the south is on the November 2014 ballot for annexation into the City. Adjacent properties to the west and north are within the City of Scappoose urban growth boundary but outside the City limits. Access to the site is currently from a 20' wide section of ROW off of 6th, and an easement across the property to the south.

Compliance With Applicable City of Scappoose Development Code Provisions

Each of the applicable Chapters of the City of Scappoose Development Code related to the Annexation are addressed as follows:

Chapter 17.22 - Amendments to the Title, Comprehensive Plan, and Maps

17.22.030 Quasi-judicial amendments.

Quasi-judicial amendments shall be in accordance with the procedures set forth in Chapter 17.162 and the following:

- A. *The commission shall make a recommendation to the Council to approve, approve with conditions or deny an application for a quasi-judicial comprehensive plan map amendment or zone changes.*
- B. *The council shall decide the applications on the record.*
- C. *A quasi-judicial application may be approved, approved with conditions or denied.*

Response: The applicant understands the process.

17.22.040 Approval criteria.

Planning commission review and recommendation, and Council approval, of an ordinance amending the comprehensive plan, the zoning map, or this title shall be based on the following criteria:

- A. *If the proposal involves an amendment to the comprehensive plan, the amendment is consistent with the Statewide Planning Goals and relevant Oregon Revised Statutes and Administrative Rules;*

Response: The proposal is for an amendment to the boundary of the R-1 zone on the zoning map to include the area proposed for annexation, which is

currently under the corresponding County zoning designation of SR - Suburban Residential. No amendment to the comprehensive plan is proposed.

- B. *The proposal is consistent with the comprehensive plan (although the comprehensive plan may be amended concurrently with proposed changes in zoning or this title), the standards of this title, or other applicable implementing ordinances;*

Response: The proposal is for annexation into the City and amendment to the R-1 zone boundary, and is consistent with the comprehensive plan. The applicable provisions of the Scappoose Comprehensive Plan are addressed later in this document.

- C. *The change will not adversely affect the health, safety, and welfare of the community;*

Response: The proposed zoning map change is anticipated in the Comprehensive Plan. The site is within the Scappoose urban growth boundary, and is designated as Suburban Residential. The request is for annexation and inclusion within the corresponding City zone of R-1. Future development of the site will be consistent with the provisions of the Scappoose Land Use code, which has been developed so as to not adversely affect the health, safety and welfare of the community, but rather to benefit the citizens and enhance the quality of life in the city.

- D. *The proposal either responds to changes in the community or it corrects a mistake or inconsistency in the comprehensive plan, the zoning map, or this title; and*

Response: The proposal is in response to a growing community and developing economy with a viable market for additional residential development.

- E. *The amendment conforms to Section 17.22.050.*

Response: Section 17.22.050 is addressed in a letter by a traffic engineer included with the application materials.

17.22.050 Transportation planning rule compliance.

Proposals to amend the comprehensive plan or zoning map shall be reviewed to determine whether they significantly affect a transportation facility pursuant to Oregon Administrative Rule (OAR) 660-012-0060 (Transportation Planning Rule - TPR). Where the City, in consultation with the applicable roadway authority, finds that a proposed amendment would have a significant effect on a transportation facility, the City shall work with the roadway authority and the applicant to modify the request or mitigate the impacts in accordance with the TPR and applicable law.

Response: A traffic engineer has prepared a response demonstrating compliance with this section and is included with the application materials. Additionally the Comprehensive Plan anticipated the eventual annexation and development of the site at R-1 density.

Chapter 17.44 - R-1 Low Density Residential**17.44.030 Permitted uses.**

A. In the R-1 zone outside of the Scappoose Creek Flood Plain, only the following uses and their accessory uses are permitted outright:

6. Single-family detached residential dwelling;

Response: The site is outside the Scappoose Creek Flood Plain, and the future use is most likely single-family detached residential development, although other uses are permitted outright or conditionally within the zone. No development is proposed at this time.

17.44.050 Dimensional Requirements

A. The minimum lot area shall be:

1. Seven thousand five hundred (7,500) square feet outside the Scappoose Creek Flood Plain;

B. The minimum lot width shall not be less than fifty feet, except the minimum lot width at front property line on the arc of an approved full cul-de-sac shall not be less than thirty feet. Flag lots shall provide a minimum of twenty-five feet of frontage along a public right-of-way.

C. The minimum setback requirements are as follows:

1. The front yard setback shall be a minimum of twenty feet;
2. The front of garages or carports shall be located a minimum of twenty feet from the property line where access occurs;
3. Side yard setbacks shall total a minimum of fifteen feet with one setback not less than ten feet, which shall be on the street side for corner lot. The side setbacks for an accessory building located behind a residence shall be five feet each;
4. The rear yard setback shall be a minimum of twenty feet, except the minimum rear yard setback for an accessory building shall be five feet;

D. No building in an R-1 zoning district shall exceed thirty-five feet in height. Maximum height for accessory buildings shall be twenty-two feet;

E. On principal building per lot.

F. Buildings shall not occupy more than thirty-five percent of the lot area;

G. Additional requirements shall include any applicable section of this title.

Response: The conceptual development plan demonstrates that these standards can be met. No development is proposed at this time.

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' jurisdiction 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;

Response: The proposed annexation complies with the Scappoose comprehensive plan, which is addressed later in this document.

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;*

Response: The annexation will allow for orderly and efficient expansion of City service area. The entire east boundary of the site abuts lands inside the city, and the property to the south is on the November ballot to be annexed into the City. Properties to the west and north will remain outside the city limits, and will become un-annexed islands within the city limits. While the applicant does not control those properties, annexation and development of the subject site will contribute to enhanced access to services when neighboring properties annex to the city.

3. *The annexation would benefit the city by addition to its revenues of an amount that would be at least equal to the cost of providing services to the area;*

Response: Future development of the subject site will result in proportionate SDC revenue to the City at the time of development, and an increased tax base for the long term.

4. *The annexation would be clearly to the city's advantage in controlling the growth and development plans for the area.*

Response: The area proposed for annexation is within the Scappoose urban growth boundary. It has already been determined through previous processes that to include the site in the UGB is to the City's advantage to manage the growth and development for the area.

B. *If is the city's policy to discourage and deny annexation where:*

1. *The annexation is inconsistent with the provision of the Scappoose comprehensive plan;*

Response: The proposed annexation is consistent with the Scappoose comprehensive plan, which is addressed later in this document.

2. *The annexation would cause an unreasonable disruption or distortion of the current city boundary or service area;*

Response: Annexation of the site will contribute to orderly and efficient growth of the city and service area. All necessary services and facilities are available to be extended to serve the site.

3. *The annexation would severely decrease the ability of the city to provide services to an area either inside or outside of the city;*

Response: All necessary services are available and adequate to serve future development on the site.

4. *Full urban services could not be made available within a reasonable time.*

Response: Urban services are available to serve the subject site, or can be made available through development. Sewer runs along the western boundary of the site and water is available in SE 6th Street.

17.136.040 Approval Standards

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

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

Response: A 12" sewer line runs along the western boundary of the site, an 8" water line is available in SE 6th Street. Storm drainage facilities will be designed to comply with regulations in place at the time of development. Future development of the site will implement elements of the Transportation System Plan with the construction of streets. Systems development charges will be paid at the time of development, which will contribute to police, fire, school, library, and other public services.

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;*

Response: Service provider responses will be requested as part of the development application review process. Preliminary evaluation of public services and public school capacity indicate the ability to serve this parcel upon annexation and development.

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

Response: The site was included in the UGB to meet future housing needs of the City.

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

Response: The location of the site has already been determined to be appropriate for low density residential development, as evidenced by the current SR comprehensive plan designation. Urban services are available to serve the site, or can be made available through development. Additionally, development of the site will contribute to the implementation of portions of the transportation plan with dedication of area proposed for a future minor collector street along the length of the site.

17.136.050 Application Submission Requirements.

- A. All applications shall be made on forms provided by the planner and shall be accompanied by:
1. Copies of the annexation area, conceptual development plan(s) and necessary data or narrative (number to be determined at the pre application conference), which explains how the annexation conforms to the standards:
 - a. Sheet size for an annexation area, conceptual development plan and required drawings shall not exceed eighteen inches by twenty-four inches, and
 - b. The scale of the required drawings shall be an engineering scale.
 2. A list of the names and addresses of all who are property owners of record and whose property is within two hundred feet of the site;

Response: The specified items are included with the application package.

- B. The required information may be combined and does not have to be placed on separate maps.
- C. The annexation area plan, data and narrative shall include the following:
1. A map to a engineering scale of the area to be annexed which includes the surrounding area;
 2. A map of the area to be annexed including adjacent city territory as shown on the Columbia County assessor map;
 3. A legal description of the annexation area including a map;
 4. A statement of the availability, capacity and status of existing water, sewer, drainage, transportation, park, police and fire service, and school facilities;
 5. A statement of the increased demand for such facilities to be generated by any proposed development within the annexation area; and
 6. A conceptual development plan which includes:
 - a. The type of intensities (density) of the proposed land use,
 - b. Transportation corridors,
 - c. Significant natural features, and
 - d. Adjoining land uses.

Response: The specified items are included with the application materials.

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.

Response: The comprehensive plan designation for the site is SR, therefore the corresponding zone is R-1, Low Density Residential. A concept plan demonstrating that future development can comply with the standards of the R-1 zoning district is included with the application package.

Chapter 17.162 - Procedures for Decision Making - Quasi-Judicial

17.162.020 Application Process

Response: A pre-application conference was held September 3, 2014, with City Planner Stacey Goldstein. The City application form, fee and required submittal items are included with the application package. The applicant understands that the City will review the package for completeness, and may require additional information prior to deeming the application complete and proceeding with the review process.

City of Scappoose Comprehensive Plan

The following elements of the Scappoose Comprehensive Plan are applicable to this request:

Public Services and Facilities Goals and Policies**Goal for Public Facilities and Services**

It is the goal of the City of Scappoose to:

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.*

Response: Full urban services are available or can be made available to serve future development on the site, including water, sanitary sewer, storm drainage and streets.

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

Response: Sewer runs along the western boundary of the site and water is available from SE 6th Street. Full urban services can be made available to serve the site through development.

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.*

Response: The site has already been determined to be appropriate for low density residential development through the Comprehensive Planning process. All urban services are available to serve the site.

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

Response: The site abuts fully developed land inside the city on one side, and land proposed for annexation on the November ballot to the south. Urban services are available to serve the site or can be made available through development.

5. *Integrate schools with land use, transportation and recreation in order to realize their optimum value for local residents.*

Response: A school is not proposed at this time.

6. *Create and maintain ample places for recreation in Scappoose.*
7. *Provide an effective law enforcement system responsive to the needs of the public as well as the rights of the individual.*

Response: Systems Development Charges and increased tax base resulting from development of the site can aid the City in achieving these goals.

8. *Reduce the loss of lives and property from fire and minimize the hazards of structural, equipment, and material exposure to fire risks through building and fire codes.*

Response: The City has processes in place to ensure new development complies with all regulations.

9. *Provide library services capable of meeting the needs of area residents.*

Response: Increased tax base from future development of the site will contribute to City opportunities to achieve this goal.

10. *Work with the County in the effective management of the disposal of solid wastes.*

Response: This goal does not pertain to this project.

11. *Insure that the green infrastructure is regarded as equally important as the grey infrastructure recognizing the urban forest, watersheds, ridgelines and open spaces are equally important to our well being and health as utilities, road and sewers.*

Response: The City has processes in place to help achieve this goal.

Policies for Public Facilities and Services

It is the policy of the City of Scappoose to:

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.*

Response: The Scappoose Land Use and Development code implements this policy. A sewer line runs along the western boundary of the site, and water is available to be extended from SE 6th Street. Other necessary services will be made available through development of the site or in conjunction with future development of the property to the south. Future development on the site is not expected to have a greater impact than that on other sites in the area, and no objections were expressed by City Departments or public service agencies for the proposed annexation of the property to the south. All relevant parties will

have additional input and review opportunities when a specific development plan is proposed.

2. *Allow the construction of certain public facilities, including water lines, sanitary sewer lines and storm sewer lines outside the Urban Growth Boundary when it is beneficial to the City from an engineering or operational basis...*

Response: Extension of utilities outside the UGB is not requested.

3. *Implement the City of Scappoose Water Master Plan, prepared by Economics and Engineering Services, dated April, 1997.*
4. *Require in new developments that water, sewer, street and other improvements be installed as part of initial construction.*

Response: City processes are in place to ensure all necessary public services are provided by new development, consistent with existing City plans. The Land Use and Development Code implements this policy, future development on the site will be required to comply with the Code.

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

Response: Utilities are available or can be made available to serve the site. Sewer runs along the western boundary of the site and water is available from SE 6th Street. Storm drainage facilities will be designed to comply with existing regulations at the time of development.

6. *Require the nuisance free storage of solid wastes, provide for the efficient collection of solid wastes and encourage the recovery of usable materials through recycling.*

Response: The City has processes in place that implement this policy. Future development of the site will be required to comply with all regulations in place at the time of development.

7. *Implement the City of Scappoose Wastewater Master Plan, prepared by KCM, Inc., dated June 1998.*

Response: This policy is implemented by the Code, future development will be required to comply with all standards and regulations in place at the time of development.

8. *Develop and implement a watershed control plan to improve watershed management for the protection of surface and groundwater resources and a wellhead protection plan to protect groundwater resources. (Ord 672, 1998)*

Response: This policy is not applicable to this request.

9. *Strive to control local flooding and groundwater problems using existing storm drainage systems, and continue to seek funding to develop a comprehensive storm drainage plan to guide future development in a coordinated manner.*

Response: Future development of the site will be required to pay SDCs and comply with storm water regulations in place at the time of development.

10. *Require new developments to provide adequate drainage at time of initial construction in accordance with the Scappoose Storm System Master Plan while discouraging the alteration of streams, the drainage of wetlands that are identified as significant and the removal of vegetation beside streams. Natural drainage ways shall be used to carry storm water runoff whenever possible.*

Response: The Scappoose Land use and Development Code implements this policy. Future development will be required to meet standards and regulations in place at the time of development.

11. *Develop a capital improvement program for the sewage treatment plant and water source so they can serve, in an efficient manner, a population of 10,000 people by the year 2000.*

Response: This policy is not applicable to this request.

12. *Discourage the expansion of local service districts when this would stimulate development in areas outside the urban growth boundary or create conditions leading to the need for sewage or other urban facilities.*

Response: The site is inside the urban growth boundary, and has already been determined to be appropriate for residential development once inside the City limits. Urban services are available or can be made available to serve future development.

13. *Work with the Scappoose School District to promote the effective use of school facilities for recreation during non-school hours.*
14. *Encourage extensive coordination between the School District's planning and capital improvement program and the land use planning program of the City.*
15. *Improve the quality of the library by seeking out additional means of funding.*
16. *Work towards the establishment of a professional fire department.*
17. *Encourage coordination between the Hospital District's planning and the City.*
18. *Work with private utilities to locate and design power transmission lines and substations so they have a minimum impact on the environment.*

Response: These policies are not applicable to this request.

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

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

Response: Sewer runs along the western boundary of the site, water is available to be extended from SE 6th or in conjunction with development of the adjacent property to the south. Storm drainage facilities will be designed to comply with standards in place at the time of development. Streets are addressed by a traffic

engineer. Market changes make it an ideal time to pursue growth in areas with services readily available.

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.*

Response: Annexation of industrial lands is not requested.

21. *Utilize the Public and Semi-Public Comprehensive Plan designation of lands needed by public agencies for future needs.*

Response: The Comprehensive Plan designation for the site is Suburban Residential.

22. *Support the development of Local Improvement Districts (LID) to develop local services.*

Response: All facilities necessary to serve the site will be provided at the time of development. LIDs are not necessary at this time.

23. *Allow development over natural drainage ways only when it is shown that this development is necessary to the successful completion of the proposed project. If such filling is allowed, the culverts used shall be large enough to handle the maximum peak flow.*

Response: Development over natural drainage ways isn't necessary on the subject site.

24. *In budgeting for public facilities, utilize the following criteria...*

Response: The request does not pertain to the City's public facilities budget.

25. *Ensure that new developments do not create additional burdens on inadequate sewer, water, road and drainage systems; in such cases, the City shall require the developer to do the necessary off-site work, and in return may grant variances so that such off-site costs do not make the project prohibitive.*

Response: Sewer runs along the western boundary of the site. Water is available to be extended from SE 6th Street, and storm facilities will be a part of future development. Future development on this site will include implementing elements of the Scappoose Transportation System Plan, as designated in Figure 10 of the TSP.

Goals and Policies for Housing

Goal for Housing

It is the goal of the City of Scappoose to:

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. *Concentrate high-density multi-family dwellings in a few areas of the City and distribute low density multi-family dwellings throughout the City.*

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

Response: The proposal is for annexation of land that will be zoned R-1 once inside the City, with full urban services available to serve the property. Low density residential development of the site will achieve the housing goal by providing additional housing choices for citizens in an area dedicated to residential development, with enough connectivity to allow easy access for residents but discourage pass-through traffic.

Policies for Housing

It is the policy of the City of Scappoose to:

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

Response: The Land Use and Development Code implements this policy. Future development of the site will be required to comply with all standards and regulations in place at the time of development.

2. *Limit housing in hazardous areas as well as in significant fish and wildlife areas.*

Response: The subject site is not identified as a hazardous area or a significant fish and wildlife area.

3. *Encourage high-density multi-family dwellings in a few areas of the City and distribute low density multi-family dwellings throughout the City.*

Response: The subject site has been determined to be appropriate for low density residential development through the comprehensive planning process.

4. *Work with all interested agencies and organizations to facilitate housing conservation and construction, and to improve sub-standard dwellings; moreover, to encourage and cooperate with all efforts to provide adequate housing for those with special needs.*

Response: Once annexed, the site will likely be developed with new single family detached dwellings.

5. *Permit multi-family dwellings which conform to the following general conditions and criteria...*

Response: Multi-family dwellings are not a permitted use in the R-1 zoning district.

6. *Permit Manufactured Homes only in Manufactured Home parks and subdivisions within the City limits; they shall be developed so that they conform to the following general conditions...*

Response: Manufactured homes are a permitted use on individual lots in the R-1 zoning district.

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

Response: The Land Use and Development Code implements this policy. Future development will be required to comply with the Code.

8. *Re-evaluate City ordinances and, where possible, streamline administration and requirements in order to reduce development costs.*

Response: This policy does not pertain to this request.

9. *Encourage energy efficient housing patterns in residential developments.*

Response: The Land Use and Development Code implements this policy. Future development will be required to comply with the Code.

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.*

Response: The site is inside the UGB.

11. *Strive to provide services sufficient to meet the demand for housing so that the City will not have to impose building moratoriums which drive up the cost of housing.*

Response: All necessary facilities are available, or can be made available to serve the site.

12. *Deleted, Ord 637, 1996.*

13. *Will review this housing policies during its next Plan review to determine changes needed to meet the needs of Scappoose's low-income residents.*

Response: This policy is not applicable to this request.

14. *Pursuant to state law, permit siting of manufactured homes on all land zoned for single family residential uses.*

Response: Manufactured homes are permitted on individual lots in the R-1 zoning district.

Land Use Goals and Policies

General Goals of the City of Scappoose for Land Uses

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

Response: The site is within the UGB and has already been determined to be appropriate for low density residential development through the City's comprehensive planning process. All urban services are available or can be made available to serve future development on the site.

- 2) *Physical characteristics of the area, such as its geographic assets and limitations, its topographic and geologic features, etc., should be recognized where they may represent important land use determinants.*

Response: The site is an open field, and has already been determined to be appropriate for low density residential development through the City's comprehensive planning process.

- 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.*
- 4) *Where certain types of uses have been found to be incompatible with other types of land use, there should be a buffer area to lessen the degree of incompatibility.*

Response: The site and surrounding lands are all designated for residential uses.

- 5) *Sufficient area for the expansion of all major land uses for the next twenty years should be provided.*

Response: The site is within the UGB, and is designated for residential land uses.

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

Response: Future development of the site will be required to comply with all standards and regulations in place at the time of development.

- 7) *Commercial areas should provide maximum service to the public and should be safely integrated into the physical pattern of the community.*
- 8) *Industrial areas should be suitable for their purpose, properly located, and adequate for future needs.*
- 9) *Open spaces should be protected for future generations.*
- 10) *Public and semi-public developments should be located to encourage a pattern of land development that benefits the whole community.*

Response: The site is not designated for commercial, industrial, open space or public uses.

- 11) *Life and property should be protected from natural disasters and hazards.*

Response: City codes are in place to discourage developments susceptible to impacts from natural disasters and hazards.

- 12) *Adequate public services and facilities should be provided to encourage an orderly and efficient growth pattern.*

Response: Public services are available or can be made available to serve future development of the site, including a sewer line running along the west property line, and water in SE 6th Street.

- 13) *A safe and convenient transportation system should be developed to meet future needs.*

Response: The Land Use and Development Code implements this policy. Future development will be required to comply with all standards and regulations in place at the time of development.

14) *The local economy should be strengthened and diversified.*

Response: Future development of the site will provide short term construction jobs and future residents will contribute to the long term economic vitality of the City.

15) *Housing that meets the local residents' basic needs should be promoted.*

Response: The City provides zoning districts to meet a variety of housing needs. The subject site is designated for low density residential development.

16) *The natural and man-made resources of the community should be effectively utilized.*

Response: The site contains a dwelling and outbuildings with residential landscaping and an open field. No designated natural or man-made resources of the community exist on the subject site.

17) *Land uses should be arranged to maximize the conservation of energy.*

Response: The site development review standards of the Code implement this policy.

18) *A quality of life reflecting the wants of the citizenry should be articulated and strived for.*

Response: The Code is developed with this policy in mind, compliance with the code ensures implementation of this policy.

19) *Citizen participation will continue to be an important element of the City's land use planning process. Besides public hearings held by the Planning Commission and City Council, the City shall utilize the local newspaper and radio station to keep populace informed of land use issues. The City shall also publish quarterly a summary of past and future activities.*

Response: The City has processes in place to ensure opportunities for citizen participation.

Suburban Residential Goals and Policies

Goal for the Suburban Residential Land use Designation

It is the goal of the City of Scappoose to:

- 1) *Create conditions suitable for moderate concentrations of people not in immediate proximity to public services, shopping, transportation and other conveniences.*

Response: The site has been determined to be suitable for development of low density residential uses through the comprehensive planning process.

- 2) *To provide places suitable for single family dwellings, duplexes, triplexes, and four-plexes.*

Response: The designated City zoning district for the site provides land for single family dwellings.

- 3) *Minimize adverse effects on adjacent developments through the enforcement of subdivision regulations of the Development Code.*

Response: City processes are in place to ensure future development proposals will be reviewed for compliance with the subdivision regulations prior to commencement of development on the subject site.

Policies for the Suburban Residential Land Use Designation

It is the policy of the City of Scappoose to:

1. *Require that new developments include adequate public street access for each house lot, paved streets, curbs, City sewer and water, storm drainage, street lights, and sidewalks.*

Response: As shown on the concept plan, it is feasible to create a development pattern on the subject site that allows public street frontage for each lot. The City has processes in place to ensure new development provides adequate public services and facilities.

(#2 deleted by Ord 637, 1996)

3. *Promote the development of homesites at a density and standard consistent with: the level of services that can reasonably be provided, and the characteristics of the natural environment.*

Response: Services are available or can be made available to serve future development on the site at the densities prescribed by the designated City zoning district.

4. *Review diligently all subdivision plats to ensure the establishment of a safe and efficient road system.*

Response: City processes are in place to ensure compliance with the standards.

5. *Encourage developers to allocate land for open space or recreation in their subdivisions.*

Response: Future development will provide open space as required by the Code.

6. *Ensure that new developments do not create additional burdens on inadequate sewer, water, street and drainage systems. In such cases, the City shall require the subdivider to do the necessary off-site improvements, and in return it may*

grant density variances so that such off-site costs to not make the project prohibitive.

Response: Adequate services are available or can be made available to serve future development on the site.








CONCLUSION

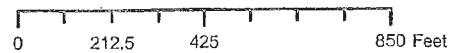
Based on the findings contained above, the Applicant has addressed the applicable criteria for granting approval to present to voters the opportunity to decide to annex 2.34 acres of residential lands into the City of Scappoose.



SCAPPOOSE GIS

Legend

-  Streets
-  Water
-  Sanitary Sewer
-  Storm Drainage
-  Rivers
-  City Limits Boundary
-  Taxlots Boundary



Pre-application conference

Date: 9/10/14 Location: 51956 SE 6th Street Tax Lots: 030118BB TL 1200

Participants: _____

Stacey Goldstein / Gordon Munro, PE / Don Sallee, Bldg. Official / Mike Greisen, Fire Chief

Zoning: Suburban Residential Proposed Use: Annexation – Future Subdivision

Type of Application Provided: _____

Legislative / Quasi-Judicial / Limited Land Use City Council / Planning Commission / Administrative

Water: 8 inch line in SE 6th. See attached map

Sewer: 12 inch line runs along the west property line. Also in SE Elm. See attached map.

Streets: Property appears land locked. Access would need to come from Tax lot 1000. Tax lot 1000 under voter annexation process Nov. 2014. No stubs were provided in adjacent Icenogle development.

Traffic: Traffic study required pursuant to code.

Storm Drainage: Storm drainage - Future development will require study. Provide a written narrative discussing drainage similar to that of the Turner application.

Planning: Process will be similar to the Turner application. Refer to code section 17.136. Please supply all required materials and submit a complete application.

Wetlands, Slopes, Flood Plain, Trees: None known at this time.

Pre-application conference

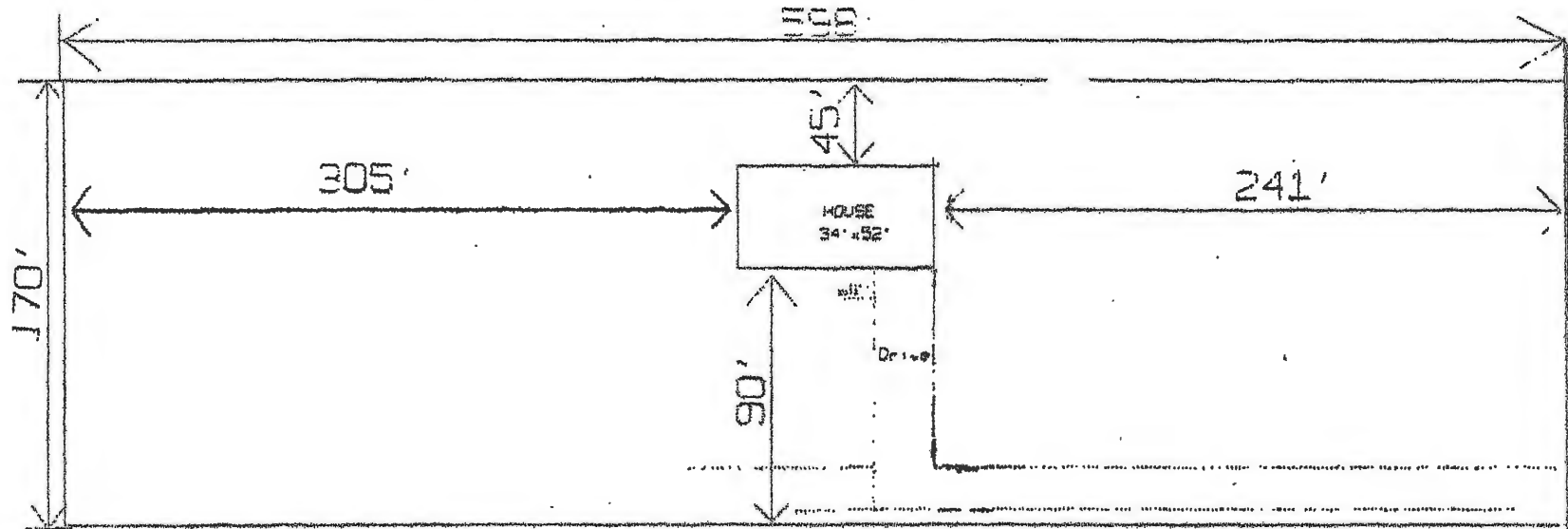
Building / Fire Chief: No comments at this time.

EXHIBIT "A"

Beginning at a point which is North 211.12 feet and East 206.73 feet and South $64^{\circ} 13 \frac{1}{2}'$ East 170 feet from the Southwest corner of Section 7, Township 3 North, Range 1 West of the Willamette Meridian, Columbia County, Oregon; thence from point of beginning North $64^{\circ} 13 \frac{1}{2}'$ West 170 feet to the Northeast corner of tract of land described in deed to George L. George et ux recorded November 10, 1949 in Book 105, page 434, Deed Records; thence along said George tract South $20^{\circ} 06'$ West 598.3 feet; thence South $66^{\circ} 44 \frac{1}{2}'$ East to point of intersection with a line drawn South $20^{\circ} 06'$ West from the point of beginning; thence North $20^{\circ} 06'$ East to the true point of beginning, being a part of the William Watts Donation Land Claim in Columbia County, Oregon.

Exhibit "A"

Metes and Bounds Legal Description



PLCT PLAN

| |
|----------------|
| TURNER |
| 51956 SE 6TH |
| SCAPPOOSE, OR |
| 15031 543-3514 |

DESCRIPTION: TAX ID 01-08-2-3118-000-01100. BEGINNING AT A POINT WHICH IS NORTH 211.12 FEET AND EAST 206.73 FEET AND SOUTH 64 13 1/2' EAST 170 FEET FROM THE SOUTHWEST CORNER OF SECTION 7, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, COLUMBIA COUNTY, OREGON; THENCE FROM POINT OF BEGINNING NORTH 64 13 1/2' WEST 170 FEET TO THE NORTHEAST CORNER OF TRACT OF LAND DESCRIBED IN DEED TO GEORGE L. GEORGE ET UX RECORDED NOVEMBER 10, 1949 IN BOOK 105, PAGE 434, DEED RECORDS; THENCE SOUTH 66 44 1/2' EAST TO POINT OF INTERSECTION WITH A LINE DRAWN SOUTH 20 05' WEST FROM THE POINT OF BEGINNING, THENCE NORTH 20 05' EAST TO THE TRUE POINT OF BEGINNING, BEING A PART OF THE WILLIAM WATTS DONATION LAND CLAIM IN COLUMBIA COUNTY, OREGON TOGETHER WITH EASEMENTS FOR ROAD PURPOSES AND UTILITIES AS CONVEYED IN INSTRUMENTS RECORDED APRIL 17, 1964 IN BOOK 251, PAGE 557 AND IN BOOK 251, PAGE 558, DEED RECORDS OF COLUMBIA COUNTY, OREGON.

Haregu Nemariam Engineering

10976 NW Ironwood Lane
Portland, OR 97229

E-mail: haregu.nemariam@gmail.com
O: (503) 746-4386 C: (541) 680-3411

October 8, 2014

Ms. Stacey Goldstein
City of Scappoose
Planning Department
33568 E. Columbia Avenue
Scappoose, OR 97056

RE: Annexation/Re-Zone of 51956 SE 6th Street (MAP 3N1W18-BB-Tax Lot 01200)

Dear Ms. Goldstein:

This letter is prepared to supplement the application/findings for proposed annexation and zone changes of the properties located at 51956 SE 6th Street. The report specifically addresses the proposal's compliance with the City of Scappoose Development Code Chapter 17.22.050 (Transportation Planning Rule - TPR).

Project Description: The proposal is for an amendment to the boundary of the R-1 zone on the zoning map to include the area proposed for annexation into the city limit. Currently, the properties are in the Urban Growth Boundary (UGB) under corresponding County zoning designation of Suburban Residential (SR). No amendment to the comprehensive plan is proposed.

Approval Criterion: The TPR requires that proposals to amend the comprehensive plan or zoning map shall be reviewed to determine whether the proposed changes significantly affect a transportation facility pursuant to Oregon Administrative Rule (OAR) 660-012-0060.

Section 9 of the OAR 660-012-0060 (TPR) stipulates that if a proposed rezoning is consistent with the existing comprehensive plan map designation, and the acknowledged transportation system plan, then it can be approved without considering the effect on the transportation system.

Project Location: This land parcel is located just outside the city boundary but inside the UGB on the east side of SE 6th St near its intersection with SE Vine St. The site vicinity map is included in Appendix A of this report. Abutting the south side of this property is a vacant field recently rezoned to R-1. Adjacent property to the west is a vacant field which is not included in the R-1 zoning boundary. To the east of this parcel is fully developed R-4 subdivision. To the east of the fully developed R-4 subdivision, outside city limit and UGB, are wet lands.

Findings: We reviewed the Zoning Map, Comprehensive Plan, City of Scappoose Transportation and System Plan (TSP) to assess compliance with the approval criterion noted above. Our findings are summarized below.

- **Zoning Map:** A review of the zoning map shows that the property under scrutiny is not included in the R-1 zoning boundary. See Appendix B of this report.
- **Comprehensive plan:** The City's comprehensive plan was reviewed. The city of Scappoose made a final decision to amend the city's urban growth boundary (UGB), the comprehensive plan text and map, and the Scappoose Municipal Code on April 18, 2011. The UGB amendment was subsequently adopted by Columbia County on October 26, 2011. The city submitted the joint decisions to the Department of Land Conservation and Development (DLCD) for review in the manner provided for review of a periodic review work task on February 8, 2012.

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Review of these documents indicate that the study site was included in the UGB for the City and that the annexation is assumed as a part of the comprehensive plan such that the site is a part of the City's boundary and is designated as zone R-1.

- **Scappoose TSP:** Review of the City's TSP indicated that the area under scrutiny is included in the study area used to determine the city's year 2015 transportation needs. The TSP study area is defined by the UGB. As noted above, the property is located in the UGB.

The impact of the trips generated by the proposed rezone has been accounted for in the traffic analysis study prepared for the city's TSP. In developing travel forecasts for the year 2015 transportation needs, the project sites' land use was assumed to be R-1 zoning. The property is shown as part of the traffic analysis zone 14 (TAZ 14) in Figure 2 of the TSP (Year 2015 Population and Employment). This figure is included in Appendix C of this report. The TAZ system divides the study area into smaller analysis units which are used to tie land use activity and trip generation to physical locations with the street networks in the study area. Street access to the south side of the properties is available through SE 6th St.

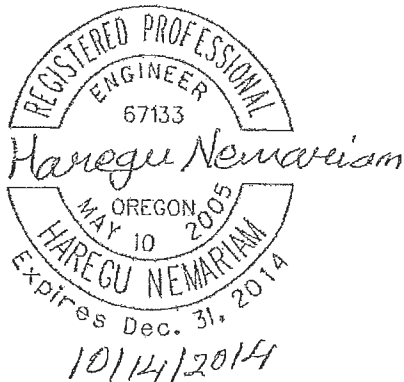
Conclusion: Our review of the documents noted above shows that the proposed annexation and rezone of the project sites is consistent with the comprehensive plan and the city's acknowledged TSP. The impact of the trips generated by the proposed rezone has been accounted for in the traffic analysis study prepared for the city's TSP and adequate access to the project site is shown in the transportation plan.

In conclusion, the City of Scappoose TPR approval criterion for the proposed rezone and annexation can be met without considering the effect of the proposed rezone on the transportation system. This is consistent with Section 9 of the TPR.

Should you have any questions or comments, please do not hesitate to contact me at the address noted above.

Regards,

Haregu Nemariam, PE, Principal Engineer

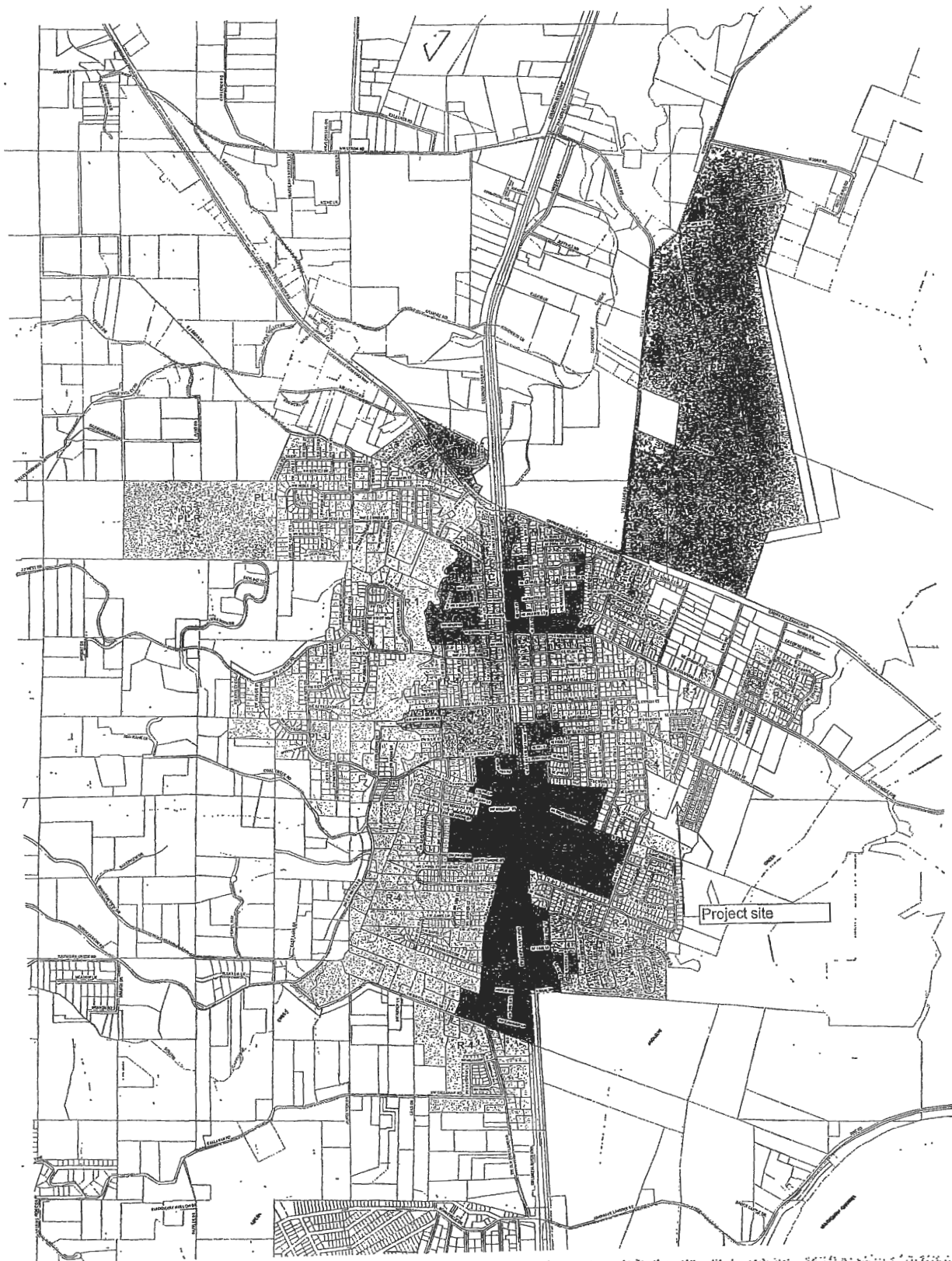


APPENDIX A

(applicants)

APPENDIX B

(applicants)



City of Scappoose

Zoning Map



Scappoose GIS

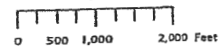
Legend

- Streets
- Rivers
- Railroads
- Taxlots
- City Limits
- Urban Growth Boundary

Zoning

- R-1 - Low Density Residential
- R-4 - Moderate Density Residential
- MH - Manufactured Housing Residential
- A-1 - High Density Residential
- C - General Commercial

- EC - Expanded Commercial
- LI - Light Industrial
- PUA - Public Use Airport
- PL-R - Public Lands-Recreation
- PL-U - Public Lands-Utility



1" = 1500'

Taxlot Revision: 8/2013

Compilation Date: 9/2013

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APPENDIX C

(Applicants')

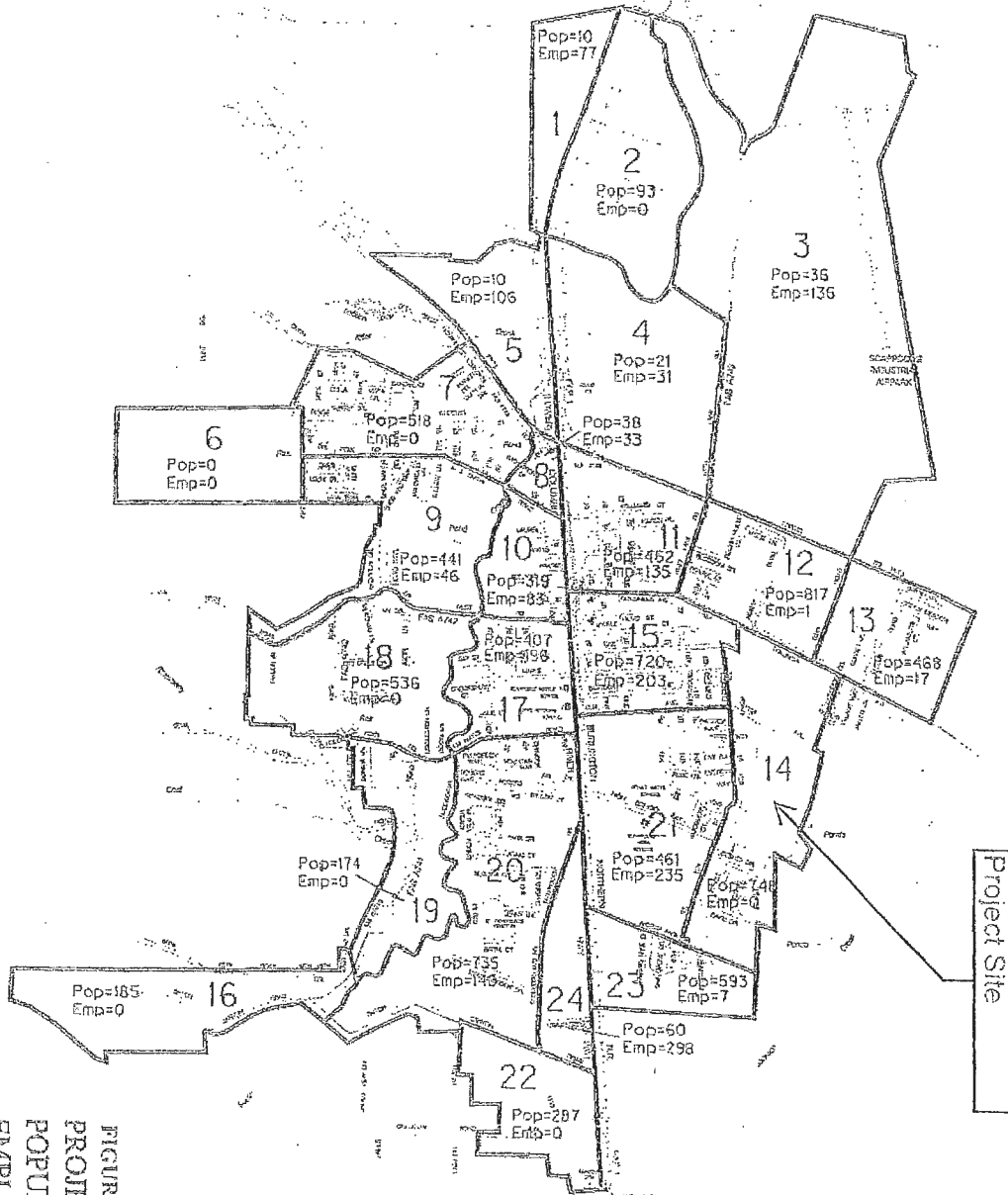


FIGURE 2
 PROJECTED 2015
 POPULATION AND
 EMPLOYMENT



pp0000
olumbia Ave.
s, OR 97056



7011 2970 0002 1694 3077



DEPT OF
JUN 22 2015
LAND CONSERVATION
AND DEVELOPMENT

DLCD
Re: Annexation Information
635 Capitol St. NE, Suite 150
Salem, Oregon 97301-2540