



TUESDAY, JANUARY 3, 2017

6:00 PM RECEPTION FOR NEW CITY COUNCIL MEMBERS

CITY COUNCIL MEETING AGENDA

Regular meeting 7:00 p.m.

Scappoose Council Chambers

33568 East Columbia Avenue

ITEM	AGENDA TOPIC	Action
1.0	Call to Order	
2.0	Pledge of Allegiance	
3.0	Oath of Office for Mayor Burge ~ administered by County Clerk Betty Huser	
4.0	Oath of Office for Councilor Kessi, Councilor Greisen, and Councilor Sanders ~ administered by County Clerk Betty Huser	
5.0	Election of Council President	
6.0	Roll Call	
7.0	Approval of the Agenda	
8.0	Public Comments	
9.0	Consent Agenda	
	9.1 December 19, 2016 City Council meeting minutes	
10.0	Assign Council Liaisons ~ Mayor Burge	
11.0	New Business	Public Hearing/First Reading
	11.1 Ordinance No. 861: An Ordinance Relating to Land Use and Amending the Scappoose Municipal Code Chapter 17.74 (Airport Employment Overlay Zones) & Chapter 17.162 (Procedures For Decision Making- Quasi-Judicial) and the Scappoose Comprehensive Plan Text for the Airport Employment (AE) Plan Designation Staff: City Planner Laurie Oliver	
	11.2 Ordinance No. 860: An Ordinance Approving Annexation of Property to the City of Scappoose and Amending the Zoning Map ~ Request by Airpark Development, LLC to annex approximately 358 acres of land east of the Scappoose Industrial Airpark Staff: City Planner Laurie Oliver	Public Hearing/First Reading
12.0	Announcements ~ information only	
	12.1 Calendar	
	12.2 City Manager, Police Chief, Councilors, and Mayor	
13.0	Adjournment	

This meeting will be conducted in a handicap accessible room. If special accommodations are needed, please contact City Recorder, Susan Reeves at (503) 543-7146, ext 224 in advance.

TTY 1-503-378-5938

**MONDAY, DECEMBER 19, 2016
CITY COUNCIL MEETING
Regular meeting 7:00 p.m.
Scappoose Council Chambers
33568 East Columbia Avenue**

Call to Order

Mayor Burge called the City Council meeting to order at 7:00 p.m.

Pledge of Allegiance

Roll Call

City Council Members Present:

Scott Burge	Mayor
Mark Reed	Councilor
Jason Meshell	Councilor
Barb Hayden	Councilor
Rich Riffle	Councilor
Joel Haugen	Councilor

Staff Present:

Michael Sykes	City Manager
Susan M. Reeves	City Recorder
Kevin Turner	Treatment Plant Supervisor
Robyn Bassett	Public Works Director
Alexandra Rains	Program Analyst

Legal Counsel Shelby Rihala

Press: Courtney Vaughn, Spotlight

Excused: Council President Jeff Erickson and Police Chief Norm Miller

Approval of the Agenda

Councilor Haugen moved, and Councilor Meshell seconded the motion to approve the agenda. Motion passed (6-0). Mayor Burge, aye; Councilor Reed, aye; Councilor Meshell, aye; Councilor Hayden, aye; Councilor Riffle, aye, and Councilor Haugen, aye.

Public Comments

There were no public comments.

Consent Agenda ~ December 5, 2016 Work Session/Interview and City Council Meeting Minutes

Councilor Reed moved, and Councilor Riffle seconded the motion to approve the Consent Agenda ~ December 5, 2016 Work Session/Interview and City Council Meeting Minutes. Motion passed (6-0). Mayor Burge, aye; Councilor Reed, aye; Councilor Meshell, aye; Councilor Hayden, aye; Councilor Riffle, aye, and Councilor Haugen, aye.

New Business

Development Agreement between Cascade Tissue and the City of Scappoose

Program Analyst Alexandra Rains went over the staff report. She explained the City of Scappoose has been working with Cascades Tissue since 2015 to assist the Company with a significant expansion project. The Company purchased 50 acres of privately owned industrial land adjacent to the Scappoose Industrial Airpark and within the City Limits. They broke ground earlier this year on phase I of their expansion project and expect to be operational by spring 2017. As part of Cascades' approved development plans, the company is required to improve portions of West Lane Road to accommodate trucks entering the site. She explained she handed out an updated agreement to Council and staff. Staff is recommending Council authorize City Manager Sykes to execute the development agreement.

City Manager Sykes explained it is also important to note that in order for this development agreement to take effect we are also going to have to have an agreement with Ed Freeman, and also the other condition is that the City gets the grant monies that we applied for.

Legal Counsel Shelby Rihala proposed Council amend the motion that is in the packet tonight, because there is still a little bit of work to do on the development agreement. She suggests the motion be authorize the city manager to negotiate and execute the development agreement.

Councilor Riffle moved, and Councilor Reed seconded the motion that Council authorize City Manager Sykes to negotiate and execute the development Agreement with Cascade Tissue.

Councilor Meshell asked for a brief description of what would be negotiated.

Legal Counsel Shelby Rihala replied the only thing that would change is the storm water easement. She explained there is a condition in the development agreement that Cascade Tissue has to handle their storm water.

Motion passed (6-0). Mayor Burge, aye; Councilor Reed, aye; Councilor Meshell, aye; Councilor Hayden, aye; Councilor Riffle, aye, and Councilor Haugen, aye.

Res 16-24 ~ Transfer of Jurisdiction over Right-of-way on West Lane Road from Columbia County to the City of Scappoose

City Manager Sykes explained staff talked about this today, and they would like to table this to be on a future agenda when the new Council and County Commissioners are on board.

Councilor Meshell thinks it is wise to wait on this.

Renew Auditor Contract

City Manager Sykes explained one of the responsibilities of Council is to appoint an Auditor. The City has been using Mr. Conner for a number of years. He explained in the staff report there

is information from other Cities who use auditors. He explained Mr. Conner's contract is up for renewal.

Councilor Hayden asked does he audit what the City sends him or does he actually come in and go through the books?

City Manager Sykes replied he comes in a couple of times a year.

Councilor Hayden asked what is the prudent things Cities do to actually have someone come in on site and go through the books and do a full audit? She asked when is the last time the City had that done?

City Manager Sykes replied the other option is to go out for proposals.

Councilor Hayden is curious when the City had a full blown audit.

Mayor Burge feels that is a healthy exercise to have a full detailed audit.

City Manager Sykes stated he is fine to go out to bid for audit services, and then the Council could review the RFP's.

Mayor Burge stated staff could ask what a deeper audit would cost.

Councilor Meshell read over the audit procedures ~ it states an audit is not designed to provide assurance on internal controls or identify deficiencies in internal controls. He thinks what Councilor Hayden is pointing at is if Mr. Conner is only looking at what we give him, how do we know if anything is bad internally. He asked do we have the right formula. He stated maybe it doesn't need to be done every year, but it is probably really important to check your internal controls. He stated you could ask how does that process for a city even work.

City Manager Sykes thinks that would be a great question for the interview process with potential prospects. He stated it sounds like the will of this Council is to go out for an RFP for audit and have a subcommittee review those proposals.

Councilor Hayden stated also include in the RFP the cost of a really good base line audit.

Mayor Burge stated we will postpone this until a future meeting.

Purchase Aerator/Mixers for Digested Sludge Storage Pond

Treatment Plant Supervisor Kevin Turner explained he handed out some photos this evening, which is the sludge pond we will be discussing. He explained the current configuration of the sludge storage pond does not have aeration or mixing capabilities to further treat wastewater sludge or prevent the growth of grass on the surface. The 1992 plant design had five surface aerators in the west sludge pond. In the early 2000's the surface aerators struggled to have any significant impact on the sludge pond due to accumulation of grass and issues with trash

clogging the units. As a result the aeration units were removed as part of an Energy Trust project. While biological treatment was sufficient early on, the grass mat accumulated and reduced storage capacity and is limiting treatment. The summer of 2016 the entire pond was successfully cleaned out at a cost of approximately \$230,000. The sludge was land applied after trash and grass were screened out. With our ongoing efforts to treat current sludge production and prepare for the future demands staff has partnered with various engineering firms to assist in planning. Currently the Wastewater Facility Plan is near completion and has confirmed our deficiencies for sludge handling. While it is not a complete solution it has been determined that reinstalling the aeration units would be beneficial for the current and fast approaching improvements planned. After comparing aeration and mixing options, two 20 horsepower mixing units would be installed each with a 4 horsepower regenerative blower to supply needed oxygen and to supplement the existing aerobic digester that is under sized.

Kevin Turner explained Staff has received three quotes represented in the table below.

Manufacturer	HP	Units	Maintenance	Mixing	Price	Cost/HP
AQUA AEROBIC SYSTEMS INC.	50	6	Moderate	Moderate	\$61,903	\$1238/HP
AERATION INDUSTRIES INTERNATIONAL	48	2	Low	Better	\$54,000	\$1125/HP
AIRMASTER AERATION LLC	25	1	Moderate	Inadequate	\$31,400	\$1256/HP

Kevin Turner explained staff has reviewed the information provided by the manufactures, operator experience, mixing patterns and pricing. These units are the least expensive per horsepower and the brand has proven to be very reliable. The plant has had similar equipment in operation since the 1992 upgrade. Staff recommends City Council approve the purchase of two (2) TR-20 AIRE-02 Triton Aerators from Aeration Industries for \$54,000.

Councilor Hayden asked if this is cleaned out and the new aerators are put in is that going to buy us time with all the new constructions going in, are we at capacity?

Kevin Turner replied we are beyond capacity with our sludge.

City Manager Sykes explained one of the things we had tentatively planned on presenting to the Council tonight was the draft master plan that Keller & Associates has been preparing for Wastewater Treatment which takes a look out until 2035. He explained it looks at the wastewater plant to determine which changes and improvements we need to make. Staff had questions about the process Keller & Associates were talking about and the cost, so staff felt it was a big enough concern that they wanted to hold off bringing it to Council.

Councilor Haugen asked how much time is this going to buy us?

Kevin Turner replied it is a good question, but we don't know for sure. He stated it depends a lot on the screw press. He stated this is going to buy us years, but we are already years behind this process. He stated if we don't do anything we will have to keep recycling solids which doesn't make the plant run effectively, and we are going to lose solids.

Councilor Haugen asked would it be better to invest more now, and if so will that save us money down the road.

Kevin Turner replied part of what staff did by looking at this in regards to equipment was to look at equipment that they could use somewhere else down the road. He stated these two units are identical to what Council authorized earlier in the year and what is actually in the next agenda item. He stated if we do build a new storage pond, those two units can be used as backup in the aeration basin up on top.

Councilor Hayden asked about the annexation at the airport, other than the SDC's are there any fees that are going to be charged to help with the cost of bringing both the wastewater and water capacity higher.

City Manager Sykes replied there has been discussion about creating LID's in the area to help pay for some of those improvements.

Councilor Hayden would like to see the developers pay part of the cost of all of this.

Councilor Reed stated this says the aerators arrive built, but who installs them?

Kevin Turner replied the motor, the shaft, and the prop all come together. Staff will install them.

Councilor Meshell stated last time we had five aerators, and this time there are only two, is it because they are just so much more efficient, or are you running the plant in a better way?

Kevin Turner replied he doesn't want to spend a lot of money, so he is going to try with two. He explained they are looking at all options trying to save as much as they can and not waste any money.

Councilor Meshell asked is the combination ~ two aerators and the screw press?

Kevin Turner replied yes, with the screw press they can control the concentration on that pond, and hopefully they can control it enough where they have a water cap on it so they don't get weeds growing, and they will air it up, turn the air off and let it settle, get water off of it, drain, and run some on the screw press.

Councilor Reed moved, and Councilor Riffle seconded the motion City Council approve the purchase of two (2) TR-20 AIRE-02 Triton Aerators from Aeration Industries for a not to exceed amount of \$54,000. Motion passed (6-0). Mayor Burge, aye; Councilor Reed, aye; Councilor Meshell, aye; Councilor Hayden, aye; Councilor Riffle, aye, and Councilor Haugen, aye.

Sole Source Emergency Purchase ~ Aerator for Wastewater Treatment Facility

Treatment Plant Supervisor Kevin Turner explained this is identical to the one staff did in July and it is for the same reason. He went over the staff report. He explained the aeration basin is dealing with aged (1992) and deteriorating aeration equipment. The most recent equipment failure has reduced the mixing and aeration capabilities needed to adequately support current flows and population of microorganisms in the aeration basin. As mentioned at the July 5, 2016 Council Meeting, the equipment installed in 2012 has proven to require costly maintenance and continues to have mechanical failures. The 40 horsepower Triton that was purchased and installed in August 2016 has performed exceptionally well and has an outstanding operational record. The addition of another Triton would support mixing for the east side of the aeration basin as well as supply oxygen. The staff goal is to return to the previously configured aeration setup as the unreliable equipment fails, and replace the aged equipment before its end of useful life. The \$51,500 would come out of 41-410-300, equipment upgrades. Staff recommends City Council approve the sole source purchase of one TR-40 AIRE-02 Triton Aerator from Aeration Industries for \$51,500.

City Manager Sykes stated by doing this it enhances the capacity.

Kevin Turner replied it does multiple things, and it is a very efficient mixer.

Councilor Hayden moved, and Councilor Reed seconded the motion that City Council approve the sole source purchase of one TR-40 AIRE-02 Triton Aerator from Aeration Industries for an amount not to exceed \$51,500.

Councilor Haugen asked what is the difference between this one and the aerator purchased in July?

Kevin Turner replied the one staff purchased in July didn't have a walkway. He stated it is nice to have something to walk on when you are out there working on it.

Councilor Riffle stated this equipment was put in not too long ago, is that the normal life span?

Kevin Turner replied no, that is why they are getting rid of it.

Motion passed (6-0). Mayor Burge, aye; Councilor Reed, aye; Councilor Meshell, aye; Councilor Hayden, aye; Councilor Riffle, aye, and Councilor Haugen, aye.

City Manager Sykes Contract

Mayor Burge explained Council had an executive session and discussed what they wanted and since then have incorporated it into this contract for Mr. Sykes.

Councilor Riffle moved, and Councilor Reed seconded the motion that Council approve the contract/employment agreement with City Manager Michael Sykes.

Councilor Meshell explained what he thinks is interesting about this particular contract is there is a bonus section in it. He thinks it is good to be able to reward Mr. Sykes and also keep him interested in the job, because he is doing a fantastic job. He also would like to see if City Manager Sykes can figure out a way to do this for other City Staff. He knows that is unconventional in Government but their job as Councilors is to say are we doing the right thing, is there a way to be better, is there a way to improve and sometimes people don't want to leave private sector because they think they don't want to go to Government and sit. He has seen a lot of really hard working people in this City and he thinks if we come up with strategic, creative, and relevant ways to motivate our staff above and beyond how we do now, he thinks it might benefit the City. He would say as we approve this let's see if we can make it a test and find if there are ways, he knows there are ramifications and laws we have to work within, but see if there is any way we can do this inside the City for the rest of our staff.

Councilor Haugen stated he would like to echo that.

Motion passed (6-0). Mayor Burge, aye; Councilor Reed, aye; Councilor Meshell, aye; Councilor Hayden, aye; Councilor Riffle, aye, and Councilor Haugen, aye.

Announcements ~ information only

Calendar

Mayor Burge went over the calendar.

City Manager

City Manager Sykes stated Council has a copy of his written report. He explained as he mentioned earlier the City received the Immediate Opportunity Funding Grant and he wanted to complement Program Analyst Alexandra Rains for her hard work. He stated it has been a pleasure and a privilege to serve with Councilor Jason Meshell, Councilor Joel Haugen, and Council President Jeff Erickson.

Councilors & Mayor

Councilor Riffle thanked the Scappoose Police for Doughnut Day. He also thanked Jason and Joel for their hard work, and he appreciates the work they were able to do together.

Councilor Haugen talked about the airport and expanding the runway and the possible impact of Crown Zellerbach Trail. He stated it has been a privilege, and an honor to work with such great staff and Council. He thanked Council for what they have done for and with him, and he will miss everyone.

Councilor Meshell stated when he joined the Budget Committee in 2010 he learned a lot and he was glad he did it. He explained a couple of years later a Council position opening came up, and someone asked him to run for City Council. He stated it wasn't just something that he signed his name on a piece of paper and sent it in. He stated it was actually something he considered for a

long time and when he makes big decisions he will often fast and pray, just like Abraham Lincoln asked our Country to do. So he did and he waited until the very last minute, the very last day, and thought if he is going to do this he is not going to do it half way. He stated there were some hard decisions and he thinks we are better as a City because of that. He stated we went through a lot, a lot in the press when the press didn't understand what they were doing and why, things came out later that showed a lot of the Council actually made some really good decisions that they couldn't disclose because of some certain things and he thinks we have agreed with everybody on this Council and previous members who aren't here on an issue or two, and disagreed with every single member of Council on an issue or two, and he has been able to continue to work with those people. He has a great respect for those who sit up here now, and who did sit up here. He stated he has seen a lot of change, and a lot of things happen in the last four years. He thought he was going to come and bring everything he had to this job and really give the City everything he had but what he found is that the City and staff, legal Counsel, and other Councilmembers are doing the same and he has benefited a lot more from sitting here then the City did by him sitting here. He learned a ton. It was one of the hardest jobs he has ever had, but always one of the most rewarding, and he will always remember it. He stated thank you for the chance to serve the City of Scappoose.

Councilor Hayden stated there really aren't enough words to express how much she respects Joel, Jason, and Jeff. She stated she is so thankful they were here, and she is really going to miss them.

Councilor Reed stated he concurs with what was said.

Mayor Burge thanked Council President Jeff Erickson, Councilor Jason Meshell, and Councilor Joel Haugen for their service. He stated we don't always get along, but they look forward and focus on the goals of the City. He stated it is going to be a great loss, but he is looking forward to the new Councilors coming on board. He stated Merry Christmas to everyone.

Adjournment

Mayor Burge adjourned the meeting at 7:46 p.m.

Scott Burge, Mayor

Attest:

Susan M. Reeves, MMC, City Recorder

2017 CITY COUNCIL LIAISON

TRAILS/PARKS:

COMMUNITY CLUB:

ECONOMIC DEVELOPMENT:

HISTORICAL SOCIETY/WATTS HOUSE:

SCHOOLS:

POLICE ADVISORY:

AIRPORT:

TRAFFIC SAFETY:

CHAPMAN LANDING ADVISORY COMMITTEE

FACILITY PLANNING:

11.1

City of Scappoose
Council Action & Status Report

Date Submitted: December 30, 2016
Agenda Date Requested: January 3, 2017
To: Scappoose City Council
Through: Planning Commission
From: Laurie Oliver
City Planner
Subject: Proposed text amendment to the Comprehensive Plan for the Airport Employment (AE) Plan Designation and amendment to Chapter 17.74 and 17.162 of the Development Code, related to the Airport Employment Overlay zones

Type of Action Requested:

<input type="checkbox"/>	<input type="checkbox"/>	Resolution	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Ordinance
<input type="checkbox"/>	<input type="checkbox"/>	Formal Action	<input type="checkbox"/>	<input type="checkbox"/>	Report Only

Issue:

When City Council approved the urban growth boundary (UGB) amendment in 2011, associated changes to the Comprehensive Plan and Development Code created the Airport Employment (AE) Comprehensive Plan designation and three different implementing Airport Employment Overlay Zones.

Chapter 17.74 of the Development Code identified the range of uses that would be permitted in each of the three overlay zones (Airport Industrial Park-AIP, Airport Business Park-ABP, and East Airport Employment-EAE) and illustrated conceptual locations of the overlay zones.

However, application of the overlay zones was deferred since the transportation impacts of the overlay zones had not been fully analyzed. The City's new Transportation System Plan (TSP) now accounts for airport employment

development. The proposed legislative amendments would apply the overlay zones to specific properties and make related text changes to simplify implementation.

Analysis:

When Chapter 17.74 was adopted in 2011, it included *Figure 17.74.1: Airport Employment Potential Future Zoning Map*, which illustrated the conceptual locations of Airport Employment Overlay Zones. Now that the TSP has been adopted it is timely to review the map and apply the overlay zones.

The proposed map is essentially the same as the current Figure 17.74.1 with the exception that one jog has been removed in the boundary between the ABP and AIP overlays south of Wagner Court (changing approximately half an acre from ABP to AIP) and other minor changes to align the boundaries with property lines.

The Code amendments would apply the overlay zones to all areas within City limits identified in the new Figure 17.74.1 and would also specify that land that annexes to the City would automatically be subject to the overlay zones. The overlay zones would not cause any existing developments to become nonconforming uses since the affected property is either undeveloped, has existing uses consistent with the overlay zones or—in the case of the existing houses—is already nonconforming in the PUA base zone.

Based on further evaluation of the existing code language and recent experience processing the land use application for the Cascades manufacturing facility on West Lane (SDR1-16), staff has proposed a number of other refinements to Chapter 17.74, including the following:

- Specifying the submittal requirements for Conceptual Master Plans (CMP's);
- Requiring CMP's for all developments over 4 acres, not just annexation or zone changes;
- Decreasing the site size for industrial/business parks from 10 acres to 5 acres for developments in the AIP and ABP overlays;
- Clarifying that while the EAE has minimum site sizes, larger site sizes are permissible;
- Identifying the review process for CMP's and modifications of approved CMP's (quasi-judicial proceedings per Chapter 17.162); and
- Removing the "Medium Industrial Service" and "Medium Manufacturing and Production" use categories from the AE Overlay Zones since these uses are not defined and the City generally only permits Light Industrial uses.

The proposed changes to the Comprehensive Plan text updates the Airport Employment findings and implementation text to ensure consistency between the phrasing used in the Comprehensive Plan and the Development Code.

Taken all together, the proposed amendments are intended to implement the EOA's vision for employment growth in the City.

The Planning Commission held a public hearing regarding this proposal on December 29, 2016. The Commission recommends approval by the City Council.

Options:

1. Adopt the proposed ordinance, thereby accepting the findings in the CPTA2-16-DCTA1-16 staff report dated December 1, 2016 and amending the Scappoose Municipal Code and Comprehensive Plan.
2. Adopt findings demonstrating that the application does not comply with the Scappoose Municipal Code and deny the application.

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

Suggested Motion: I move that Council adopt Ordinance 861 as presented.

*** Please find attached:**

Ordinance 861

Exhibit A – Draft of amendments to Chapter 17.74 and 17.162

Exhibit B – Draft of amendments to Comprehensive Plan Text

Exhibit C – Staff report for Planning Commission dated December 1, 2016

ORDINANCE NO. 861

AN ORDINANCE RELATING TO LAND USE AND AMENDING THE SCAPPOOSE MUNICIPAL CODE CHAPTER 17.74 (AIRPORT EMPLOYMENT OVERLAY ZONES) & CHAPTER 17.162 (PROCEDURES FOR DECISION MAKING – QUASI-JUDICIAL) AND THE SCAPPOOSE COMPREHENSIVE PLAN TEXT FOR THE AIRPORT EMPLOYMENT (AE) PLAN DESIGNATION

WHEREAS, the Scappoose City Council proposes to amend Scappoose Municipal Code Chapter 17.74-Airport Employment Overlay Zones and Chapter 17.162 -Procedures for Decision Making-Quasi-Judicial, to apply the Airport Employment Overlay zones to specific properties west of the Scappoose Industrial airport (in City limits), to clarify conceptual master plan requirements, and to specify review procedures; and

WHEREAS, Council proposes to amend the Comprehensive Plan text to update the findings and implementation text for the Airport Employment (AE) Plan Designation; and

WHEREAS, appropriate legal and public notices have been provided as required by law; and

WHEREAS, the Planning Commission held a hearing on the application on December 29, 2016 and the City Council held a hearing on the application on January 3 and January 17, 2017; now therefore,

THE CITY OF SCAPPOOSE ORDAINS AS FOLLOWS:

Section 1. Title 17 of the Scappoose Municipal Code is hereby amended as indicated in Exhibit A, and the Comprehensive Plan text is hereby amended as indicated in Exhibit B, attached hereto and hereby incorporated by reference.

Section 2. The City Council adopts the recommendation of the Scappoose Planning Commission and the findings of fact in the Staff Report dated December 1, 2016 as the basis for this ordinance, attached hereto as Exhibit C.

PASSED AND ADOPTED by the City Council this 17th day of January, 2017, and signed by the Mayor and City Recorder in authentication of its passage.

CITY OF SCAPPOOSE, OREGON

Scott Burge, Mayor

First Reading: January 3, 2017
Second Reading: January 17, 2017

Attest: _____
Susan M. Reeves, MMC, City Recorder

In the text below, language to be omitted is ~~struckthrough~~, and proposed language additions are underlined.

Chapter 17.74

AIRPORT EMPLOYMENT OVERLAY ZONES

Sections:

- 17.74.010 Purpose.
- 17.74.020 Definitions.
- 17.74.030 Overlay zones and applicability.
- 17.74.040 Conformance with Public Use Airport Safety and Compatibility Overlay Zone.
- 17.74.050 Permitted uses.
- 17.74.060 Uses permitted subject to the acceptance of the airport sponsor.
- 17.74.070 Conditional uses.
- 17.74.080 Conceptual master plan requirements for large sites.
- 17.74.090 Dimensional requirements and development standards.
- 17.74.100 Environmental performance standards.

17.74.010 Purpose. The purpose of the Airport Employment Overlay Zones is to encourage employment opportunities called for in the 2011 Scappoose Economic Opportunities Analysis (EOA) while supporting the continued operation and vitality of the Scappoose Industrial Airpark. Master planning requirements ensure that land is developed efficiently, that large employment sites are retained, and that the provision of transportation and utility facilities occurs consistent with adopted plans.

17.74.020 Definitions. Unless the context specifically indicates otherwise, the meaning of terms used in this chapter shall be as follows:

- A. "Airport Employment Overlay Zones" include the Airport Industrial Park (AIP) overlay zone, the Airport Business Park (ABP) overlay zone, and the East Airport Employment (EAE) overlay zone.
- B. "Airport sponsor" is the owner, manager, person or entity designated to represent the interests of an airport. For the Scappoose Industrial Airpark, the airport sponsor is the Port of St. Helens.

17.74.030 Overlay zones and applicability. The three Airport Employment Overlay Zones shall apply to selected parcels in

city limits in the vicinity of the Scappoose Industrial Airpark generally as illustrated on the Airport Employment Overlay Zones Potential Future Zoning map (Figure 17.74.1). ~~The precise location of overlay district boundaries will be determined through the zoning map amendment process pursuant to Chapters 17.160 or 17.162 as appropriate. Upon annexation, the area annexed shall be automatically subject to the applicable Overlay Zones illustrated in Figure 17.74.1.~~

- A. The Airport Employment Overlay Zones supplement the Public Use Airport (PUA) base zone that applies to land within the Airport Employment (AE) plan designation. In the event of a conflict between the requirements of the PUA zone and those of the Airport Employment Overlay Zones, the requirements of the overlay shall control.
- B. The Airport Industrial Park (AIP) overlay zone allows industrial uses targeted in the ~~Scappoose~~ EOA.
- C. The Airport Business Park (ABP) overlay zone allows a mix of targeted light industrial, commercial service and office, and supporting lodging and restaurant uses targeted in the ~~Scappoose~~ EOA.
- D. The East Airport Employment (EAE) overlay zone protects large industrial and institutional sites identified in the ~~Scappoose~~ EOA.

17.74.040 Conformance with Public Use Airport Safety and Compatibility Overlay Zone. All uses, activities, facilities and structures allowed in the Airport Employment Overlay Zones shall comply with the requirements of the Public Use Airport Safety and Compatibility Overlay (AO) Zone, Chapter 17.88. In the event of a conflict between the requirements of Airport Employment Overlay Zones and those of the Public Use Airport Safety and Compatibility Overlay (AO) Zone, the requirements of the AO overlay shall control.

17.74.050 Permitted uses. All uses and activities permitted outright in the PUA zone as specified in Section 17.69.040 shall be permitted outright in the Airport Employment Overlay Zones. Table 17.74.1 describes additional use categories that are permitted or subject to specific standards in each of the following overlay zones:

- A. Airport Industrial Park (AIP) overlay zone;
- B. Airport Business Park (ABP) overlay zone;
- C. East Airport Employment (EAE) overlay zone.

17.74.060 Uses permitted subject to the acceptance of the airport sponsor. All uses and activities permitted subject to the acceptance of the Airport Sponsor in the PUA zone as specified in Section 17.69.050 shall be permitted subject to the acceptance of

the Airport Sponsor in the Airport Employment Overlay Zones.

17.74.070 Conditional uses. All uses and activities permitted conditionally in the PUA zone as specified in Section 17.69.060 shall be permitted conditionally in the Airport Employment Overlay Zones. Table 17.74.1 describes additional use categories that are permitted through the conditional use process (Chapter 17.130) in each of the following overlay zones:

- A. Airport Industrial Park (AIP) overlay zone.
- B. Airport Business Park (ABP) overlay zone.
- C. East Airport Employment (EAE) overlay zone.

17.74.080 Conceptual Master Plan requirements for large sites. Sites with a combined area of more than four acres under common ownership shall receive Planning Commission approval of a conceptual master plan (CMP) prior to or in conjunction with a development proposal annexation (Chapter 17.136) or zone change (Chapter 17.22) approval within any of the Airport Employment Overlay Zones. The CMP is not intended to serve as a binding site plan, but rather provides overall guidance regarding future configurations of open space, public facilities, streets, taxiways and lots within the overlay district.

A. Conceptual Master Plan submittal requirements.

- 1. A narrative detailing how the CMP complies with applicable approval criteria.
- 2. Scaled drawings illustrating the following elements for the development site and the surrounding area:
 - a. The location and rights-of-way for existing and planned streets, which shall provide access to all existing and proposed parcels, consistent with the Transportation System Plan;
 - b. The general location and size of existing and planned sanitary sewer, storm water and water facilities, at adequate levels to serve existing and proposed development;
 - c. The location and area of floodplain, riparian, wetlands, and slope hazard areas;
 - d. Pedestrian and bicycle facilities and connections consistent with the TSP;
 - e. Configurations of existing and proposed open space, lots, structures, and taxiways; and
 - f. Zoning designations and overlay zone boundaries.

AB. Conceptual Master Plan approval criteria. The applicant for CMP approval ~~must~~ shall demonstrate that the proposed CMP is consistent with the following criteria:

- 1. The CMP shall address the requirements of ~~Section~~

~~17.74.080(C) and (D)~~ subsections (B) through (D) and shall demonstrate how the proposed site and other sites within the same Airport Employment Overlay District can be efficiently developed ~~for the intended uses consistent with the Scappoose EOA.~~

2. The CMP shall encourage the safe and efficient operation of the Scappoose Airpark consistent with the Scappoose Industrial Airpark Master Plan and the AO Public Use Airport Safety and Compatibility Overlay Zone, Chapter 17.88.
3. The CMP shall facilitate safe and efficient access to Public Land ~~shown designated~~ on the ~~Scappoose~~ Comprehensive Plan map or on any adopted park and recreational plan.
4. The CMP shall provide for an efficient, multi-modal transportation system consistent with the Scappoose Transportation System Plan, any applicable transportation impact studies, and any applicable circulation plans approved with previous land divisions.
5. The CMP shall ensure provision of Taxi-way taxiway access shall be provided to the majority of sites within each of the Airport Overlay Zones.
6. The CMP shall show ~~n~~ how sanitary sewer, water and storm drainage facilities can be provided efficiently to the area proposed for annexation or zone change development and remaining land within the same Employment Overlay District.

BC. Site size for AIP and ABP overlay zones. The minimum site size for an industrial park development in the AIP overlay zone or for a business park in the ABP overlay zone is 105 acres.

ED. Site size for EAE overlay zone. The conceptual master plan ~~must shall~~ show how two large (approximately 50-acre) and two medium (approximately 20- to 30-acre) developable sites will be retained in conformance with industrial and campus site needs stated in Figure 33 of the ~~Scappoose~~ EOA: Employment Land Demand by Site Size for Scappoose (2030). Development sites may be larger than these minimum areas (smaller lots may be combined into larger lots with no maximum size).

DE. ~~Modifications to An-an~~ approved CMP ~~may be modified through any of the following processes shall be processed in accordance with Chapter 17.162. so long as t~~The criteria in Section 17.74.080(A) through (C) shall continue to apply.~~be met.~~

~~1. the Land Division process set forth in Chapters 17.150 and~~

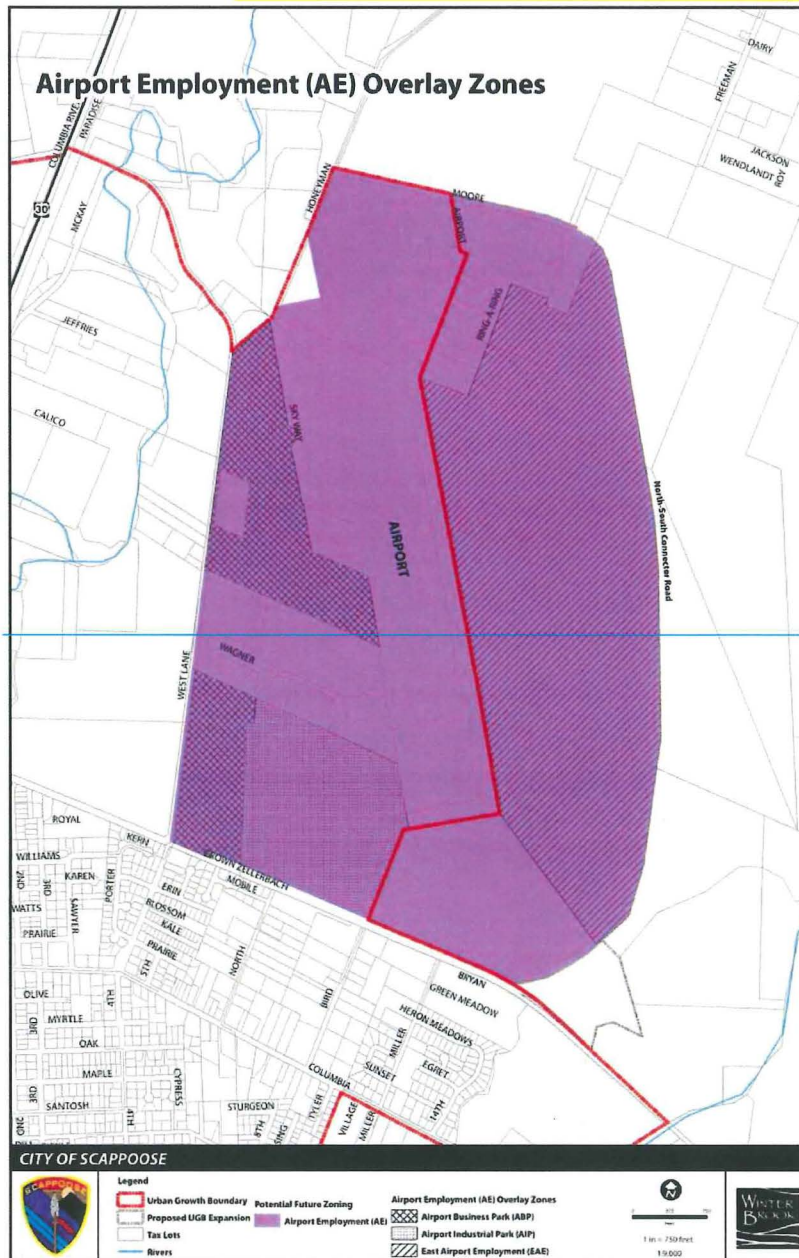
- ~~17.152;~~
~~2. the Zone Change process set forth in Chapter 17.22;~~
~~3. the Annexation process set forth in Chapter 17.136;~~
~~4. the Site Development Review process set forth in Chapter 17.120; or~~
~~5. the Conditional Use process set forth in Chapter 17.130.~~

17.74.090 Dimensional requirements and development standards.
The dimensional requirements and development standards within the Airport Employment Overlay Zones shall be in accordance with the standards for the PUA zone as specified in Section 17.69.070.

17.74.100 Environmental performance standards. The Environmental Performance Standards of Chapter 17.90 shall apply to all development in the Airport Employment Overlay Zones.

Figure 17.74.1: Airport Employment Overlay ZonesPotential
Future Zoning Map. Conceptual location of Airport Employment
Overlay Zones: Per Section 17.74.030, the precise location of
zoning district boundaries will be determined at the time of the
zone change request The AE overlay zones only apply within city
 limits. Those areas illustrated in the map but outside city limits
 are regulated by Columbia County.

**{DELETE THE FOLLOWING MAP AND REPLACE IT WITH
 THE ONE ON THE FOLLOWING PAGE}**



Airport Employment Overlay Zones

Overlay Zones apply within City Limits. Property in Columbia County is not subject to the Overlay Zones.



Scappoose GIS

Streets

Taxlots

Airport Employment Comprehensive Plan designation

Urban Growth Boundary

Airport Employment Overlay Zones

Airport Business Park (ABP)

Airport Industrial Park (AIP)

East Airport Employment (EAE)



0 500 1,000 Feet

Table 17.74.1: Airport Industrial Park (AIP), Airport Business Park (ABP) and East Airport Employment (EAE) Use Categories

P = Permitted (subject to Chapter 17.130~~120~~¹²⁰)

A = Accessory to primary permitted use

L = Limited (special restrictions apply, see footnotes)

C = Conditional Use (subject to Chapter 17.130)

X = *Prohibited*

Use Category	Operating Characteristics	AIP	ABP	EAE
Educational Services - Commercial and Public	Commercial educational service uses are characterized by activities conducted in an office setting and generally focusing on serving students with supplemental education, enrichment, and/or tutoring. Public education service includes colleges and other institutions of higher learning that offer courses of general or specialized study leading to a degree. Colleges tend to be in campus-like settings or on multiple blocks, though they may be contained in a single building.	X	P	P
Community Services	Community Services are uses of a public, nonprofit, or charitable nature generally providing a local service to people of the community. Generally, they provide the service on the site or have employees at the site on a regular basis, or provide a central location for service delivery. The service is ongoing, not just for special events. The use may also provide special counseling, education, or training of a public, nonprofit or charitable nature.	C	P	C
Office	Office uses are characterized by activities conducted in an office setting and generally focusing on business, government, professional, medical, or financial services.	A	P	A

Use Category	Operating Characteristics	AIP	ABP	EAE
Commercial Retail	Sales-oriented: Stores selling, leasing, or renting the following items, provided that yards shall not be used for the storage or display of used building materials or any scrap or salvage; consumer, home, and business goods including art, art supplies, bicycles, clothing, dry goods, electronic equipment, fabric, furniture, garden supplies, gifts, groceries, hardware, home improvements, household products, jewelry, pets, pet food, pharmaceuticals, plants, printed material, stationery, and videos; and food sales.	A	L ¹	A
¹ Note: In the ABP overlay zone, commercial retail uses of 5,000 square feet or less of floor area are permitted; commercial retail uses between 5,000 and 20,000 square of floor area may be permitted through the conditional use process; and commercial retail uses of greater than 20,000 square feet of floor area are prohibited.				

Use Category	Operating Characteristics	AIP	ABP	EAE
Commercial Personal Service	Branch banks; laundromats; photographic studios; photocopy and blueprint services; hair, tanning, and personal care services; tax preparers, accountants, real estate, legal, financial services; business, martial arts, and other trade schools; dance or music classes; taxidermists; mortuaries; veterinarians; kennels limited to boarding, with no breeding; and animal grooming.	X	P	X
Medical & Dental Services	Medical offices; dental offices; urgent medical care; and medical centers including facilities providing medical or surgical care to patients and offering overnight care. Medical centers tend to be on multiple blocks or in campus settings.	C	P	C
Commercial Entertainment	Indoor or outdoor continuous entertainment activities such as bowling alleys, ice rinks, and game arcades; pool halls; theaters, health clubs, gyms, membership clubs, and lodges; hotels, and motels.	C	P	C
Commercial Food Services	Restaurants, cafes, cafeterias, delicatessens, taverns, and bars.	C	C	C
Commercial Repair & Service	Repair of TVs, bicycles, clocks, watches, shoes, guns, appliances and office equipment; photo or laundry drop off; quick printing; tailor; locksmith; and upholsterer.	P	P	P
Self Service Storage	Self-Service Storage uses provide separate storage areas for individual or business uses. The storage areas are designed to allow private access by the tenant for storing personal property.	X	C	X

Use Category	Operating Characteristics	AIP	ABP	EAE
Vehicle Repair	Firms servicing passenger vehicles, light and medium trucks and other consumer motor vehicles such as motorcycles, boats and recreational vehicles.	P	C	P
Automobile Rental	Automobile rental agencies.	C	P	C
Light Industrial Service	Light Industrial Service firms are engaged in the repair or servicing of light industrial, business or consumer machinery, equipment, products or by-products. Firms that service consumer goods do so by mainly providing centralized services for separate retail outlets. Contractors and building maintenance services and similar uses perform services off-site. Few customers, especially the general public, come to the site.	P	P	P
Medium-Industrial-Service	Industrial Service firms are engaged in the repair or servicing of medium industrial, business or consumer machinery, equipment, products or by-products. Few customers, especially the general public, come to the site.	P	C	P

Use Category	Operating Characteristics	AIP	ABP	EAE
Light Manufacturing and Production	Manufacturing and Production firms are involved in the manufacturing, processing, fabrication, packaging, or assembly of goods. Natural, man-made, raw, secondary, or partially completed materials may be used. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. Goods are generally not displayed or sold on site, but if so, they are a subordinate part of sales. Relatively few customers come to the manufacturing site.	P	P	P
Medium Manufacturing and Production	Manufacturing and Production firms are involved in the medium manufacturing, processing, or fabrication of goods. Natural, man-made, raw, secondary, or partially completed materials may be used. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. Goods are generally not displayed or sold on site, but if so, they are a subordinate part of sales. Relatively few customers come to the manufacturing site.	P	C	P
Warehouse & Distribution	Warehouse and Distribution involves the storage, or movement of goods for themselves or other firms. Goods are generally delivered to other firms or the final consumer, except for some will-call pickups. There is little on-site sales activity with the customer present.	P	C	P

Use Category	Operating Characteristics	AIP	ABP	EAE
Wholesale Sales	Wholesale Sales firms are involved in the sale, lease, or rent of products primarily intended for industrial, institutional, or commercial businesses. The uses emphasize on-site sales or order taking and often include display areas. Businesses may or may not be open to the general public, but sales to the general public are limited as a result of the way in which the firm operates. Products may be picked up on site or delivered to the customer.	P	P	P

In the text below, language to be omitted is ~~striketrough~~, and proposed language additions are underlined.

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 its 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 and is subject to 17.160.120(C);
4. Conditional use pursuant to Chapter 17.130;
5. Major variance pursuant to Chapter 17.134;
6. Sensitive land permits and variances pursuant to Chapter 17.84, Chapter 17.85, and Chapter 17.86 for applications requiring planning commission action;
7. Type II home occupation pursuant to Chapter 17.142;
8. Historic overlay district exterior alteration and new construction applications pursuant to Chapter 17.82;
9. Public land tree removal associated with timber harvesting and clearing from designated public recreation areas;
10. Authorization of Similar Use pursuant to Chapter 17.43;
11. Fence or fence/berm combination greater than eight feet in height;

12. Conceptual master plan or modification of conceptual master plan pursuant to Chapter 17.74;

~~12~~13. Appeal of a decision made by the planner; and

~~13~~14. Any other matter not specifically assigned to the planner, or the city council under this title.

In the text below, language to be omitted is ~~striketrough~~, and proposed language additions are underlined.

AIRPORT EMPLOYMENT (AE) DESIGNATION
FINDINGS, GOALS, POLICIES AND IMPLEMENTATION

Preface

The **Airport Employment (AE)** plan designation encourages airport related and compatible employment near the Scappoose Industrial Airpark. The AE plan designation is implemented by the **Public Use Airport** zone and three overlay zones that implement specific provisions of the **Scappoose Comprehensive Plan** and **2011 Economic Opportunities Analysis (EOA)**. Prior to development within any overlay district, a conceptual master land use, street, taxiway and utility concept plan shall be approved by the City to guide future development within the district. The concept plan shall indicate where and how large parcels will be retained for targeted employment uses over time.

The AE plan designation identifies locations for future employment types targeted in the Scappoose EOA that complement or capitalize on airport accessibility or operations. The AE designation protects sites for their intended employment activities while encouraging and supporting the Scappoose Industrial Airpark's continued operation and vitality.

Airport-related and -compatible employment uses are permitted outright by zoning within the AE designation – thus encouraging targeted employment types to locate near the airport where they can be served by planned taxiways where feasible. The AE designation specifically encourages educational facilities, such as Portland Community College, that offer airport-related coursework and training. The AE designation also encourages mixed use employment opportunities in a business park setting in specified locations.

***Significant Findings Regarding the Airport Employment (AE)
Land Use Designation***

- 1) The Scappoose Industrial Airpark is located within the city limits of Scappoose, northeast of downtown. The AE designation is applied to lands within the urban growth boundary located on the east, south, and west sides of the existing airport runway. This chapter addresses only the Airport Employment designation that applies to land adjacent to the airport.

2) As noted in the Scappoose EOA, the Scappoose Industrial Airpark and suitable nearby employment sites provide substantial economic benefits to the City. The City and County support the continued operation and vitality of the airport and adjacent employment lands.

3) Access to the AE designation is provided by Crown Zellerbach Road to the south, West Lane Road to the west, a planned north-south connector to the east, and Moore and Honeyman Roads to the north. The north-south connector road separates land within the urban growth boundary from adjacent rural areas. This ring road provides a critical north-south alternative and is essential to the functionality of development within the AE designation for land east of the runway.

4) The Scappoose Industrial Airpark is owned, operated, and maintained by the Port of St. Helens, the airport sponsor. Although the Port owns some land within the AE, most of the property is privately owned.

5) Per the [2007 State Aviation System Plan](#), the Scappoose Industrial Airpark is a Category [2-II](#) airport and is the second busiest airport without an air traffic control tower in the State of Oregon. A Category [2-II](#) airport is defined as a business or high activity general aviation airport with over 30,000 operations per year and at least 500 turbine aircraft operations. In 2007, the Scappoose Industrial Airpark had over 80,000 operations. [The 2015 Scappoose Industrial Airpark Master Plan Update estimated 60,000 annual operations.](#)

6) The airport is one of three airports with a runway over 5,000 feet in length within a 30 nautical mile radius of the Portland International Airport. The airport currently has one runway, 5,100 feet by 100 feet, and one main parallel taxiway on each side of the runway. Future plans call for extension of the airport runway to the south to accommodate future operations more efficiently.

7) The airport is considered a major airport in the Portland metropolitan area and offers a distinct regional economic development advantage. The AE designation capitalizes on this comparative advantage and provides the opportunity for Scappoose to substantially increase job opportunities and improve the jobs-to-housing balance.

8) The primary fixed base operator (FBO) at the airport is Transwestern Aviation. Other airport businesses located in the AE designation include Sherpa Aircraft Manufacturing, Sport Copter, Inc., Oregon Aero, Composites Universal Group, Evergreen Aviation Services and Restorations, Overall Aviation Services and the Northwest Antique Airplane Club.

9) Utilities serving the airport area include Columbia River PUD (electricity), City of Scappoose (water, west side of the airport), and CenturyLink-Tel (telephone). With the exception of new construction on the west side of the airport, which is served by public sewer, buildings have on-site septic systems.

- 10) The Scappoose Rural Fire Protection District provides rescue and fire fighting services for the airport.

Goals for the Airport Employment (AE) Land Use Designation

It is the goal of the City of Scappoose to:

- 1) Support and promote the continued safe operation of the Scappoose Industrial Airpark and the economic vitality of the AE designation by providing suitable sites for targeted employment opportunities identified in the Scappoose EOA.
- 2) Provide a location for airport-related and -compatible employment activities in a master-planned setting with good highway, arterial road and airport access – in an area where their environmental effects will have a minimal impact upon the community.
- 3) Utilize the AE as an attractor for employment opportunities identified in the Scappoose EOA that are dependent upon, compatible with, or benefit from aircraft access, air transportation, and the existing cluster of aviation-related businesses located near the airport.
- 4) Take advantage of the transportation options provided by the Scappoose Industrial Airpark by allowing airport-related and compatible employment uses called for in the Scappoose EOA, including industrial, office and service commercial, and supportive lodging and restaurant employment.

Policies for the Airport Employment (AE) Land Use Designation

It is the policy of the City of Scappoose to:

- 1) Locate light industrial, office and service commercial, and airport-related employment areas that have a convenient relationship to the community's vehicular and aircraft transportation systems.
- 2) Screen or set back the boundaries of airport related development areas from abutting existing residential uses.
- 3) Apply the AE designation to areas east, south, and west of the airport runway.
- 4) Protect the stability and functional aspects of airport-related uses by prohibiting incompatible uses that create safety hazards or otherwise interfere with customary and usual aviation-related activities as defined by the Development Code.

- 5) Encourage airport-related educational opportunities.
- 6) Work with the Port of St. Helens and private property owners to maintain the continuing viability of the Scappoose Industrial Airpark and the AE.
- 7) Encourage mixed office and service commercial uses, and supporting lodging and restaurant opportunities in a master planned setting in designated Business Park areas.
- 8) Protect large industrial sites for their intended use as called for in the Scappoose EOA.
- 9) Provide taxiway access to employment sites wherever feasible – especially in designated Industrial Airpark areas.

Implementation of the Airport Employment (AE) Plan Designation

- 1) The AE plan designation within the UGB is implemented by the **Public Use Airport (PUA)** zone, in conjunction with three overlay zones codified in the Development Code. The PUA zone restricts employment uses to ensure operational compatibility with the airport. The PUA zone allows airport-related and industrial uses outright and supporting commercial uses through the conditional use process.
- 2) Uses and activities allowed within the AE designation must comply with the Public Use Airport Safety and Compatibility Overlay (Chapter 17.88 of the Scappoose Development Code).
- 3) Outside City Limits, County rural residential and farm zones will apply on an interim basis to retain land in large parcels until the land is (a) annexed and (b) rezoned in accordance with these policies.
- 4) More specific zones are needed to implement the policy direction resulting from the Scappoose EOA. Rezoning to more intensive employment uses must be preceded by a transportation impact analysis, coordinated and approved by the Oregon Department of Transportation (ODOT), to demonstrate compliance with the Transportation Planning Rule.
- 5) The **East Airport Employment (EAE) overlay** zone will be applied to large parcels east of the airport runway to ensure airport operational compatibility and to retain large industrial and institutional sites identified in the Scappoose EOA. Master planning requirements ensure that that land is developed efficiently and that the provision of transportation and utility facilities occurs consistent with adopted plans.
- 6) The **Airport Business Park (ABP)** overlay zone will be applied to selected parcels west of the runway and served by West Lane Road. The Business Park overlay zone

allows a mix of targeted light industrial, commercial service and office, and supporting lodging and restaurant uses targeted in the Scappoose EOA. Master planning requirements ensure that that land is developed efficiently and that the provision of transportation and utility facilities occurs consistent with adopted plans.

7) The **Airport Industrial Park (AIP)** overlay zone allows industrial uses targeted in the Scappoose EOA. However, taxiway access to individual parcels is required for development in this zone to occur.

8) The **Airport Employment Overlay Zones**~~Potential Future Zoning~~ Map in the Development Code shows the general location of each of these specific ~~zones or~~ overlay zones. ~~However, minor changes in the proposed conceptual boundaries of these overlay zones may occur at the time of rezoning, provided that the minimum number of suitable acres identified in the EOA is retained for each general employment category.~~

CITY OF SCAPPOOSE STAFF REPORT

This project is funded by Oregon general fund dollars through the Department of Land Conservation and Development. The contents of this document do not necessarily reflect the views or policies of the State of Oregon.

- Request: Approval of two proposed legislative changes to the Comprehensive Plan and Development Code:
1. Comprehensive Plan Text Amendment CPTA2-16 to update the findings and implementation text for the Airport Employment (AE) Plan Designation.
 2. Development Code Text Amendment DCTA1-16 to Chapter 17.74 *Airport Employment Overlay Zones* and Chapter 17.162 *Procedures for Decision Making--Quasi-Judicial* to apply the overlay zones to specific properties, to clarify conceptual master plan requirements, and to specify review procedures.

Applicant: City of Scappoose

EXHIBITS

- A. Current draft of proposed amendments to Chapter 17.74 *Airport Employment Overlay Zones*
- B. Current draft of proposed amendments to Chapter 17.162 *Procedures for Decision Making--Quasi-Judicial*
- C. Current draft of proposed amendments to Comprehensive Plan text - Airport Employment (AE) Findings and Implementation
- D. City of Scappoose Economic Opportunities Analysis, January 10, 2011 (by reference¹)
- E. ODOT comment, dated November 18, 2016

INTRODUCTION

When City Council approved the urban growth boundary (UGB) amendment in 2011, associated changes to the Comprehensive Plan and Development Code created the Airport Employment (AE) Comprehensive Plan designation and three different implementing Airport Employment Overlay Zones. Chapter 17.74 of the Development Code identified the range of uses that would be permitted in each of the three overlay zones (Airport Industrial Park-AIP, Airport Business Park-ABP, and East Airport Employment-EAE) and illustrated conceptual locations of the overlay zones. However, application of the overlay zones was deferred since the transportation impacts of the overlay zones had not been fully analyzed. The City's new Transportation System Plan (TSP) now accounts for airport employment development. The proposed legislative

¹ Available online at <http://www.ci.scappoose.or.us/planning/page/economic-opportunities-analysis-0>

amendments would apply the overlay zones to specific properties and make related text changes to simplify implementation.

ANALYSIS

The proposed amendments to the Comprehensive Plan and Development Code are intended to apply the Airport Employment Overlay Zones to specific sites within the Public Use Airport (PUA) base zone. When Chapter 17.74 was adopted in 2011, it included *Figure 17.74.1: Airport Employment Potential Future Zoning Map*, which illustrated the conceptual locations of Airport Employment Overlay Zones. Now that the TSP has been adopted it is timely to review the map and apply the overlay zones. The proposed map is essentially the same as the current Figure 17.74.1 with the exception that one jog has been removed in the boundary between the ABP and AIP overlays south of Wagner Court (changing approximately half an acre from ABP to AIP) and other minor changes to align the boundaries with property lines. The Code amendments would apply the overlay zones to all areas within City limits identified in the new Figure 17.74.1 and would also specify that land that annexes to the City would automatically be subject to the overlay zones. The overlay zones would not cause any existing developments to become nonconforming uses since the affected property is either undeveloped, has existing uses consistent with the overlay zones or—in the case of the existing houses—is already nonconforming in the PUA base zone.

Based on further evaluation of the existing code language and recent experience processing the land use application for the Cascades manufacturing facility on West Lane (SDR1-16), staff has proposed a number of other refinements to Chapter 17.74, including the following:

- Specifying the submittal requirements for Conceptual Master Plans (CMP's);
- Requiring CMP's for all developments over 4 acres, not just annexation or zone changes;
- Decreasing the site size for industrial/business parks from 10 acres to 5 acres for developments in the AIP and ABP overlays;
- Clarifying that while the EAE has minimum site sizes, larger site sizes are permissible;
- Identifying the review process for CMP's and modifications of approved CMP's (quasi-judicial proceedings per Chapter 17.162); and
- Removing the "Medium Industrial Service" and "Medium Manufacturing and Production" use categories from the AE Overlay Zones since these uses are not defined and the City generally only permits Light Industrial uses.

The proposed changes to the Comprehensive Plan text updates the Airport Employment findings and implementation text to ensure consistency between the phrasing used in the Comprehensive Plan and the Development Code.

Taken all together, the proposed amendments are intended to implement the EOA's vision for employment growth in the City.

AGENCY COMMENTS & PUBLIC NOTICE

The City Manager, Building Official, City Engineer, Port of St. Helens, the Oregon Department of Transportation (ODOT), the Oregon Department of Aviation (ODA), and the Oregon

Airport Employment Overlay Zones Amendments

Department of Land Conservation and Development (DLCD) have been provided the opportunity to review copies of this application. No agencies have submitted objections to the proposal. A comment from ODOT is included as **Exhibit E**.

Notice of the proposed amendments to the Comprehensive Plan and Development Code was published in the local newspaper on November 18, 2016 and November 25, 2016 and mailed to affected property owners on November 18, 2016 as required by Chapter 17.160 of the Development Code. Staff has received no written comments from the public regarding this application as of the date of this report.

RECOMMENDATION

Based on the applicable statutes, rules, comprehensive plan provisions and implementing ordinances, staff recommends that the Planning Commission recommend adoption of the proposed amendments by the City Council.

FINDINGS OF FACT

1. Amending the Comprehensive Plan and the Development Code to apply the Airport Employment Overlay Zones to specific properties is consistent with Ordinance 816, adopted in 2011, which expanded the urban growth boundary, adopted an Economic Opportunities Analysis, and created the Airport Employment plan designation and the framework for Airport Employment Overlay Zones.
2. Application of the Airport Employment Overlay Zones to specific properties was deferred pending traffic impact analysis that demonstrated compliance with the state's Transportation Planning Rule (OAR 660-012-0060).
3. The Scappoose Transportation System Plan (TSP), adopted on September 6, 2016, analyzed the effects of future development throughout the City and urban growth boundary, including the development that would have been allowed near the airport if the Airport Employment Overlay Zones were in effect. The TSP update was funded by and prepared in partnership with the Oregon Department of Transportation (ODOT) to appropriately address the Transportation Planning Rule.
4. The following Statewide Planning Goals have been considered by the City of Scappoose in the formation of the language contained within this request:

Goal 1: Citizen Involvement

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

Finding:

This application complies with the citizen involvement processes included in the City's acknowledged Comprehensive Plan and Development Code, which is consistent with

Airport Employment Overlay Zones Amendments

Statewide Planning Goal 1. The Planning Commission and City Council hold public hearings on the proposal prior to adopting any amendments to the Scappoose Municipal Code. Notice of the proposal and hearings was published in the local newspaper on November 18, 2016 and November 25, 2016 and mailed to affected property owners on November 18, 2016.

Citizens may submit written or verbal testimony regarding the proposed amendments to communicate their input into the Comprehensive Plan and Development Code amendment review conducted by the City. For this application, the Planning Commission's hearing date is December 8, 2016, while the City Council's hearing date is December 19, 2016. This process complies with Goal 1.

Goal 2: Land Use Planning

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 proposal to amend the Comprehensive Plan and Development Code is consistent with the City's regulations regarding legislative land use decisions. Legislative decisions require a Planning Commission recommendation to the City Council, which then makes a decision based on stated findings. The Planning Commission and City Council hearings are open to the public.

The procedural requirements for the proposed Comprehensive Plan and Development Code amendments involve assessment of the application's merits, notice to affected parties, and public hearings. The proposal is to apply the Airport Employment Overlay Zones to specific properties and refine the associated regulations. Notice of the proposed amendment has been provided to the Oregon Department of Land Conservation and Development (DLCD) as required. The City's decision is based on findings of fact. This action complies with Goal 2.

Goal 9: Economic Development

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 2011 Economic Opportunities Analysis (EOA), UGB amendment, and associated Comprehensive Plan amendments created a framework to accommodate and encourage targeted industrial, office, retail, lodging, and public uses to satisfy the City's anticipated employment growth over a 20-year period. At that time, Chapter 17.74 of the Development Code was enacted to identify the range of uses that would be permitted in each of three Airport Employment Overlay Zones near Scappoose Industrial Airpark: Airport Industrial Park (AIP), Airport Business Park (ABP), and East Airport Employment (EAE). The chapter also included a map illustrating conceptual locations of the overlay zones. The Oregon Court of Appeals has now upheld the City's UGB amendment and associated legislative changes. To ensure that development in the affected area is consistent with the business types

Airport Employment Overlay Zones Amendments

identified in the Comprehensive Plan and the EOA, the overlay zones need to be applied to specific properties. The proposed legislative amendments would apply the overlay zones to land within the City and specify that the overlay zones will apply automatically upon annexation of parcels currently outside City Limits.

By applying the Airport Employment Overlay Zones to parcels in the same general locations as previously identified on a conceptual basis, the City is taking action to fulfill the commitments made with the 2011 UGB amendment. This action complies with Goal 9.

Goal 12: Transportation

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

Finding:

Statewide Planning Goal 12 is implemented by the state Transportation Planning Rule (TPR). TPR analysis was not required at the time of the creation of the Airport Employment Overlay Zones chapter since the overlays were not applied to specific property.

The proposed legislative amendments allow for the development types and intensities anticipated by the Comprehensive Plan. The transportation impacts associated with these development levels were analyzed as part of the 2016 TSP update. As demonstrated below in the Transportation Planning Rule findings, implementing the Airport Employment Overlay Zones is consistent with the Comprehensive Plan and TSP. This action complies with Goal 12.

Statewide Planning Goals 3-8 and 10-11, and 13-19 are not applicable to this application.

5. The following Goals and Policies from the Scappoose Comprehensive Plan have been considered by the City of Scappoose in the formation of the language contained within this proposal:

GENERAL GOALS OF THE CITY OF SCAPPOOSE FOR LAND USES

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.

Finding:

Notice of the proposed amendments to the Comprehensive Plan and Development Code has been published in the local newspaper to inform citizens of the opportunity to participate in the review and decision-making process. The applicable GENERAL GOAL OF THE CITY OF SCAPPOOSE FOR LAND USES is satisfied.

GOALS FOR ECONOMICS

It is the goal of the City of Scappoose to:

- 1) Maintain conditions favorable for a growing, healthy, stable, and diversified business and industrial climate.*
- 2) Establish greater local control over local economic development policy through the adoption of the Scappoose Economic Opportunities Analysis.*
- 3) Provide the land and public facilities necessary to support economic development while allowing the free market economy to operate with an absolute minimum of restrictions.*
- 4) Take advantage of economic opportunities identified in the Scappoose Economic Opportunities Analysis (EOA) to increase local employment and community prosperity.*
- 5) Capitalize on the comparative advantages identified in the Scappoose EOA to maintain and attract industrial and commercial employment opportunities.*

Finding:

The City created the Airport Employment Comprehensive Plan designation and the Airport Employment Overlay Zones in 2011 to implement the EOA. These actions created a regulatory framework that set aside land near the Scappoose Industrial Airpark to accommodate the range of employment uses identified in the EOA. The proposed legislative amendments take the theoretical framework established in Chapter 17.74 and apply it to specific properties to attract industrial and commercial employers. The applicable GOALS FOR ECONOMICS are satisfied.

GOALS FOR THE AIRPORT EMPLOYMENT (AE) LAND USE DESIGNATION

It is the goal of the City of Scappoose to:

- 1) Support and promote the continued safe operation of the Scappoose Industrial Airpark and the economic vitality of the AE designation by providing suitable sites for targeted employment opportunities identified in the Scappoose EOA.*
- 2) Provide a location for airport-related and -compatible employment activities in a master-planned setting with good highway, arterial road and airport access – in an area where their environmental effects will have a minimal impact upon the community.*
- 3) Utilize the AE as an attractor for employment opportunities identified in the Scappoose EOA that are dependent upon, compatible with, or benefit from aircraft access, air transportation, and the existing cluster of aviation-related businesses located near the airport.*

4) *Take advantage of the transportation options provided by the Scappoose Industrial Airpark by allowing airport-related and compatible employment uses called for in the Scappoose EOA, including industrial, office and service commercial, and supportive lodging and restaurant employment.*

Finding:

The Airport Employment Comprehensive Plan designation and the Airport Employment Overlay Zones implement the EOA by restricting allowable land uses to the range of industrial, commercial, and public uses targeted in the EOA. The overlay zones accommodate the airport-related uses allowed in the Public Use Airport base zone and allow for a targeted mix of airport-compatible businesses in several areas near the Scappoose Industrial Airpark. The proposed legislative amendments apply the overlay zones to specific properties and refine the master planning requirements to ensure efficient use of land near the airport. The applicable GOALS FOR THE AIRPORT EMPLOYMENT (AE) LAND USE DESIGNATION are satisfied.

6. The following Statutes and Administrative Rules have been considered by the City of Scappoose in the formation of the language contained within this proposal:

TRANSPORTATION PLANNING RULE

OAR 660 Division 12 – Transportation Planning:

660-012-0060

Plan and Land Use Regulation Amendments

(1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. 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) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.

Airport Employment Overlay Zones Amendments

(A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

(B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or

(C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.

[...]

(9) Notwithstanding section (1) of this rule, a local government may find that an amendment to a zoning map does not significantly affect an existing or planned transportation facility if all of the following requirements are met.

(a) The proposed zoning is consistent with the existing comprehensive plan map designation and the amendment does not change the comprehensive plan map;

(b) The local government has an acknowledged TSP and the proposed zoning is consistent with the TSP; and

(c) The area subject to the zoning map amendment was not exempted from this rule at the time of an urban growth boundary amendment as permitted in OAR 660-024-0020(1)(d), or the area was exempted from this rule but the local government has a subsequently acknowledged TSP amendment that accounted for urbanization of the area.

Finding:

Transportation Planning Rule (TPR) analysis was not required at the time of the creation of the Airport Employment Overlay Zones since the overlays were not applied to specific property. Prior to or in conjunction with application of the overlay zones to specific property, TPR analysis must be performed to demonstrate that the amendments would not significantly affect a transportation facility. The 2016 Scappoose Transportation System Plan (TSP), adopted on September 6, 2016 and effective on October 6, 2016, accounted for transportation impacts associated with the level of airport employment development that could be expected from the Airport Employment Overlay Zones. Therefore, separate TPR analysis is not required for this application. The proposed legislative amendments are consistent with the City's adopted Comprehensive Plan and do not change the Comprehensive Plan map. The overlay zones are consistent with the City's new TSP, and the TSP properly analyzed development of the entire UGB, including those portions added in 2011.

Based on this set of facts, the City concludes that the application does not significantly affect transportation facilities and is consistent with the TPR. Future TPR analysis would be required at the time of annexation for those parcels currently outside City Limits but within the AE Comprehensive Plan designation. ODOT has provided a comment (**Exhibit E**) stating

Airport Employment Overlay Zones Amendments

that the TPR has been satisfied since the City's TSP accounts for the impacts of the proposed amendment.

7. The following sections of Title 17 of the Scappoose Municipal Code (Scappoose Development Code) have been considered by the City of Scappoose in the formation of the language contained within this proposal:

Chapter 17.74 AIRPORT EMPLOYMENT OVERLAY ZONES

17.74.010 Purpose. The purpose of the Airport Employment Overlay Zones is to encourage employment opportunities called for in the 2011 Scappoose Economic Opportunities Analysis (EOA) while supporting the continued operation and vitality of the Scappoose Industrial Airpark. Master planning requirements ensure that land is developed efficiently, that large employment sites are retained, and that the provision of transportation and utility facilities occurs consistent with adopted plans.

Finding:

The AE overlay zones are intended to encourage development of targeted employment types near the Scappoose Industrial Airpark. The proposed code amendments help advance this objective by applying the overlay zones to specific parcels and improving the review process for master planning requirements. Section 17.74.010 is satisfied.

Chapter 17.160 PROCEDURES FOR DECISION MAKING—LEGISLATIVE

17.160.120 The standards for the decision. A. The recommendation by the planning commission and the decision by the council shall be based on consideration of the following factors:

- 1. Any applicable statewide planning goals and guidelines adopted under Oregon Revised Statutes Chapter 197;*
- 2. Any federal or state statutes or rules found applicable;*
- 3. The applicable comprehensive plan policies and map; and*
- 4. The applicable provisions of the implementing ordinances.*

B. Consideration may also be given to:

Proof of a substantial change in circumstances, a mistake, or inconsistency in the comprehensive plan or implementing ordinance which is the subject of the application.

Finding:

The Planning Commission's recommendations and the City Council's decisions are based on applicable statewide planning goals and guidelines, state statutes and rules, Comprehensive Plan policies, and provisions of the Scappoose Municipal Code, as detailed in the findings. The City has publicized the proposed amendments and will hold hearings in accordance with applicable laws. The City is amending the Comprehensive Plan and the Development Code to apply the Airport Employment Overlay Zones to specific properties and to update related regulations to make them easier to implement. Section 17.160.120 is satisfied.

City of Scappoose
Council Action & Status Report

Date Submitted: 12/30/16
Agenda Date Requested: 1/3/17
To: Scappoose City Council
Through: Planning Commission
From: Laurie Oliver
City Planner
Subject: Request by Airpark Development, LLC to annex approximately 358 acres of land east of the Scappoose Industrial Airpark

Type of Action Requested:

<input type="checkbox"/>	<input type="checkbox"/>	Resolution	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Ordinance
<input type="checkbox"/>	<input type="checkbox"/>	Formal Action	<input type="checkbox"/>	<input type="checkbox"/>	Report Only

Issue: Airpark Development, LLC has requested annexation of approximately 358 acres and a corresponding zone change to Public Use Airport (PUA) for approximately 343 acres, and a zone change to Public Lands-Recreation (PL-R) for approximately 15 acres, in conformance with the Comprehensive Plan designation. The applicant also requests approval of a Conceptual Master Plan, as required by the East Airport Employment Overlay Zone.

Analysis: Airpark Development LLC has submitted an application (Docket # ANX1-16/ZC2-16) to annex approximately 358 acres. The application involves a total of 11 subject parcels (7 owned by Airpark Development LLC, and 4 owned by the Port of St Helens), located directly east and south of the Scappoose Industrial Airpark, within the Urban Growth Boundary. Of the 343 acres that would be zoned PUA upon annexation, the majority will also be subject to the East Airport Employment Overlay zone. In conformance with Section 17.74.080 of the Scappoose Development Code, the applicant has also submitted a Conceptual Master Plan

to show how future configurations of public facilities, streets, taxiways and lots within the overlay district can develop efficiently and in conformance with the 2011 Economic Opportunities Analysis.

This application does not propose any specific development at this time. Future development proposals will be required to apply for Site Development Review to ensure compliance with the Scappoose Development Code and Public Works Design Standards. Development must be consistent with the requirements of Chapter 17.74 – Airport Employment Overlay Zones and Chapter 17.88 - AO Public Use Airport Safety and Compatibility Overlay Zone, of the Scappoose Development Code.

As outlined in a memo from the City Engineer (included as **Exhibit 17** of the Planning Commission revised staff report dated December 30, 2016), certain services and facilities do not have sufficient capacity to provide service for the full build out of the proposed annexation area. Development, however, is expected to occur in phases allowing for the construction of utility infrastructure over time.

Staff and the City Attorney have identified findings and conditions that, if adopted, would provide reasonable assurances that development in the annexed area adequately addresses these services and facilities deficiencies. These findings and conditions support a conclusion that it is feasible to provide capacity and extend services and facilities in order to permit future development to occur.

In order to ensure that the necessary facilities will be constructed, staff and the City Attorney have included conditions of approval for the annexation application including the requirement that each parcel annexed execute and record a Consent and Waiver of right to remonstrate or object to;

- Formation of a local improvement district and assessments to fund construction of a 30" sewer conveyance line to replace the existing 18" conveyance line in E Columbia Avenue between Bird Road and the City's Wastewater Treatment Plant, and a sewer pump station; and
- Formation of a local improvement district and assessments to fund construction of one approximate 0.335 MGD (~233 GPM) potable water well and construction of a water mainline and pump house to convey the water to the City's Water Treatment Plant, and such other related facilities as deemed necessary. The water mainline and pump house are to be sized to accommodate a future well in the annexed area and to utilize the available treatment capacity at Miller Road, .79 MGD (550 GPD).

There are a total of 6 recommended conditions of approval, as noted in the revised Planning Commission staff report dated December 30, 2016.

The Planning Commission held a public hearing regarding this request on December 29, 2016. The Commission voted to forward a recommendation of approval to the City Council.

Subsequent to the completion of the staff report, four written comments were received by the public, which have been added to the revised staff report dated December 30, 2016 as Exhibits 20 – 23. Additionally, the Commission made a motion to recommend approval of the application and to adopt the staff responses included in Exhibits 21 & 22 as additional findings.

An ordinance to approve the annexation and zone change is attached for the Council's review. Approval of the ordinance would constitute a final decision since an election is not required for annexation in the City of Scappoose.

Options:

1. Approve the annexation application, adopt the findings in ANX1-16/ZC2-16 revised staff report dated December 30, 2016, and adopt the proposed ordinance.
2. Adopt findings demonstrating that the application does not comply with the Scappoose Municipal Code and deny the application.

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

Suggested Motions:

1. I move that the Council approve the annexation application and adopt the findings in the ANX1-16/ZC2-16 revised staff report dated December 30, 2016.

(if the first motion passes, make the second motion below)

2. I move that the Council adopt Ordinance No. 860 as presented.

Please find attached:

Ordinance 860

Exhibit A – Legal description of annexation area

Exhibit B – Planning Commission Staff Report (revised), dated December 30, 2016.

ORDINANCE NO. 860

**AN ORDINANCE APPROVING ANNEXATION OF PROPERTY TO THE CITY OF
SCAPPOOSE AND AMENDING THE ZONING MAP**

WHEREAS, the City of Scappoose is authorized by ORS 222.120 to annex contiguous territory upon receiving written consent from owners of land in the territory proposed to be annexed; and

WHEREAS, an application and written consent of all landowners was filed by Airpark Development, LLC to annex property described in Exhibit A, attached hereto and incorporated herein, to the City of Scappoose; and

WHEREAS, pursuant to Section 17.136.070 of the Scappoose Municipal Code, the property described in Exhibit A would automatically be zoned Public Use Airport (PUA) for approximately 343 acres and Public Lands Recreation (PL-R) for approximately 15 acres upon annexation due to the property's "Airport Employment" and "Public Lands" Comprehensive Plan designation; and

WHEREAS, pursuant to ORS 222.120 notice was given and the City held public hearings pursuant to Scappoose Municipal Code Chapters 17.22 and 17.136; now therefore,

THE CITY OF SCAPPOOSE ORDAINS AS FOLLOWS:

Section 1. The application to annex the property described in Exhibit A is hereby approved.

Section 2. In support of the above annexation, the City Council hereby adopts the findings, conclusions and recommendations of the revised Planning Commission Staff Report dated December 30, 2016, attached as Exhibit B.

Section 3. The annexation approved by this Ordinance shall take effect 30 days after passage.

Section 4. Upon the effective date of this ordinance, 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 ____ day of _____, 2017, and signed by the Mayor and City Recorder in authentication of its passage.

CITY OF SCAPPOOSE, OREGON

Scott Burge, Mayor

First Reading:

Second Reading:

Attest:

Susan M. Reeves, MMC
City Recorder

Exhibit A

**LEGAL DESCRIPTION for
ANNEXATION TO THE CITY OF SCAPPOOSE
November 25, 2016**

BEGINNING at the southeast corner of Parcel 2 of Partition Plat No. 2016-005, recorded as Instrument No. 2016-4238, Columbia County Records, being a point on the north right of way line of Old Crown Zellerbach Road 50.00 feet from, when measured at right angles to, the centerline thereof, said POINT OF BEGINNING being marked with a 5/8 inch iron rod with yellow plastic cap marked "OTAK INC.";

Thence along the east line of said Parcel 2, North 25°39'55" East, a distance of 1180.89 feet to a 5/8 inch iron rod with yellow plastic cap marked "COLUMBIA COUNTY SURVEYOR" at a point on the south line of Scappoose Industrial Airport;

thence along said south line, North 80°18'49" East, a distance of 699.94 feet to the southwest corner of that tract of land described in Statutory Warranty Deed to Port of St. Helens recorded November 14, 1996 as Document No. 96-1889;

thence along the west line of said tract described in Document No. 96-1889, North 09°40'45" West, a distance of 1181.04 feet;

thence North 66°29'53" West, a distance of 23.87 feet;

thence along the east line of said Scappoose Industrial Airport,

North 09°40'49" West, a distance of 3175.66 feet to a 5/8 inch iron rod with illegible yellow plastic cap bent to the east, being a point on the south line of the John McPherson DLC No. 38;

thence along said DLC line, South 68°08'24" East, a distance of 676.57 feet to the east line of that tract of land described in Statutory Bargain and Sale Deed to Karyl M. Larson recorded April 10, 2014 as Document No. 2014-002234;

thence along said east line and the northerly extension thereof, North 21°17'33" East, a distance of 554.34 feet to the southeast corner of Parcel 1 of that land described in Warranty Deed to Port of St. Helens Recorded January 25, 2006 as Document No. 2006-001072;

thence along the south line of said Parcel 1, North 69°08'22" West, a distance of 503.00 feet;

thence along the west lines of said Parcel 1 and of Parcel 2 as described in said Document No. 2006-001072, North 21°17'33" East, a distance of 278.81 feet;

thence along the north line of last said Parcel 2, South 69°08'27" East, a distance of 503.00 feet;

thence North 21°17'33" East, a distance of 278.80 feet to the southeast corner of Parcel 3 as described in said Document No. 2006-001072;

thence along the south line of said Parcel 3 and along the south line of that tract of land described in Statutory Warranty Deed to Port of St. Helens recorded December

31, 2015 as Document No. 2015-010735, North 69°08'27" West, a distance of 503.00 feet;
thence along the west line of said land described in Document No. 2015-010735, North 21°17'33" East, a distance of 211.93 feet;
thence along the north line of said land described in Document No. 2015-010735 and along the north line of said Parcel 3, South 62°58'22" East, a distance of 505.52 feet to a point on the westerly terminus of the public right of way known as Ring-a-ring Road, the southerly portion of which varies in width;
thence along said westerly terminus, South 21°17'33" West, a distance of 71.00 feet;
thence along the southerly right of way line of said Ring-a-ring Road, South 67°53'35" East, a distance of 408.45 feet to the most southerly angle point of said Ring-a-ring Road right of way line;
thence along the east right of way line of a portion of said Ring-a-ring Road being 60.00 feet in width, North 22°00'06" East, a distance of 781.93 feet to the north right of way line of Moore Road;
thence South 67°57'11" East, a distance of 22.03 feet to a 5/8 inch iron rod with yellow plastic cap marked "OTAK INC.";
thence along the east line of the Urban Growth Boundary Amendment approved April 18, 2011 as City of Scappoose Ordinance No. 816 through the following 15 courses: along the arc of a 600.00 foot radius curve to the right, through a central angle of 58°02'23", an arc length of 607.79 feet (chord bears South 38°55'59" East a distance of 582.13 feet);
thence South 09°54'48" East, a distance of 1993.27 feet to a point on the south line of said John McPherson DLC No. 38;
thence continuing South 09°54'48" East, a distance of 8.00 feet;
thence along the arc of a 7535.00 foot radius curve to the right, through a central angle of 10°00'00", an arc length of 1315.11 feet (chord bears South 04°54'48" East a distance of 1313.44 feet);
thence South 00°05'12" West, a distance of 1199.00 feet;
thence along the arc of a 6035.00 foot radius curve to the right, through a central angle of 04°47'28", an arc length of 504.65 feet (chord bears South 02°28'56" West a distance of 504.50 feet) to a point on the north line of Parcel 2 of Partition Plat 2009-18 recorded as Instrument No. 2009-11271, Columbia County Records;
thence along the arc of a 6035.00 foot radius curve to the right, through a central angle of 05°12'32", an arc length of 548.66 feet (chord bears South 07°28'56" West a distance of 548.47 feet);
thence South 10°05'12" West, a distance of 398.96 feet;
thence along the arc of a 1435.00 foot radius curve to the right, through a central angle of 35°07'09", an arc length of 879.58 feet (chord bears South 27°38'47" West a distance of 865.87 feet);
thence South 45°12'21" West, a distance of 7.88 feet;

thence South 39°13'32" East, a distance of 229.00 feet to a point on the east line of said Parcel 2 of Partition Plat No. 2009-18, said point being 1533.73 from the most northerly angle point of last said Parcel 2;
thence along the lines of last said Parcel 2 through the following seven courses:
South 16°24'00" East, a distance of 825.00 feet;
thence North 64°24'00" West, a distance of 330.00 feet;
thence South 73°36'00" West, a distance of 165.00 feet;
thence South 14°36'00" West, a distance of 232.00 feet to a point on said north right of way line of Old Crown Zellerbach Road;
thence along last said north right of way line through the following three courses:
North 45°52'37" West, a distance of 651.30 feet;
thence along the arc of a 1424.02 foot radius curve to the left, through a central angle of 21°36'01", an arc length of 536.85 feet (chord bears North 56°40'37" West a distance of 533.67 feet)
thence North 67°28'37" West, a distance of 1518.17 feet to the POINT OF BEGINNING.

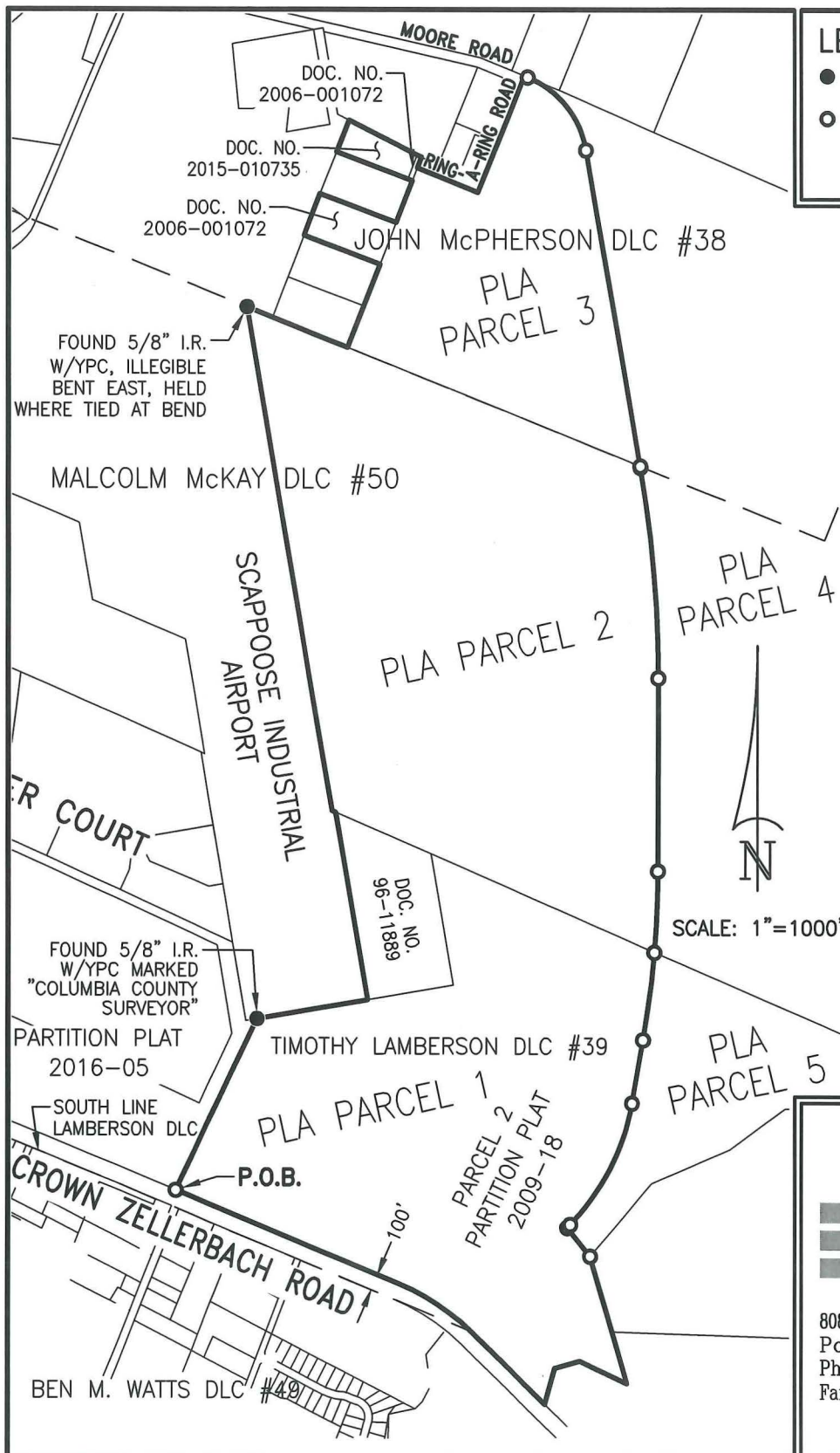
Contains 351.5 acres, more or less.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Michael D. Spelts

OREGON
NOVEMBER 12, 2013
MICHAEL D. SPELTS
87475PLS

RENEWS: 6/30/18



LEGEND

- MONUMENT AS NOTED
- 5/8 INCH x 30 INCH IRON ROD WITH YELLOW PLASTIC CAP MARKED "OTAK INC."

EXHIBIT 'B'

IN THE NW, NE, SE & SW QUARTERS OF SECTION 6 AND
THE NW & NE QUARTERS OF SECTION 7,
TOWNSHIP 3 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN
CITY OF SCAPOOSE, COLUMBIA COUNTY, OREGON

NOVEMBER 23, 2016



808 SW 3rd Ave., Ste. 300
Portland, OR 97204
Phone: (503) 287-6825
Fax: (503) 415-2304

www.otak.com
project: xxxxx

CITY OF SCAPPOOSE STAFF REPORT

- Request:** Approval of an application for annexation of approximately 358 acres and a corresponding zone change to Public Use Airport (PUA) for approximately 343 acres, and corresponding zone change to Public Lands-Recreation (PL-R) for approximately 15 acres. The applicant also requests approval of a Conceptual Master Plan.
- Location:** The application involves a total of 11 subject parcels, located directly east and south of the Scappoose Industrial Airport, within the Urban Growth Boundary. The subject sites are described as Columbia County Assessor Map Numbers: 3106-00-00200, 3106-00-00504, 3106-B0-00100, 3106-B0-01300, 3106-B0-01400, 3106-B0-01600, 3106-B0-01800, 3106-B0-01900, 3106-B0-02000, 3107-00-00102, and 3107-00-00103. See attached Vicinity Map (**Exhibit 1**).
- Applicant:** Airpark Development, LLC
- Owner(s):** Total of 11 subject properties: seven (7) owned by Airpark Development LLC and four (4) owned by the Port of St. Helens.

EXHIBITS

1. Vicinity Map
2. Application and Narrative
3. Conceptual Master Plan – Sheet P1.1
 - Conceptual Sewer – Sheet P1.3
 - Conceptual Water – Sheet P1.4
 - Conceptual Storm – Sheet P1.5
4. Proposed Properties to Annex – Sheet P1.2
5. Proposed Zoning Map
6. Transportation Impact Analysis, dated November 7, 2016
7. Annexation letter of support from the Port of St Helens, dated August 10, 2016
8. Legal description of annexation area and map
9. ODOT Referral and Comment, dated November 8, 2016
10. Local Wetlands Inventory, Figures 4A and 4C
11. Figure 17.74.1- Airport Employment Potential Future Zoning Map
12. Columbia County Road Department Referral and Comment, dated November 17, 2016
13. Port of St Helens Referral and Comment, dated November 18, 2016
14. Scappoose Drainage Improvement Company Comment, dated November 9, 2016
15. Flood Insurance Rate Maps 41009C0463D, dated November 26, 2010
16. Columbia County Planning Manager Comment, dated November 28, 2016
17. City Engineer's memo, dated December 7, 2016
18. Waiver of Right to Remonstrate – Sewer

East Airport Annexation and Zone Change

19. Waiver of Right to Remonstrate – Water
20. Comment submitted by Patrick Russell, dated December 27, 2016 (added to revised staff report on December 30, 2016)
21. Comment submitted by Stephane Rousseau and staff response, dated December 28, 2016 (added to revised staff report on December 30, 2016)
22. Comment submitted by Laurence and Phyllis Janke and staff response, dated December 28, 2016 (added to revised staff report on December 30, 2016)
23. Comment submitted by Len Waggoner at the Planning Commission hearing, December 29, 2016 (added to revised staff report on December 30, 2016)

SUBJECT SITE

- The subject site consists of 11 tax lots totaling approximately 358 acres located directly east and south of the Scappoose Industrial Airpark. The land proposed for annexation is within the City's recently expanded Urban Growth Boundary. See **Exhibit 4**, Proposed Properties to Annex.
- The western boundary of the annexation area abuts the Scappoose Industrial Airpark which is located within the City of Scappoose limits and is zoned Public Use Airport (PUA). The northern boundary of the site abuts property adjacent to Ring-a-Ring Road and is County zoned Primary Agriculture (PA-80) and Rural Residenital-5. The eastern boundary of the annexation area is also the eastern terminus of the Urban Growth Boundary and is adjacent to County land zoned PA-80. The southern boundary of the annexation area abuts the Crown Zellerbach Trail and is County zoned R-10, RR-5 and PA-80.
- The applicant filed for three Property Line Adjustments affecting Tax Lots 103, 200, and 504 and received approval by Land Development Services (LDS) of Columbia County on 7-29-16 under file name PLA 16-30, 31, 32. The purpose of the Property Line Adjustments was to relocate the common boundaries to coincide with the Urban Growth Boundary. The applicant must complete and finalize the process by recording the deeds and providing the recording numbers to LDS on the Property Line Adjustment forms. The Planning Manager for Columbia County has provided a written comment to this effect which is included as **Exhibit 16**. This annexation application only involves those portions of Tax Lots 103, 200 and 504 that are within the Urban Growth Boundary. The applicant will be required to submit the recording numbers to City staff once the process is complete.
- The site, which is primarily utilized for agriculture, has a moderate slope from northwest to southeast.
- The site is within the boundaries of the Scappoose Rural Fire Protection District and the Scappoose Public School District. The site is currently under the police protection of the Columbia County Sheriff's Department.
- According to the Flood Insurance Rate Map (FIRM) 41009C0463D a portion of the property lies within the 100-year floodplain protected by the dike (Zone X, which is not regulated by the City of Scappoose's Floodplain Ordinance), and a portion (within the approximately 15

East Airport Annexation and Zone Change

acres to be zoned Public Lands – Recreation) lies within the 100-year floodplain. According to the Scappoose Local Wetlands Inventory Map there are several identified wetlands in the southern portion of the annexation area to the south and south east of the runway (see **Exhibits 10 and 15**).

OBSERVATIONSCONCURRENT ANNEXATION AND ZONE CHANGE APPLICATIONS

- The applicant has requested annexation of the property and a corresponding zone change to Public Use Airport (PUA) for 343 acres and Public Lands – Recreation for 15 acres, in conformance with the Comprehensive Plan Designations. The majority of the 343 acres that will receive PUA zoning will also receive the East Airport Employment Overlay (**Exhibit 5**). The site is currently zoned Primary Agriculture-80 (PA-80) and Rural Residential-5 (RR-5) by Columbia County and has an Airport Employment and Public Lands Designation on the Scappoose Comprehensive Plan Map.

CONCURRENT CONCEPTUAL MASTER PLAN APPROVAL

- As illustrated in Figure 17.74.1- Airport Employment Potential Future Zoning Map (**Exhibit 11**), the majority of the parcels that will receive PUA zoning will also be subject to the East Airport Employment Overlay. According to 17.74.080, sites with a combined area of more than four acres under common ownership are required to receive Planning Commission approval of a Conceptual Master Plan (CMP) prior to annexation. The applicant has included a Conceptual Master Plan proposing how the site can be efficiently developed for the intended uses consistent with the Scappoose Economic Opportunities Analysis, which the City adopted as part of the recent UGB expansion (Ordinance 816) in 2011 (see **Exhibit 3**).
- This application does not propose any specific development at this time. Future development proposals will be required to apply for Site Development Review to ensure compliance with the Scappoose Development Code and Public Works Design Standards. Development must be consistent with the requirements of Chapter 17.74 – Airport Employment Overlay Zones and Chapter 17.88 - AO Public Use Airport Safety and Compatibility Overlay Zone, of the Scappoose Development Code.

STREET SYSTEM AND TRANSPORTATION IMPACTS

- The annexation area abuts Ring-a-Ring Road to the north, however, future development of this area will require the construction of a new collector road, as identified in the recently adopted 2016 Transportation System Plan (TSP). The Conceptual Master Plan (**Exhibit 3, Sheet P1.1**) shows the proposed extension of Crown Zellerbach Road east, to the edge of the parcel which will be zoned Public Lands – Recreation, then extending north along the Urban Growth Boundary until it connects with Moore Road to the north. The proposed collector is shown to the north of the existing Crown Zellerbach Trail, in conformance with the TSP. The precise location and design of the collector road, as well as any interior roadways, will be determined once a development proposal is received. The Port submitted a comment (**Exhibit 13**) saying that the FAA is now considering roads and multi-use trails as a possible hazard to navigation related to the potential height of any vehicles that may be using the road.

East Airport Annexation and Zone Change

At the point of roadway design, the applicant will need to work with the Port and FAA to ensure safety in the vicinity of the airport.

- As required by 17.22.050, proposals to amend the zoning map must be reviewed to determine whether they significantly affect a transportation facility pursuant to Oregon Administrative Rule (OAR) 660-012-0060 – Transportation Planning Rule. Under OAR 660-012-0060(9) a local government may find that an amendment does not significantly affect an existing or planned transportation facility if (1) the proposed zoning is consistent with the underlying comprehensive plan designation, (2) the local government has an acknowledged TSP and the proposed zoning is consistent with the TSP, and (3) The area subject to the zoning map amendment was not exempted from this rule at the time of an urban growth boundary amendment as permitted in OAR 660-024-0020(1)(d), or the area was exempted from this rule but the local government has a subsequently acknowledged TSP amendment that accounted for urbanization of the area.
- The applicant submitted a Transportation Analysis in order to demonstrate compliance with the Transportation Planning Rule (**Exhibit 6**). The subject property falls within Transportation Analysis Zone (TAZ) #103 (this information can be found in the adopted TSP¹), which had a projected average PM peak hour traffic increase of 2583 new trips over the planning horizon, with 929 trips entering and 1654 trips exiting the zone. The applicants Transportation Analysis conducted by Lancaster Engineering projects that under a full build out scenario with 20 acres being developed as a Junior College and the remaining 338 acres being developed as an Industrial Park, there could be a total of 2284 new PM peak hour trips, with 681 trips entering and 1603 trips exiting the zone.
- Since the proposed zone change meets conditions 1 – 3 under OAR 660-012-0060(9), and the number of trips considered in developing the TSP was in excess of the number of trips anticipated within the subject property under the worst-case development scenario with full build out of the subject site, the City can find that the proposed zone change does not significantly affect a transportation facility. It is anticipated that the transportation system improvements identified within the City's TSP are both compatible with the proposed zone change and sufficient to address the traffic impacts of future development within the subject property.
- ODOT submitted a comment stating that the City's recently adopted Transportation System Plan accounted for the future development, annexation, and zone change involving this project, and that after further review, the TPR Analysis and annexation/zone change is consistent with the TSP. ODOT is in agreement with the proposed annexation and zone change and noted that the Transportation Planning Rule OAR 660-012-0060 (9) has been satisfied (**Exhibit 9**).
- Future development proposals within the annexation area will be required to submit a Traffic Impact Analysis to determine needed improvements to the local transportation network.

¹ The adopted 2016 TSP can be found online at <http://www.ci.scappoose.or.us/planning/page/2016-scappoose-transportation-system-master-plan-vol-1>.

*East Airport Annexation and Zone Change*UTILITIES

- City water service, storm drainage, and sanitary sewer service are not available to the site at this time. When the property is developed, the applicant will be required to provide infrastructure to serve the site. The applicant has indicated in the narrative that infrastructure will come from the southern end of the annexation area, moving northward to an eventual connection to Moore Road within the proposed new connector road right-of-way. The Conceptual Master Plan, Sheets P1.3, P1.4, and P1.5 (**Exhibit 3**) show conceptually how utilities could be provided within the annexation area.
- As outlined in the attached memo from the City Engineer dated December 7, 2016, attached and incorporated herein as additional findings (**Exhibit 17**), certain services and facilities do not have sufficient capacity to provide service for the full build out of the proposed annexation area. Development, however, is expected to occur in phases allowing for the construction of utility infrastructure over time. Staff and the City Attorney have identified findings and conditions that, if adopted, would provide reasonable assurances that development in the annexed area adequately addresses these services and facilities deficiencies. These findings and conditions support a conclusion that it is feasible to provide capacity and extend services and facilities in order to permit future development to occur.
- A full explanation of the findings and recommended conditions of approval can be found later in the report, and specifically within the responses to Section 17.136.040.
- The majority of the site is within the Scappoose Drainage Improvement District. Any development proposals will have to ensure that development of the site does not degrade water quality or increase water quantity draining to the Scappoose Drainage Improvement Company (SDIC), as noted in the comment provided by the President of SDIC (**Exhibit 14**). This evaluation would be made at the time of a specific development proposal review.

PUBLIC & PRIVATE AGENCIES AND PUBLIC NOTICE

- The City of Scappoose City Manager, Public Works Director, Engineering, Building, and Police Departments; Columbia County Road and Planning Departments; the Port of St. Helens; the Scappoose Drainage Improvement Company; Scappoose Rural Fire Protection District; the Scappoose School District; the Oregon Department of Transportation; The Oregon Department of Aviation; and the Oregon Department of Land Conservation and Development have been provided an opportunity to review the proposal. Comments from these organizations have been incorporated into this staff report.
- Notice of this request was mailed to property owners located within 300 feet of the subject site on November 18, 2016, and a revised notice with an updated hearing date was sent on December 13, 2016. Notice was also posted on the property on November 22, and a revised notice was posted on December 16, and published in the local newspaper on November 18 and November 25, 2016, with a revised notice posted on December 16 and 23rd, 2016. Staff has received no written comments from the public regarding the application. **REVISED December 30, 2016:** Subsequent to the completion of the staff report, several comments were

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received by the public in regards to this application, they are attached as Exhibits 20 – 23. Further, the Planning Commission recommended to City Council to adopt the staff responses included in Exhibits 21 & 22 as additional findings.

APPLICABILITY OF STATEWIDE PLANNING GOALS

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

FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR APPROVAL**1. The following Statewide Planning Goals have been considered by the City of Scappoose as they pertain to this request:****A. Citizen Involvement (Goal 1)**

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

Finding:

The City's acknowledged Comprehensive Plan & Development Code includes citizen involvement procedures with which the review of this application will comply. This process allows for citizens to communicate their input into the zoning map amendment review conducted by the City at public hearings or by submitting written comments. The City of Scappoose Planning Commission will review and comment on the proposed annexation and zoning map amendment on December 29, 2016 to make a recommendation to the City Council. The City Council will hold a hearing on January 3, 2017. The Applicant is required to post site notices, the City mails notices to nearby property owners, and notice is published in the newspaper. This process complies with Goal 1.

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)

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species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

Finding:

This Goal is not applicable because the site is within the City of Scappoose Urban Growth Boundary and no identified forest resources are located on site.

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

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

Finding:

The subject site is not designated as open space, a scenic, or historic area by the City of Scappoose and does not contain any known significant open space, scenic, or historic areas. The subject site does contain a series of wetlands and a small portion of floodplain, as shown on the City's Local Wetlands Inventory, and FIRM map (**Exhibits 10 & 15**). Any proposed development on this site will be evaluated for compliance with the City's Land Use and Development Codes prior to allowing development to occur. The City's Land Use and Development Code has been implemented in order to limit impacts to natural resources and to provide protection for inventoried Goal 5 resources. Therefore, 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 majority of the site is currently planned for airport compatible uses (with the exception of the 15 acres to be zoned Public Lands-Recreation). If the annexation is approved, the site would be subject to City regulations that do not allow off-site impacts from noise, vibration, odors, glare, or other "nuisance" effects. The potential harmful effects on air, water and land resource quality is limited. The annexation and zone change proposal will therefore have no significant impact with respect to this Goal.

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

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

Finding:

The subject site is not located within a potential landslide hazard or earthquake hazard area. A portion of the property is within the 100-year floodplain protected by the dike (Zone X, which is not regulated by the City of Scappoose's Floodplain Ordinance), and a portion (within the approximately 15 acres to be zoned Public Lands – Recreation) lies

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within the 100-year floodplain. Any development proposal will be required to document compliance with the applicable City, State and Federal requirements for development within areas affected by the floodplain. The proposal to zone the subject property for airport-related development is consistent with avoidance of natural disasters and hazards under Goal 7.

H. Recreational Needs (Goal 8)

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

Finding:

The majority of the annexation area (343 acres) is presently designated for airport related development. The remaining 15 acres is designated as Public Lands on the Comprehensive Plan Map and will be zoned Public Lands – Recreation upon annexation. The narrative indicates that this area is intended to be a future park, which will contribute to the City’s inventory of recreational opportunities. Consequently, the proposed annexation and zone change will have a beneficial impact on the City’s ability to plan 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 2011 Economic Opportunities Analysis (EOA), UGB amendment, and associated Comprehensive Plan and Development Code amendments created a framework (e.g. The East Airport Employment Overlay) to accommodate and encourage targeted industrial, office, retail, lodging, and public uses to satisfy the City’s anticipated employment growth over a 20-year period.

The proposed annexation and zoning map amendment should result in development that contributes to the state and local economy by providing land for airport related employment and associated uses.

As noted in the narrative, the annexation will further enable the City to capitalize on the advantages identified by the EOA. The combination of large sites, airport support, HWY 30 access and pricing advantage (compared to the Portland Metropolitan area competition) provide advantages to the City of Scappoose and the Port of St. Helens for increasing industrial employment opportunities. Therefore, the application is consistent with this Goal.

J. Housing (Goal 10)

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

Finding:

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

K. Public Facilities and Services (Goal 11)

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

Finding:

The subject property lies within the Urban Growth Boundary (UGB) and therefore requires the extension of public facilities and services at the developer's expense at such time that the property is developed. Water, sanitary sewer and storm sewer would be constructed as conditions of approval for future subdivision or site development review applications, therefore, this goal can be met.

L. Transportation (Goal 12)

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

Finding:

Statewide Planning Goal 12 is implemented by the state Transportation Planning Rule (TPR). The City adopted an updated Transportation System Plan (TSP) on September 6, 2016. The transportation impacts associated with the eventual annexation and full development of the subject site was analyzed as part of the 2016 TSP update. As noted within the observations at the beginning of this staff report, the anticipated traffic associated with the full build out of the subject site falls within the assumptions made by the TSP.

The City will require improvements to the roadway network as conditions of approval for subsequent development proposals submitted for the site, in conformance with the identified projects listed within the TSP and in coordination with ODOT. Therefore, the application is consistent with this Goal.

M. Energy Conservation (Goal 13)

Objective: *To conserve energy.*

East Airport Annexation and Zone Change

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

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

Finding:

Clustering airport related industrial activities near the airport facilitates carpooling by employees and allows for convenient access to principal roadways designated for truck traffic. The subject property is adjacent to the Scappoose Industrial Airpark and to land zoned for airport-related industrial uses. Therefore, the proposal will contribute to a more energy-efficient land use pattern within the City's Urban Growth Boundary. Therefore, the application is consistent with this Goal.

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 water lines, sewer lines, storm drainage lines, and street improvements. Therefore, the application is consistent with this Goal.

*O. Other Goals***Finding:**

The following goals are not applicable to this application:

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

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

GOAL OF THE URBAN GROWTH BOUNDARY

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It is the goal of the City of Scappoose to:

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

Finding:

Annexing this land will provide employment opportunities immediately adjacent to the airport. This site is zoned PA-80 and RR-5 by Columbia County. Annexing the site removes the land from the agricultural holding zone and allows airport related development as envisioned by the Comprehensive Plan goals and policies. The site's relative proximity to residential zones within the City supports existing and proposed residential development and promotes the City's livability by allowing short commutes.

This application begins the process of creating industrial and business park use that is supportive of and compatible with the airport. The Conceptual Master Plan further illustrates the intended layout that would support such development.

The applicable GOALS OF THE URBAN GROWTH BOUNDARY are satisfied.

POLICIES FOR THE URBAN GROWTH BOUNDARY

It is the policy of the City of Scappoose to:

- 10) *Meet the following conditions prior to development of the land within the Airport Employment (AE) area:*
 - A) *A master plan shall be approved showing the general locations of major streets, taxiways, building areas, and sanitary sewer, water and storm drainage facilities.*
 - B) *The master plan shall identify large parcels to be retained consistent with the Scappoose Economic Opportunities Analysis.*
 - C) *No urban zone change or development shall be permitted until the Oregon Department of Transportation has approved a transportation impact analysis and consequent mitigation measures.*
 - D) *The land shall be held in an agricultural holding zone until Conditions AC have been met.*

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Policies 1-9 are not applicable to this application.

Finding:

This application contains a request for approval of a Conceptual Master Plan as required by Chapter 17.74.080: Conceptual Master Plan (CMP) requirements for large sites, of the Scappoose Development Code. The applicant has shown the general locations of major streets, taxiways and utilities and has depicted how two large sites (50 acres each) and two medium sites (20 acres each) can be developed efficiently, in conformance with the Economic Opportunities Analysis.

The applicant hired Lancaster Engineering who worked in coordination with the City of Scappoose, Columbia County and ODOT to perform necessary analysis and development of recommendations to ensure compliance with the Transportation Planning Rule (TPR). ODOT has approved the TPR Analysis and will be notified of future development proposals as well (**Exhibit 9**).

Conditions A through C all are being addressed through this combined application. No holding zone will be necessary following approval.

The applicable POLICIES FOR THE URBAN GROWTH BOUNDARY are satisfied.

GOAL FOR PUBLIC FACILITIES AND SERVICES

- 1) *Provide the public facilities and services which are necessary for the well being of the community and which help guide development into conformance with the Comprehensive Plan.*
- 2) *Direct public facilities and services, particularly water and sewer systems, into the urban growth area.*
- 3) *Ensure that the capacities and patterns of utilities and other facilities are adequate to support the residential densities and intensive land use patterns of the Comprehensive Plan. (not applicable to this application)*
- 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.

Finding:

The future use of the subject properties as airport supportive industry with associated public facilities will further support the economic amenity of the airport. Additionally, a future public park will also provide open space directly linked to the wellbeing of the community. Public facilities, including water and sewer will be installed at the owners expense with a future development proposal.

The applicable GOALS FOR PUBLIC FACILITIES AND SERVICES are satisfied.

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.*
- 4) *Require in new developments that water, sewer, street and other improvements be installed as part of initial construction*
- 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.*
- 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*
- 29) *Require master plans for business and industrial parks to ensure efficient provision of streets, sewer, water, and storm drainage facilities to large, undeveloped sites.*

Policies 2-3, 5-8 and 11-28 are not applicable to this application.

Finding:

The public facility requirements must be met at the time that the applicant proposes a Development Plan for airport related industrial uses. All plans and improvements are subject to review by the City Engineer and must conform to the requirements of the Scappoose Municipal Code and the Public Works Design Standards.

The applicant was required to submit a Conceptual Master Plan (CMP). The CMP includes generalized facility and utility planning to support needed growth. Urban facility design, environmental preservation planning, and planning for flood control and groundwater will occur in detail in subsequent phases, including Subdivision and Site Development Review.

The applicable POLICIES FOR PUBLIC FACILITIES AND SERVICES are satisfied.

GOAL FOR ECONOMICS

It is the goal of the City of Scappoose to:

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- 1) *Maintain conditions favorable for a growing, healthy, stable, and diversified business and industrial climate.*
- 2) *Establish greater local control over local economic development policy through the adoption of the Scappoose Economic Opportunities Analysis.*
- 3) *Provide the land and public facilities necessary to support economic development while allowing the free market economy to operate with an absolute minimum of restrictions.*
- 4) *Take advantage of economic opportunities identified in the Scappoose Economic Opportunities Analysis (EOA) to increase local employment and community prosperity.*
- 5) *Capitalize on the comparative advantages identified in the Scappoose EOA to maintain and attract industrial and commercial employment opportunities.*

Finding:

As indicated by the narrative, this application is made in direct response to the needs identified by the City's 2011 EOA for increased opportunities for industrial development. The CMP demonstrates that large sites will be maintained to allow for industrial growth which is anticipated to add health, stability and diversity to the City's economic wellbeing.

The annexation will enable the City to capitalize on the advantages identified by the EOA. The combination of large sites, airport support, HWY 30 access and pricing advantage (compared to the Portland Metropolitan area competition) provide advantages to the City of Scappoose and the Port of St. Helens for increasing industrial employment opportunities.

The applicable GOALS FOR ECONOMICS are satisfied.

POLICIES FOR ECONOMICS

It is the policy of the City of Scappoose to:

- 1) *Make sufficient suitable land available for the anticipated expansion of commercial and industrial activities identified in the Scappoose EOA.*
- 4) *Encourage the expansion of employment opportunities within the urban area, so residents can work within their community.*
- 5) *Promote pollution free industrial development necessary to provide a balanced tax base for the operation of local government services.*
- 10) *Capitalize on the comparative advantages offered by the Scappoose Industrial Airpark, proximity to the Portland region, a pro-business community attitude, and*

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the availability of serviced employment land to create job opportunities for existing and future Scappoose residents.

- 11) *Identify special locations for industrial activities that will assist in energy conservation; specifically, industries should be clustered:*
 - a. *Close to existing rail lines.*
 - b. *To allow for employees to use carpools.*
- 13) *Coordinate its plans for public facilities to accommodate expected industrial and residential growth.*
- 15) *Encourage energy saving building practices in future commercial and industrial buildings.*
- 16) *Protect industrial, airport-related and commercially designated areas for their intended uses as identified in the Scappoose Economic Opportunities Analysis.*
- 17) *Coordinate with the Port of St. Helens and individual property owners to protect land near the Scappoose Industrial Airpark for intended airport-related and airport-compatible employment uses as called for in the Urban Scappoose EOA.*
- 18) *Take actions called for in the EOA to increase local employment and improve the population to employment balance.*

Policies 2-3, 6-9, 12, and 14 are not applicable to this application.

Finding:

The subject property is located in the Scappoose Urban Growth Boundary and is designated Airport Employment (and Public Lands) on the Comprehensive Plan Map in recognition of planned airport related industrial uses at such time that the City annexes the property.

Approval of the annexation and CMP will add more than 343 acres of land zoned Public Use Airport to City limits, with the majority of those acres also receiving the East Airport Employment Overlay. This will protect industrial, airport related and supportive commercial business opportunities as intended by the EOA, and is expected to increase local employment opportunities within the urban area, so residents can work within their community.

The EOA indicates that Scappoose has a need for 269 gross acres of industrial land², including two large 50 acres sites, and two medium sites of 20-30 acres. This application seeks to satisfy those needs.

² From 2011 Scappoose EOA, Figure 3: Employment Land by Site Size for Scappoose (2030)

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The 358 acre site is not adjacent to a rail line, but the site and the adjacent Scappoose Industrial Airpark provide an opportunity for carpooling. Future extension and installation of public services for the annexation area will be provided at the developer's expense, according to the Public Works Design Standards.

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

The applicable POLICIES FOR ECONOMICS are satisfied.

GENERAL GOALS FOR LAND USES

- 1) *The growth of the City should be orderly and in accordance with the public health, safety and welfare, while preserving individual choice and recognizing existing patterns of development.*
- 3) *A suitable balance between competing land use should be established so that, insofar as possible, the complete range of social, economic, cultural, and aesthetic needs of the community are met.*
- 8) *Industrial areas should be suitable for their purpose, properly located, and adequate for future needs.*
- 12) *Adequate public services and facilities should be provided to encourage an orderly and efficient growth pattern.*
- 13) *A safe and convenient transportation system should be developed to meet future needs.*
- 14) *The local economy should be strengthened and diversified.*
- 17) *Land uses should be arranged to maximize the conservation of energy.*

Goals 2, 4-7, 9-11, 15-16, and 18-19 are not applicable to this application.

Finding:

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

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The area will be accessed via a new connector road from Moore Rd in the North to the eastern extension of Crown Zellerbach Rd in the south. Internally - driveways, taxi-ways and local streets will be used to support future need.

The applicable GOALS FOR LAND USES are satisfied.

GOAL FOR TRANSPORTATION

It is the goal of the City of Scappoose:

[...]

- 7) To cooperate closely with the County and State on transportation matters.*
- 8) To assure that roads have the capacity for expansion and extension to meet future demands.*
- 10) To encourage energy conservation modes of transit such as car-pooling.*
- 11) To provide special protected routes for walking and bicycling.*
- 12) Enhance the aesthetics of all streets and roadways through planting and maintenance of street trees.*
- 13) Work with the Port of St. Helens to maintain the continuing viability of the Scappoose Industrial Airpark.*

Goals 1 – 6 and 9 not applicable

Finding:

The applicant's traffic consultants have coordinated with Columbia County and ODOT personnel to identify and address concerns that may arise as a result of the zone change and subsequent development within the subject property.

The City's recently adopted TSP estimated that TAZ³ #103, which nearly fully matches the site's boundaries, would have a projected traffic increase of 2,583 new peak-hour trips. The analysis shows that this project will generate up to 2,508 AM peak hour⁴ trips (the higher of the two peaks). At roughly 75 fewer trips than planned within the TSP, the existing and planned transportation network's capacity is expected to be adequate to accommodate the projected traffic.

This annexation and zoning request will enable the creation of jobs in close proximity to residents of Scappoose and neighboring Columbia County. One benefit of job creation in

³ Transportation Analysis Zone, as identified in the TSP.

⁴ It is expected that there will be fewer trips generated than the Lancaster report assumes since portions of the site cannot support industrial park development since: a portion will be dedicated as a future park and a portion is within the runway protection zone and is unbuildable (south of the runway).

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this vicinity is that these new work trips will be shorter than those to remote job centers, especially to the City of Portland or Washington County. Further, the site is adjacent to a multi-use path, separated from the travel way, to enable cycling and walking from the City to the site.

Future development proposals will provide the opportunity for review of the aesthetics of streets and roadways, which can be ensured through the requirement of street trees adjacent to sidewalks and streets.

The applicable GOALS FOR TRANSPORTATION are satisfied.

POLICIES FOR TRANSPORTATION

- 1) *Require all newly established streets and highways to be of proper width, alignment, design and construction, and to ensure that they are in conformance with the City's Subdivision Ordinance.*
- 2) *Review diligently all subdivision plats and road dedications to insure the establishment of a safe and efficient road system.*
- 3) *Cooperate with the County and State on plans to improve transportation facilities-- especially on Highway 30.*

Policies 4-19 not applicable to this application

Finding:

No specific site designs are proposed with this application. However, the applicant has been in discussion with the City of Scappoose regarding design of the future road connecting the eastern extension of Crown Zellerbach Road to Moore Rd. The required improvements and construction of new streets serving the site must meet the requirements of the Transportation System Plan and the Public Works Design Standards.

The recently adopted TSP includes several planned transportation infrastructure improvements that address future transportation needs within the City of Scappoose, including along Highway 30. These improvements are intended to support future development both within the subject property and generally throughout the city. It is anticipated that as development proceeds within the subject property specific improvements and/or financial contributions toward project costs may be required, as is proportionate to the impacts of the individual developments.

It is anticipated that the improvements and policies identified in the TSP will be sufficient to address the concerns of ODOT, since the TSP included traffic levels for the subject property in excess of those that can be expected under the "reasonable worst case" full development scenario for the proposed zoning, and inclusive of the anticipated PCC facilities.

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Columbia County has identified concerns regarding the safety and capacity of West Lane Road between N Honeyman Road and Highway 30. It is also anticipated that future development within the subject property will participate in analysis and mitigation tasks for this roadway in proportion to the traffic impacts of individual developments.

The applicable POLICIES FOR TRANSPORTATION are satisfied.

GOALS FOR THE AIRPORT EMPLOYMENT (AE) LAND USE DESIGNATION

It is the policy of the City of Scappoose to:

- 1) *Support and promote the continued safe operation of the Scappoose Industrial Airpark and the economic vitality of the AE designation by providing suitable sites for targeted employment opportunities identified in the Scappoose EOA.*
- 2) *Provide a location for airport-related and -compatible employment activities in a master-planned setting with good highway, arterial road and airport access – in an area where their environmental effects will have a minimal impact upon the community.*
- 3) *Utilize the AE as an attractor for employment opportunities identified in the Scappoose EOA that are dependent upon, compatible with, or benefit from aircraft access, air transportation, and the existing cluster of aviation-related businesses located near the airport.*
- 4) *Take advantage of the transportation options provided by the Scappoose Industrial Airpark by allowing airport-related and compatible employment uses called for in the Scappoose EOA, including industrial, office and service commercial, and supportive lodging and restaurant employment.*

Finding:

The Airport Employment Comprehensive Plan designation and the East Airport Employment Overlay Zone implements the EOA by restricting allowable land uses to the range of industrial, commercial, and public uses targeted in the EOA.

The East Airport Employment overlay zone requires master planning which will accommodate the airport-related uses allowed in the Public Use Airport base zone and allows for a targeted mix of airport-compatible businesses near the Scappoose Industrial Airpark. The subject site will have good highway, arterial road and airport access and is located in an area north east of the City where environmental effects will have a minimal impact on the community.

The applicable GOALS FOR THE AIRPORT EMPLOYMENT (AE) LAND USE DESIGNATION are satisfied.

POLICIES FOR THE AIRPORT EMPLOYMENT (AE) LAND USE DESIGNATION

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It is the policy of the City of Scappoose to:

- 1) *Locate light industrial, office and service commercial, and airport-related employment areas that have a convenient relationship to the community's vehicular and aircraft transportation systems.*
- 2) *Screen or set back the boundaries of airport related development areas from abutting existing residential uses.*
- 4) *Protect the stability and functional aspects of airport-related uses by prohibiting incompatible uses that create safety hazards or otherwise interfere with customary and usual aviation-related activities as defined by the Development Code.*
- 5) *Encourage airport-related educational opportunities.*
- 6) *Work with the Port of St. Helens and private property owners to maintain the continuing viability of the Scappoose Industrial Airpark and the AE.*
- 7) *Encourage mixed office and service commercial uses, and supporting lodging and restaurant opportunities in a master planned setting in designated Business Park areas.*
- 8) *Protect large industrial sites for their intended use as called for in the Scappoose EOA.*
- 9) *Provide taxiway access to employment sites wherever feasible – especially in designated Industrial Airpark areas.*

Policy 3 is not applicable to this application

Finding:

As previously noted, the application of the East Airport Employment Overlay Zone accommodates the airport-related uses allowed in the Public Use Airport base zone and allows for a targeted mix of airport-compatible businesses near the Scappoose Industrial Airpark. The direct proximity of the project ensures a convenient relationship with the airport. Extension of the Crown Zellerbach connector road and taxi-ways to all properties will also ensure community access to the aircraft transportation system.

The proposed PUA base zoning specifies a fifty (50) foot buffer from residential districts. A small cluster of these uses are located at the northern portion of the site. If these lands remain as residential (as per current county zoning) the required buffer and landscaping will effectively screen the properties.

The PUA zoning and EAE overlay specify the list of allowed uses that are both compatible and supportive of the airport. No uses are proposed at this time, however, future development proposals will need to comply with the AO – Public Use Airport

East Airport Annexation and Zone Change

Safety and Compatibility Overlay requirements.

A 20 acre parcel to the southeast of the airport is anticipated for use as a community college education facility, which will encourage and support airport related education.

The CMP shows how two large and two medium sites can be retained for their intended use as called for in the EOA. The CMP also shows how taxiway access can be provided for all potential employment sites.

The applicable POLICIES FOR THE AIRPORT EMPLOYMENT (AE) LAND USE DESIGNATION are satisfied.

3. 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

17.22.040 Approval Criteria. Planning commissions 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;

Finding:

The proposal does not involve an amendment to the Comprehensive Plan, however, findings related to the Statewide Planning Goals have been provided within this report. This application is consistent with applicable Oregon Revised Statutes and Administrative Rules. Section 17.22.040 (A) is satisfied.

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;

Finding:

Findings have been provided throughout this report to show consistency with the Comprehensive Plan, the standards of the development code, and other implementing ordinances. Section 17.22.040 (B) is satisfied.

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

Finding:

The proposed annexation is consistent with the Comprehensive Plan because the property lies within the urban growth boundary, and the zone change to PUA and PL-R is in

East Airport Annexation and Zone Change

conformance with the Comprehensive Plan Map. Operations of industrial airport related developments are regulated to ensure minimal off-site impacts.

Columbia County Road Department provided a written comment (**Exhibit 12**) indicating that future traffic associated with the development of properties within the annexation area may degrade livability within the City. At the time of a development proposal, a traffic impact study would need to be conducted to assess the specific uses proposed at that time and what mitigation measures would be necessary to ensure a safe transportation system. Section 17.22.040 (C) is satisfied.

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

Finding:

The proposal responds to changes in the community. Specifically, the City has amended its UGB to accommodate needed employment land. This proposal will support the City's changing needs related to attracting employment. Section 17.22.040 (D) is satisfied.

E. The amendment conforms to Section 17.22.050

Finding:

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.*

TRANSPORTATION PLANNING RULE

OAR 660 Division 12 – Transportation Planning:

660-012-0060 Plan and Land Use Regulation Amendments

(1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. 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);

Finding: The proposed annexation and zone change will not necessitate changes to the functional classification of existing or planned transportation facilities.

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

Finding: The proposed annexation and zone change will not change any standards implementing the functional classification system.

(c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.

(A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

(B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or

(C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.

Finding: The projected impacts from the proposed zone change were accounted for in the planning models on which the recently adopted TSP was based, and the infrastructure improvements and policies contained within the TSP aims to address those impacts. Accordingly, the language of OAR 660-012-0060(9) is applicable as follows:

(9) Notwithstanding section (1) of this rule, a local government may find that an amendment to a zoning map does not significantly affect an existing or planned transportation facility if all of the following requirements are met.

(a) The proposed zoning is consistent with the existing comprehensive plan map designation and the amendment does not change the comprehensive plan map;

(b) The local government has an acknowledged TSP and the proposed zoning is consistent with the TSP; and

(c) The area subject to the zoning map amendment was not exempted from this rule at the time of an urban growth boundary amendment as permitted in OAR 660-024-0020(1) (d), or the area was exempted from this rule but the local government has a subsequently acknowledged TSP amendment that accounted for urbanization of the area.

Finding:

The City of Scappoose's Comprehensive Plan map designation for the subject property is AE – Airport Employment and Public Lands. The proposed PUA zoning with the EAE

East Airport Annexation and Zone Change

overlay and Public Lands – Recreation is consistent with this plan, and the amendment will not change the Comprehensive Plan map. Subsection (a) is satisfied.

The City adopted an updated TSP on September 6, 2016 that is consistent with the proposed zoning. Subsection (b) is satisfied.

The area subject to the zoning map amendment was exempted from the relevant rule at the time of the 2011 urban growth boundary amendment, however, the City has subsequently adopted an updated TSP that accounts for urbanization of the annexation area. Accordingly, subsection (c) is also satisfied.

Since the provisions of the three subsections are met, the City can find that the proposed zone change and annexation does not significantly affect an existing or planned transportation facility, and the Transportation Planning Rule is satisfied. ODOT has concurred with this finding in its letter attached as **Exhibit 9**.

The Columbia County Road Department submitted a comment regarding their concern over additional traffic congestion on Hwy 30 as a result of development within the annexation area (**Exhibit 12**). The Road Department asked to be informed of future development proposals in order to review and comment on the traffic impacts to local road networks, impacts to Crown Zellerbach Trail, and physical road conditions.

Future development proposals will be required to provide traffic analysis reports identifying projected trip generation levels, recommendations for public improvements, and access management. The mitigation strategies prompted by the results of the traffic analysis reports would be installed as conditions of development approval. Section 17.22.040 (E) is satisfied.

Chapter 17.69 PUA PUBLIC USE AIRPORT

17.69.020 Conformance With Public Use Airport Safety and Compatibility Overlay. *All uses, activities, facilities and structures allowed in the public use airport (PUA) zone shall comply with the requirements of the Public Use Airport Safety and Compatibility Overlay (Chapter 17.88). In the event of a conflict between the requirements of this zone and those of the public use airport safety and compatibility overlay, the requirements of the overlay shall control.*

Finding:

This application does not propose any development, however, future proposals will be required to conform with the Public Use Airport Safety and Compatibility Overlay (Chapter 17.88). Section 17.69.020 is satisfied.

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

[...]

East Airport Annexation and Zone Change

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

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

[...]

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

[...]

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

M. Other airport compatible light industrial uses.

Finding:

A variety of airport-compatible uses are permitted in the Public Use Airport zoning district, some of which are listed above. Future development proposals would be reviewed for consistency with the permitted uses in the proposed zone. Most parcels receiving PUA zoning will also receive the East Airport Employment Overlay, which permits a wider range of uses, which is discussed later in the report. Section 17.69.040 is satisfied.

Chapter 17.74 AE AIRPORT EMPLOYMENT OVERLAY ZONE

17.74.030 Overlay Zones and Applicability. *The three Airport Employment Overlay Zones shall apply to selected parcels in the vicinity of the Scappoose Industrial Airpark generally as illustrated on the Airport Employment Potential Future Zoning map (Figure 17.74.1). The precise location of overlay district boundaries will be determined through the zoning map amendment process pursuant to Chapters 17.160 or 17.162 as appropriate.*

A. The Airport Employment Overlay Zones supplement the Public Use Airport (PUA) base zone that applies to land within the Airport Employment (AE) plan designation. In the event of a conflict between the requirements of the PUA zone and those of the Airport Employment Overlay Zones, the requirements of the overlay shall control.

[...]

D. The East Airport Employment (EAE) overlay zone protects large industrial and institutional sites identified in the Scappoose EOA.

*East Airport Annexation and Zone Change***Finding:**

The annexation area contains parcels that are subject to the East Airport Employment Overlay zone, which will be applied upon annexation. The applicant has submitted a Conceptual Master Plan which shows how two large parcels (50 acres each) and two medium sized parcels (20 acres each) could reasonably be developed. Section 17.74.030 is satisfied.

17.74.080 Conceptual Master Plan Requirements for Large Sites. Sites with a combined area of more than four acres under common ownership shall receive Planning Commission approval of a conceptual master plan (CMP) prior to annexation (Chapter 17.136) or zone change (Chapter 17.22) approval within any of the Airport Employment Overlay Zones. The CMP is not intended to serve as a binding site plan, but rather provides overall guidance regarding future configurations of open space, public facilities, streets, taxiways and lots within the overlay district.

A. Conceptual Master Plan approval criteria. The applicant for CMP approval must demonstrate that the proposed CMP is consistent with the following criteria:

- 1. The CMP shall address the requirements of Section 17.74.080(C) and (D) and shall demonstrate how the proposed site and other sites within the same Airport Employment Overlay District can be efficiently developed for the intended uses consistent with the Scappoose EOA.*
- 2. The CMP shall encourage the safe and efficient operation of the Scappoose Airpark consistent with the Scappoose Airpark Master Plan and the AO Public Use Airport Safety and Compatibility Overlay Zone, Chapter 17.88.*

Finding: The CMP addresses requirements C and D (findings are below) and demonstrates how sites within the East Airport Employment (EAE) Overlay can be efficiently developed. The sites will be developed for the intended uses consistent with the EOA since future development will be required to comply with the permitted and conditional uses allowed within this overlay. Section 17.74.080.A is satisfied.

- 3. The CMP shall facilitate safe and efficient access to Public Land shown on the Scappoose Comprehensive Plan map or on any adopted park and recreational plan.*
- 4. The CMP shall provide for an efficient, multi-modal transportation system consistent with the Scappoose Transportation System Plan, any applicable transportation impact studies, and any applicable circulation plans approved with previous land divisions.*

Finding: A portion of the proposed annexation area is intended for use as a future park. The CMP depicts a new collector road which will provide access to this approximately 15 acre parcel of Public Land. The TSP indicates that the new collector road will also have bike lanes and sidewalks, which will contribute to a multi-modal transportation system. Currently, the Crown Zellerbach Trail borders the southern boundary of the annexation area. This shared use trail will continue to contribute to the multi-modal system in the vicinity of the annexation area. Section 17.74.080.A (3 – 4) is satisfied.

East Airport Annexation and Zone Change

5. Taxi-way access shall be provided to the majority of sites within each of the Airport Overlay Zones.

Finding: Taxi-way access is shown on the CMP (**Exhibit 3, Sheet P1.1**) and serves the majority of the parcels within the East Airport Employment overlay zone. Section 17.74.080.A (5) is satisfied.

6. The CMP shall shown how sanitary sewer, water and storm drainage facilities can be provided efficiently to the area proposed for annexation or zone change and remaining land within the same Employment Overlay District.

Finding: The applicant has submitted conceptual plans (**Sheets P1.3, P1.4 and P1.5, Exhibit 3**) depicting how sanitary sewer, water and storm drainage facilities may be provided efficiently to all parcels within the East Airport Employment Overlay. Sheet P1.3 – Concept Plan for Public Sewer indicates the location of a sewer pump station at the south end of the annexation area and Sheet P1.4 – Concept Plan for Water, indicates that a well would be provided to serve the subject site and would be connected to the Miller Road treatment plant to supplement airport related industrial uses within the annexation area.

The applicant depicts the location of storm drainage facilities on Sheet P1.5 (**Exhibit 3**). Section 17.88.080 – *Water Impoundments within Approach Surfaces and Airport Impact Boundaries* limits any water impoundments greater than or equal to ¼ acre in size (individually or cumulatively). The applicant will be required to comply with this section when designing storm drainage facilities as part of a future development proposal.

The Port of St Helens submitted a comment regarding their concern over the depiction of large areas dedicated to water storage on Sheet P1.5 (**Exhibit 13**). The Port will be consulted on this topic when a development proposal is submitted. Section 17.74.080.A (6) is satisfied.

[...]

C. Site size for EAE overlay zone. The conceptual master plan must show how two large (approximately 50-acre) and two medium (approximately 20- to 30-acre) developable sites will be retained in conformance with industrial and campus site needs stated in Figure 33 of the Scappoose EOA: Employment Land Demand by Site Size for Scappoose (2030).

D. An approved CMP may be modified through any of the following processes so long as the criteria in Section 17.74.080(A) through (C) continue to be met: [...]

Finding:

As shown on the CMP (**Exhibit 3, Sheet P1.1**), two large 50 acre sites and two medium 20 acre sites are provided conceptually, in conformance with the needs as identified in the

East Airport Annexation and Zone Change

EOA. The applicant is not proposing to modify a CMP at this time. Section 17.74.080 C – D is satisfied.

17.74.090 Dimensional Requirements and Development Standards. The dimensional requirements and development standards within the Airport Employment Overlay Zones shall be in accordance with the standards for the PUA zone as specified in Section 17.69.070.

Finding: Future development proposals will be required to comply with this section. Section 17.74.090 is satisfied.

Chapter 17.88 AO PUBLIC USE AIRPORT SAFETY and COMPATABILITY OVERLAY ZONE

17.88.030 Imaginary Surface and Noise Impact Boundary Delineation. The airport elevation, the airport noise impact boundary, the airport direct impact boundary, the airport secondary impact boundary, and the location and dimensions of the runway, primary surface, runway protection zone, approach surface, horizontal surface, conical surface and transitional surface shall be delineated for the Scappoose Industrial Airpark and shall be made part of the Official Zoning Map. The imaginary surfaces and the noise impact boundary are illustrated in the 2004 Scappoose Industrial Airpark Airport Master Plan (as amended August 9, 2006). All lands, waters and airspace, or portions thereof, that are located within these boundaries or surfaces, and are located within the city limits, shall be subject to the requirements of this overlay zone.

Findings: No development is currently proposed, however, future applications for development will be subject to this overlay. Section 17.88.030 is satisfied.

Chapter 17.79 PL-R PUBLIC LANDS—RECREATIONAL

17.79.030 Permitted Uses. In the PL-R zone, only the following uses and their accessory uses are permitted outright, and are subject to the provisions of Chapter 17.120, Site Development Review:

A. Public recreation facilities including neighborhood and community parks, park plazas, multi-use trails with associated trail access points and trailheads, campgrounds and other similar uses;

B. Public support Facilities.

Findings: It is anticipated that a public park will be located on the parcel zoned Public Lands – Recreational at some point in the future. Section 17.79.030 is satisfied.

Chapter 17.136 ANNEXATIONS

17.136.020 Policy.

Annexations shall be considered on a case-by-case basis, taking into account the goals and policies in the Scappoose Comprehensive Plan, long range costs and benefits of

East Airport Annexation and Zone Change

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. The annexation's location is adjacent to the Scappoose Airpark and contributes to a logical service area and clear identification of the City. Revenues from the area are anticipated to cover the cost of providing services, especially factoring in the employment that could occur on site.

Annexation will allow the City to manage growth and alleviate an immediate need for industrial-employment property within the City limits. Annexation of the property provides for City inspection and approval of all development. Section 17.136.020(A) is satisfied.

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

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

Finding:

The proposal is consistent with the provisions of the Scappoose Comprehensive Plan as previously discussed. The annexation does not decrease the ability of the City to provide services or cause an unreasonable disruption of the current City boundary. The proposed annexation site can be served by urban services provided that the applicant installs utilities to serve the site and constructs the necessary roadway improvements in conjunction with future development and in conformance with the TSP. The City has included recommended Conditions of Approval to ensure that adequate utilities are constructed prior to development of the site, and in conformance with all applicable regulations. Section 17.136.020(B) is satisfied.

17.136.040 Approval standards.

East Airport Annexation and Zone Change

- 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 property is already located within the Scappoose Rural Fire District, the Scappoose School District, and the Scappoose Library District. Telephone and electric services are already provided to neighboring properties.

The narrative indicates that once a site development review or subdivision is proposed, utility needs will be analyzed and provided to serve the site and provide for full buildout per current master plans. According to the CMP, future utilities are to be provided within the right-of-way along the future north-south roadway connecting Crown Zellerbach Road to Moore Road.

Water and sewer service can be made available to the site when the applicant extends the water and sewer lines. However, as outlined in the attached memo from the City Engineer dated December 7, 2016, attached and incorporated herein as additional findings (**Exhibit 17**), certain services and facilities do not have sufficient capacity to provide service for the full build out of the proposed annexation area. Development, however, is expected to occur in phases allowing for the construction of utility infrastructure over time.

Staff and the City Attorney have identified findings and conditions that, if adopted, would provide reasonable assurances that development in the annexed area adequately addresses these services and facilities deficiencies. These findings and conditions support a conclusion that it is feasible to provide capacity and extend services and facilities so as to permit development to occur.

Sewer treatment and conveyance: The City Engineer memo dated December 7, 2016 (adopted and incorporated herein as additional findings, **Exhibit 17**) indicates that the City's existing sewer treatment facility is nearing capacity and needs various upgrades in order to accommodate the expected five year sewer flows. Pursuant to Scappoose Development Code 17.154.040(D), development must be denied unless the Applicant, working with the City, demonstrates that the Applicant will address this issue.

Similarly, the Code requires denial of development until one new sewer pump station is provided for the annexed area and the existing 18" sanitary sewer conveyance line in East Columbia Ave is upsized, or assurance of upsizing within a reasonable period is provided by the applicant, working with the City, to adequately convey waste.

The City is currently in the process of completing its Wastewater Master Plan update. As part of that process, the City will adopt funding mechanisms to address capacity issues identified in the Plan.

Water supply and storage: The memo (**Exhibit 17**) indicates that the existing water treatment facility has adequate capacity to handle the water demand generated by development in the annexed area. Development, however, will consume much of this capacity. The City does not have adequate water resources to meet that demand. Since adequate water treatment capacity and water supply is critical to public health and safety in the annexed area and the City as a whole, the Applicant must assure that it is addressing its consumption of water treatment capacity and provides or assures an adequate water supply.

Accordingly, to comply with Section 17.136.040(A).1, and to support a conclusion that services and facilities have sufficient capacity to provide service for the proposed annexation area, staff recommends that the following conditions of approval be attached to approval of this land use application for annexation:

1. Each property owner within the annexed area shall execute a Consent and Waiver of right to remonstrate or object to formation of a local improvement district and assessments to fund construction of a 30" sewer conveyance line to replace the existing 18" conveyance line in E Columbia Avenue between Bird Road and the City's Wastewater Treatment Plant, and a sewer pump station. Each property's proportionate share of the assessment shall be as determined in the engineering report prepared pursuant to SMC 3.04.030 and 3.04.040 as modified or approved by the City Council. The form of Waiver and Consent is attached as **Exhibit 18**.
2. Each property owner within the annexed area shall execute a Consent and Waiver of right to remonstrate or object to formation of a local improvement district and assessments to fund construction of one approximate 0.335 MGD (~233 GPM) potable water well and construction of a water mainline and pump house to convey the water to the City's Water Treatment Plant, and such other related facilities as deemed necessary. The water mainline and pump house are to be sized to accommodate a future well in the annexed area and to utilize the available treatment capacity at Miller Road, .79 MGD (550 GPD). Each property's proportionate share shall be as determined in the engineering report prepared pursuant to SMC 3.04.030 and 3.04.040, as modified or approved by City Council. The form of Waiver and Consent is attached as **Exhibit 19**.
3. Public facilities and services provided by the owners or city in the annexed area shall be sized and located so as to reasonably accommodate future annexation of properties.
4. No development shall be approved unless the land use review authority determines that the applicant has assured or provided adequate facilities and services in accordance with City Code, including but not limited to Scappoose Development Code 17.154.090(D), and 17.154.105.

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5. Nothing in these conditions of approval preclude the property owners or an applicant for development from proposing alternative or additional options for providing necessary facilities and services. The City, property owners and applicants shall work together to identify solutions. Nothing in this condition precludes or limits the land use application review authority from imposing additional or alternative conditions of approval as permitted by City Code and applicable law, or as identified in updated Wastewater and Water Master Plans.
6. These conditions shall be recorded against each annexed parcel and shall run with the land, binding the successors and assigns of the current owners. These conditions may be modified by the City in accordance with an appropriate land use decision.

The projected sewer flows and water demand, as identified in the City Engineers memo (**Exhibit 17**), are estimations based on a reasonable full build out scenario, but may not reflect actual usage at the time of development. The applicant will need to review the current Wastewater Master Plan and Water Management and Conservation Plan, or any other applicable data, to determine specific improvements needed to accommodate full buildout. 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:

The proposed annexation is not expected to unduly compromise public service providers. The Scappoose Fire Department and Police Departments had an opportunity to comment on the proposal and no objections were received. The impact to the public transportation system will be analyzed at the time of a development proposal since the applicant will be required to submit a Traffic Impact Analysis and to comply with any mitigation deemed necessary to ensure safety. 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 343 acres for airport-related development and long-term employment, and would also create temporary employment opportunities for the construction of streets, utilities, and structures. Annexation would stimulate economic development in conformance with the vision within the EOA and in conformance with the East Airport Employment Overlay zone. 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 along the entire western annexation area boundary. All utility services will need to be extended at the developer's expense, but can be provided in an efficient way with the adoption of the recommended conditions of approval. Police and fire protection can be supplied by the Scappoose Police Department and Scappoose Rural Fire Protection District, respectively. Once the new collector road is constructed, the site will have convenient access to Highway 30. The subject site is close to existing industrial development, making carpooling and energy conservation possible. Urbanization of the site is consistent with the City's Comprehensive Plan, and site development is not anticipated to impose adverse social impacts. Increasing the industrial land supply will benefit the City by providing employment opportunities and satisfying the immediate need for industrial land. Section 17.136.040(A).4 is satisfied.

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

Comprehensive Plan	Zoning Classification
SR	R-1, Low Density Residential
GR	R-4, Moderate Density Residential
MH	MH, Manufactured Home Residential
C	EC, Expanded Commercial
I	LI, Light Industrial
AE	PUA, Public Use Airport

Finding:

The site has a Comprehensive Plan designation of AE, Airport Employment and PL, Public Lands. Upon annexation, 343 acres would automatically be zoned PUA, Public Use Airport and 15 acres would be zoned Public Lands - Recreational. 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;*

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

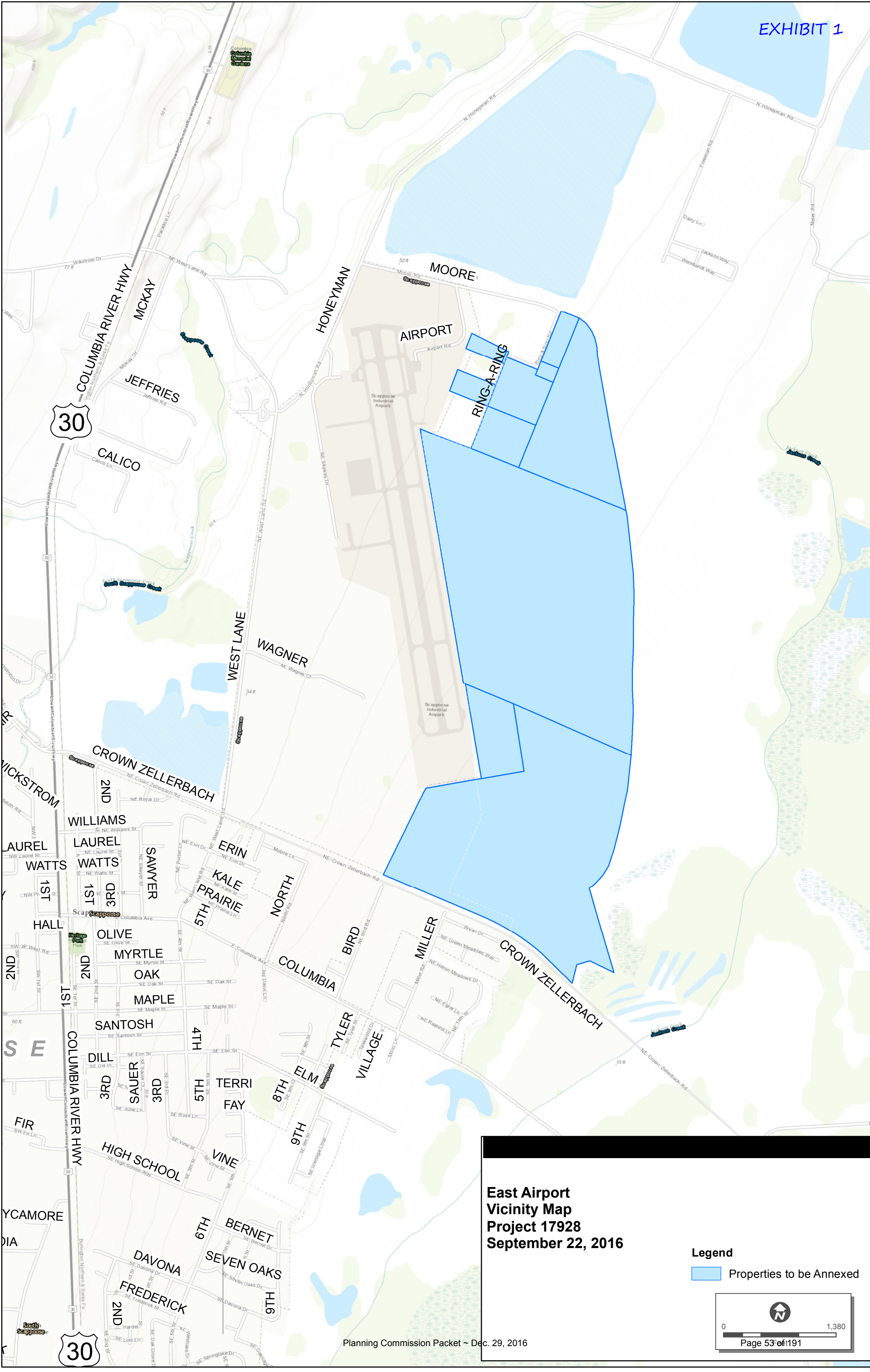
RECOMMENDATION

Based on the findings of fact, the conclusionary findings for approval, and the material submitted by the applicant, staff recommends that the Planning Commission recommend **APPROVAL** of application ANX1-16/ZC2-16 by the City Council subject to the following Conditions of Approval:

1. Each property owner within the annexed area shall execute a Consent and Waiver of right to remonstrate or object to formation of a local improvement district and assessments to fund construction of a 30" sewer conveyance line to replace the existing 18" conveyance line in E Columbia Avenue between Bird Road and the City's Wastewater Treatment Plant, and a sewer pump station. Each property's proportionate share of the assessment shall be as determined in the engineering report prepared pursuant to SMC 3.04.030 and 3.04.040 as modified or approved by the City Council. The form of Waiver and Consent is attached as **Exhibit 18**.
2. Each property owner within the annexed area shall execute a Consent and Waiver of right to remonstrate or object to formation of a local improvement district and assessments to fund construction of one approximate 0.335 MGD (~233 GPM) potable water well and construction of a water mainline and pump house to convey the water to the City's Water Treatment Plant, and such other related facilities as deemed necessary. The water mainline and pump house are to be sized to accommodate a future well in the annexed area and to utilize the available treatment capacity at Miller Road, .79 MGD (550 GPD). Each property's proportionate share shall be as determined in the engineering report prepared pursuant to SMC 3.04.030 and 3.04.040, as modified or approved by City Council. The form of Waiver and Consent is attached as **Exhibit 19**.
3. Public facilities and services provided by the owners or city in the annexed area shall be sized and located so as to reasonably accommodate future annexation of properties.
4. No development shall be approved unless the land use review authority determines that the applicant has assured or provided adequate facilities and services in

East Airport Annexation and Zone Change

- accordance with City Code, including but not limited to Scappoose Development Code 17.154.090(D), and 17.154.105.
5. Nothing in these conditions of approval preclude the property owners or an applicant for development from proposing alternative or additional options for providing necessary facilities and services. The City, property owners and applicants shall work together to identify solutions. Nothing in this condition precludes or limits the land use application review authority from imposing additional or alternative conditions of approval as permitted by City Code and applicable law, or as identified in updated Wastewater and Water Master Plans.
 6. These conditions shall be recorded against each annexed parcel and shall run with the land, binding the successors and assigns of the current owners. These conditions may be modified by the City in accordance with an appropriate land use decision.



**East Airport
Vicinity Map
Project 17928
September 22, 2016**

Legend

Properties to be Annexed

0 1,380

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Scappoose Planning Department
 33568 E. Columbia Ave. Scappoose, OR 97056
 Phone: 503-543-7184 Fax: 503-543-7182
www.ci.scappoose.or.us

ANNEXATION APPLICATION

NOTICE TO APPLICANT: On original application form, please print legibly using black/dark blue ink or type. Applicants are advised to review the list of submittal requirements and recommendations indicated on each land use application form and in the applicable code section prior to submitting an application. When applicable, applicants are also advised to schedule a pre-application meeting with staff prior to submitting final application. **INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED UNTIL THE PLANNING DEPARTMENT RECEIVES ALL INFORMATION.**

TRACKING INFORMATION (For Office Use Only)

Application Submittal Includes:

☐ 8 Hard Copies Required

☐ Electronic Submittal

☐ Fee

File # _____ Hearing Date _____

SITE LOCATION & DESCRIPTION

Tax Map #(s) 11 Lots: 31W060000200, 31W060000504, Tax Lot #(s) 200, 504, 100, 1800, 1900, 2000, 103, 1300, 1400, 1600, 0102
31W06B000100, 31W06B001800, 31W06B001900,
31W06B002000, 31W070000103, 31W06B001300,
31W06B001400, 31W06B001600, 31W070000102

Frontage Street or Address Proximately east of the Scappoose Industrial Airpark. No roads currently serve the property.

Nearest Cross Street Moore Rd on the North and the Crown Zellerbach Road to the southwest.

Current County Zoning PA-80 and RR-5 City Comprehensive Plan Designation PUA

Site Size 358 Acres ☐ acres ☐ sq. ft. Dimensions _____

REASON FOR REQUEST (If for utility connection, cite which utility.) Request is made for Annexation to facilitate future development of an industrial subdivision.

OWNERSHIP AND APPLICANT INFORMATION (Property owner signature must be a wet-ink signature. If the property is under-going a change of ownership, proof of purchase or purchase contract must be provided if property owner of record is not the signing party.)

Property Owner(s): Name(s) Joe Weston

Business Name Airpark Development LLC

Mailing Address PO Box 1754 City Lake Oswego State OR Zip 97035

Phone # _____ Fax # _____ Email Address _____

Does the owner of this site also own any adjacent property? ☒ Yes ☐ No (If yes, please list tax map and tax lots)

3N 1W 600 505, 3n1w 800 900

Property Owner(s) Signature(s) Joe Weston Date: 10/16

(If more than one property owner, please attach additional sheet with names and signatures.)

Last Revised: June 27, 2016

Planning Commission Packet - Dec. 29, 2016

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1

Applicant: Name Glen Bolen

Business Name Otak

Mailing Address 808 SW 3rd Avenue, Suite 300 City Portland State OR Zip 97204

Phone # 503.415.2375 Fax # _____ Email Address glen.bolen@otak.com

Applicant's Signature [Signature] Date: 10/6/2016

Applicant's interest in property Consultant to owner

DETAILED SITE INFORMATION

Are any of the following present on site? If so, please specify the number of acres and/or percentage of site affected.

Floodplain _____ Wetlands Likely – hiring contractor Significant Natural Resources Hiring contractor to check

Cultural Resources Hiring contractor Airport Noise Contours Yes _____ Slopes greater than 15% No

Water Provider: ☐ City of Scappoose ☒ Well

Does the site have access to a City street? ☐ Yes ☒ No (Please explain): A road will be built at time of final plat

Does the site have access to County road(s)? ☐ Yes ☒ No (Please explain): Connecting road will be constructed at time of final plat. Current access is made via unofficial dirt road from West Lane

Are there existing structures on the site? ☐ Yes ☒ No (If Yes, briefly explain future status of structures.) _____

STRUCTURES: Are any of the following structures present on the site? (If so, please specify number)

☐ Single Family Residence(s) #: _____

☐ Accessory Building(s) #: _____

☐ Barn or Other Agricultural Building(s) #: _____

☐ Commercial Building(s): _____

☐ Industrial Building(s) #: _____

☐ Other _____

☐ None

BUSINESSES: Is any business being operated on the property to be annexed?

☐ Yes ☒ No (If Yes, describe) Site is in farm use

COMPLETENESS CHECK (For Office Use Only)

Received by _____ Date _____

Accepted as complete by _____ Date _____

Additional reviews pending? ☐ Yes ☐ No If yes, File # _____

Receipt # _____ Fee(s) Paid _____

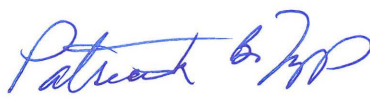
Last Revised: June 27, 2016



PETITION FOR ANNEXATION TO THE CITY OF SCAPPOOSE, OREGON

TO: The Council of the City of Scappoose, Oregon

We, the undersigned property owners of and/or registered voters in the area described below, hereby petition for, and give our consent to, annexation of the area to the City of Scappoose.

SIGNATURE	PRINTED NAME	I AM A:*			ADDRESS	TAX MAP	TAX LOT	PRECINCT NO.	DATE
		PO	RV	OV					
	Airpark Development LLC	X			PO Box 1754 Lake Oswego, OR 97035	31W060000200 31W060000504 31W06B000100 31W06B001800 31W06B001900 31W06B002000 31W070000103	200 504 100 1800 1900 2000 103		
	Port of St. Helens <i>EXECUTIVE DIRECTOR</i> PATRICK B. TRAPP	X			PO Box 190 Columbia City, Oregon 97018	31W06B001300 31W06B001400 31W06B001600 31W070000102	1300 1400 1600 0102		

*PO = PROPERTY OWNER

RV = REGISTER VOTER

OV = OWNER VOTER



PETITION FOR ANNEXATION TO THE CITY OF SCAPPOOSE, OREGON

TO: The Council of the City of Scappoose, Oregon

We, the undersigned property owners of and/or registered voters in the area described below, hereby petition for, and give our consent to, annexation of the area to the City of Scappoose.

SIGNATURE	PRINTED NAME	I AM A:*			ADDRESS	TAX MAP	TAX LOT	PRECINCT NO.	DATE
		PO	RV	OV					
<i>Joseph E Weston</i> <i>Joseph E Weston</i>	Airpark Development LLCX				PO Box 1754 Lake Oswego, OR 97035	31W060000200	200		
						31W060000504	504		
						31W06B000100	100		
						31W06B001800	1800		
						31W06B001900	1900		
						31W06B002000	2000		
						31W070000103	103		
	Port of St. Helens	X			PO Box 190 Columbia City, Oregon 97018	31W06B001300	1300		
						31W06B001400	1400		
						31W06B001600	1600		
						31W070000102	0102		

*PO = PROPERTY OWNER

RV = REGISTER VOTER

OV = OWNER VOTER

**CONFIDENTIAL
CENSUS INFORMATION**

ADDRESS: Proximately east of the Scappoose Industrial Park

HOUSING TYPE

- ☐ Single Unit Structure
- ☐ Multiple Unit Structure
- ☐ Trailer or Mobile Home
- ☐ Seasonal

TENURE

- ☐ Owner Occupied
- ☐ Renter Occupied
- ☒ Vacant

RESIDENTS

	Last Name	First Name	Sex	Age
Respondent	_____	_____	_____	_____
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____
7.	_____	_____	_____	_____
8.	_____	_____	_____	_____
9.	_____	_____	_____	_____
10.	_____	_____	_____	_____

Portland State University College of Urban and Public Affairs Center for Population Research and Census (503) 725-3922

Last Revised: June 27, 2016

East Airport Conceptual Master Plan Scappoose, Oregon

Request for Approval
Conceptual Master Plan, Annexation, Zone Change

Prepared for
Airpark Development LLC

Prepared by
Otak, Inc.



~~October 6, 2016~~
November 3, 2016
Project No. 17928

I. REQUESTS

Approval is requested for the following applications related to the lands immediately east of the Scappoose Industrial Airpark that are located outside of the City limits in the jurisdiction of Columbia County and located with the City of Scappoose' Urban Growth Boundary (UGB):

- Type III Conceptual Master Plan
- Type IV Annexation
- Type IV Zone Change

INVOLVED PROPERTIES/OWNERSHIP

SUBJECT Eleven (11) Tax lots of Columbia County located east of the Scappoose Industrial Airport

PROPERTIES: The subject property comprises approximately 358 acres of land situated directly east of the Scappoose Industrial Airport.

ZONING: Columbia County PA-80 and Columbia County RR-5

OWNERS: There are a total of 11 subject properties: seven (7) are owned by Airpark Development LLC and four (4) are owned by the Port of St. Helens

PROJECT DEVELOPMENT TEAM

APPLICANT: Joe Weston, Airpark Development LLC
PO Box 1754
Lake Oswego, OR 97035

**PLANNER/
ENGINEER:** Otak, Inc.
800 SW Third Avenue, Suite 300
Portland, OR 97204

Contacts:
Glen Bolen, AICP - Senior Planner
503.415.2330
glen.bolen@otak.com

Mike Peebles, PE – Civil Engineer
503.415.2354
mike.peebles@otak.com

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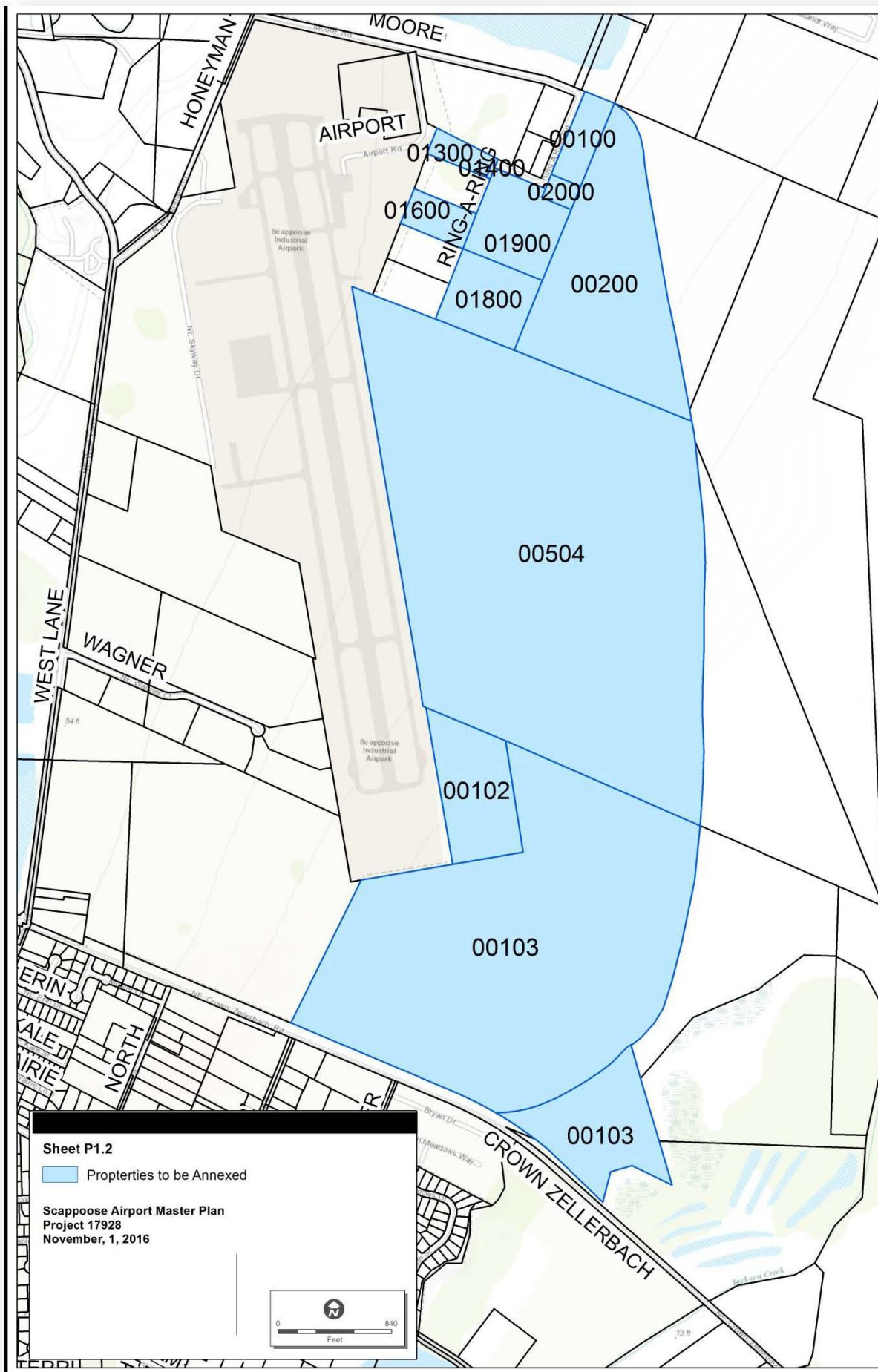
I. REQUESTS

Approval is requested for the following applications related to properties within Columbia County adjacent to the eastern edge of the Scappoose Industrial Airpark that were recently brought into the City of Scappoose' (City) Urban Growth Boundary (UGB):

- Type III Conceptual Master Plan
- Type IV Annexation
- Type IV Zone Change

The majority of the subject properties are included within the proposed Master Plan Project Area (MPPA). Together they comprise nearly 350 acres of land. The MPPA is located directly east of the Scappoose Industrial Airport. It is situated within lands added to the City's UGB in 2015. The properties are located within Columbia County and outside of the City's corporate boundary. The MPPA is directly adjacent to the City boundary. The majority of the MPPA is zoned PA-80 by Columbia County. The Scappoose Comprehensive Plan designates the majority property as AE, Airport Employment with a smaller, approximately 15 acre area on the southern portion of the site as PL, Public Lands. As per City Ordinance 816, the majority of the area is within the East Airport Employment (EAE) overlay.

This application proposes to annex the MPPA properties to the City and adopt the appropriate City zoning, with the EAE overlay as applicable. The Conceptual Master Plan (CMP) contained as a part of this application depicts the subject properties as future sites for industrial employment uses that are affiliated with the industrial airport.



There are 11 tax lots (on map above) included within the area covered by the Land Use application. The majority of the properties are owned by Airpark Development LLC with the remainder owned by the Port of St. Helens. Following is a list of the affected tax lots plus their total acreage and ownership information.

Tax Lot	Acreage	Owner
31W060000200	35.58	Airpark Development LLC
31W060000504	157.61	Airpark Development LLC
31W06B000100	3.60	Airpark Development LLC
31W06B001300	1.97	Port of St. Helens
31W06B001400	0.11	Port of St. Helens
31W06B001600	3.22	Port of St. Helens
31W06B001800	8.09	Airpark Development LLC
31W06B001900	9.05	Airpark Development LLC
31W06B002000	1.00	Airpark Development LLC
31W070000102	12.42	Port of St. Helens
31W070000103	126.14	Airpark Development LLC
Total	358.80	

The applicant intends to make the land available to multiple future uses compatible with, and in support of the industrial airport. A preliminary illustration of the potential site plan component of the CMP can be found on the attached sheet P1.1. As shown on the plan, the future site uses would have access to both the runway, via taxi-ways, and the city's street and pedestrian network.

II. COMPLIANCE WITH 17.22 - AMENDMENTS TO THE TITLE, COMPREHENSIVE PLAN, AND MAPS

Introduction

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: This application does not include an amendment to the Scappoose Comprehensive Plan. This criterion is not applicable.

- 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: Along with the requested annexation, the applicant requests a zone change for the parcels included in the proposal. The land in question is designated AE – Airport Employment and PL, Public Land. The land is currently zoned PA-80 and RR-5 by Columbia County. The current agricultural and rural-residential zoning is not supportive of the AE comp plan designation. Rezoning the majority of the property to PUA – Public Use Airport would support the City’s objective to located future employment within the AE area. Rezoning the PL portion to Public Lands Recreation (PLR) would also support the objectives of the Comprehensive Plan for adding to the City’s recreational inventory.

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

Response: The proposal does not include development. Existing agricultural practices will continue to proceed until a time at which development is requested and applied for. Accordingly there will be no change, nor adverse impacts from the annexation and change in zoning.

- 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 CHAPTER 17.22 PAGE 1 (Scappoose 8/13) 17.22.040--17.22.060*

Response: The proposal responds to changes in the community. Specifically, the City has amended its UGB to accommodate needed employment. This proposal will support the City’s changing needs related to attracting employment.

- E. The amendment conforms to Section 17.22.050.*

Response: Lancaster Associates has performed needed traffic analysis and has described compliance with the Transportation Planning Rule. See response to 17.22.050 for additional details.

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: Lancaster Associates has worked with the City of Scappoose, Columbia County and the Oregon Department of Transportation to perform required analysis and documentation for compliance with the Transportation Planning Rule. See Appendix A Traffic Study Report by Lancaster Engineering dated September 22, 2016 for demonstration of compliance.

III. COMPLIANCE WITH APPLICABLE CITY OF CODE 17.74: AIRPORT EMPLOYMENT OVERLAY ZONES

17.74.030 Overlay zones and applicability. The three Airport Employment Overlay Zones shall apply to selected parcels in the vicinity of the Scappoose Industrial Airpark generally as illustrated on the Airport Employment Potential Future Zoning map (Figure 17.74.1). The precise location of overlay district boundaries will be determined through the zoning map amendment process pursuant to Chapters 17.160 or 17.162 as appropriate.

A. The Airport Employment Overlay Zones supplement the Public Use Airport (PUA) base zone that applies to land within the Airport Employment (AE) plan designation. In the event of a conflict between the requirements of the PUA zone and those of the Airport Employment Overlay Zones, the requirements of the overlay shall control.

D. The East Airport Employment (EAE) overlay zone protects large industrial and institutional sites identified in the Scappoose EOA.

Response: This proposal includes requested PUA zoning with the EAE overlay and PLR zoning on an approximately 15 acre portion of the site. The parcels shown on Sheet 1.2, Proposed Properties for Annexation and accompanying legal descriptions (See Appendix C) contain the proposed zoning and overlay boundary.

17.74.040 Conformance with Public Use Airport Safety and Compatibility Overlay Zone. All uses, activities, facilities and structures allowed in the Airport Employment Overlay Zones shall comply with the requirements of the Public Use Airport Safety and Compatibility Overlay (AO) Zone, Chapter 17.88. In the event of a conflict between the requirements of Airport Employment Overlay Zones and those of the

Public Use Airport Safety and Compatibility Overlay (AO) Zone, the requirements of the AO overlay shall control. (Ord. 816, 2011)

Response: No uses or structure are proposed with this application.

17.74.080 Conceptual Master Plan requirements for large sites.

Sites with a combined area of more than four acres under common ownership shall receive Planning Commission approval of a conceptual master plan (CMP) prior to annexation (Chapter 17.136) or zone change (Chapter 17.22) approval within any of the Airport Employment Overlay Zones. The CMP is not intended to serve as a binding site plan, but rather provides overall guidance regarding future configurations of open space, public facilities, streets, taxiways and lots within the overlay district.

E. Conceptual Master Plan approval criteria. The applicant for CMP approval must demonstrate that the proposed CMP is consistent with the following criteria:

- 1. The CMP shall address the requirements of Section 17.74.080(C) and (D) and shall demonstrate how the proposed site and other sites within the same Airport Employment Overlay District can be efficiently developed for the intended uses consistent with the Scappoose EOA.*

Response: The proposal includes a Conceptual Master Plan (CMP) that has been developed with the guidance of 17.74.080 (D); see response below.

- 2. The CMP shall encourage the safe and efficient operation of the Scappoose Airpark consistent with the Scappoose Airpark Master Plan and the AO Public Use Airport Safety and Compatibility Overlay Zone, Chapter 17.88.*

Response: The CMP is designed in support of the 2004 Scappoose Airpark Master Plan. A Category 2 airport with over 30,000 operations per year the facility is one of the city's largest potential economic engines. The propose annexation will further facilitate the economic use of the facility as it includes sites of various sizes with orientation toward taxi-ways and an extended Crown Zellerbach (CZ) Road for auto and truck access. See page 10 for description of compliance with the chapter 17.88.

- 3. The CMP shall facilitate safe and efficient access to Public Land shown on the Scappoose Comprehensive Plan map or on any adopted park and recreational plan.*

Response: A portion of the requested annexation area is intended for use as a future park. Additionally, the CMP designates the location and sizing of a new roadway, extending from the CZ Road that would provide access to this new public land.

4. *The CMP shall provide for an efficient, multi-modal transportation system consistent with the Scappoose Transportation System Plan, any applicable transportation impact studies, and any applicable circulation plans approved with previous land divisions.*

Response: The project includes an extended CZ Road, coupled with expanded multi-use path to provide auto, cycling and pedestrian options to and from the MPA. Further, Lancaster Associates has worked with the City of Scappoose, Columbia County and the Oregon Department of Transportation to perform required analysis and coordination with the City's ongoing Transportation System Plan (TSP) update and documentation for compliance with the Transportation Planning Rule. See the Traffic Study report in Appendix A for additional details related to trip generation and facility utilization.

5. *Taxi-way access shall be provided to the majority of sites within each of the Airport Overlay Zones.*

Response: The CMP illustrates that all parcels have either sole or shared use of taxi-ways to facilitate airport supportive and compatible business endeavors. Taxi-ways are shaded on the CMP map for viewing.

6. *The CMP shall show how sanitary sewer, water and storm drainage facilities can be provided efficiently to the area proposed for annexation or zone change and remaining land within the same Employment Overlay District.*

Response: Sanitary sewer, water and storm drainage facilities will be supplied to the site within the future dedicated Right-of-Way (ROW) for the CZ Road connection. Infrastructure will come from the southern end of the property, moving northward to eventual connection to Moore Road within the ROW. The road will bring needed infrastructure to the eastern boundary of each potential future lot, facilitating ready connection to the system as development occurs.

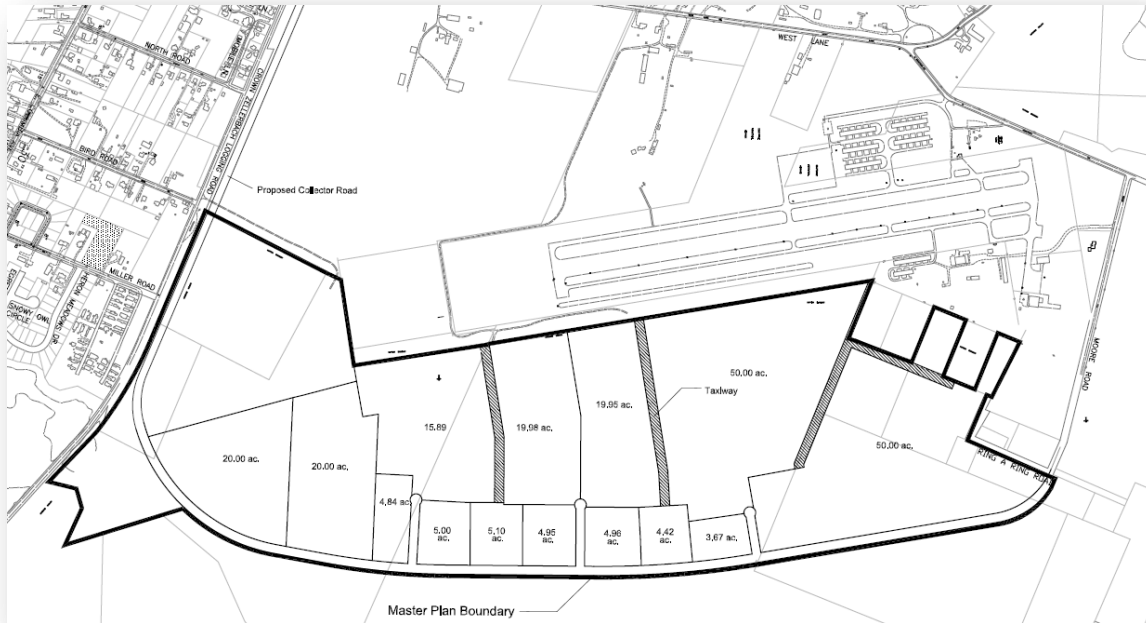
- F. *Site size for AIP and ABP overlay zones. The minimum site size for an industrial park development in the AIP overlay zone or for a business park in the ABP overlay zone is 10 acres.*

Response: The project area is within the EAE overlay. Accordingly this criterion is not applicable.

- G. *Site size for EAE overlay zone. The conceptual master plan must show how two large (approximately 50-acre) and two medium (approximately 20- to 30-acre) developable sites will be retained in conformance with industrial and campus site needs stated in Figure 33 of the Scappoose EOA: Employment Land Demand by Site Size for Scappoose (2030).*

Response: The CMP has been designed to supply the large parcel sizes as specified in the EOA. The proposal contains multiple options for properties that measuring 50 acres or more and several options for medium projects on 20 to 30 acres.

Conceptual Master Plan (CMP) (Also See Sheet P1.1)



H. An approved CMP may be modified through any of the following processes so long as the criteria in Section 17.74.080(A) through (C) continue to be met:

1. the Land Division process set forth in Chapters 17.150 and 17.152;
2. the Zone Change process set forth in Chapter 17.22;
3. the Annexation process set forth in Chapter 17.136;
4. the Site Development Review process set forth in Chapter 17.120; or the Conditional Use process set forth in Chapter 17.130.

Response: This application is made to establish the CMP. No modifications are requested at this time.

17.74.090 Dimensional requirements and development standards. The dimensional requirements and development standards within the Airport Employment Overlay Zones shall be in accordance with the standards for the PUA zone as specified in Section 17.69.070. (Ord. 816, 2011)

Response: The PUA zoning designation does not set minimum lot sizes, nor front, side or rear yard setbacks, except on lots abutting residential districts. The northern portion of the

CMP contains lands that are adjacent to lands zoned RR-5 by Columbia County. For these properties (connected to Moore Road) future industrial uses will need to be setback 50 feet from the property line. The large sized parcels contained within the CMP provide ample opportunity to apply said buffer.

17.74.100 Environmental performance standards. The Environmental Performance Standards of Chapter 17.90 shall apply to all development in the Airport Employment Overlay Zones. (Ord. 816, 2011)

Response: The requirements of 17.74.100 are related to actual uses of property, relating to activities such as noise, emissions, odors, and other impacts. No uses are proposed with the CMP. Accordingly, these criteria are not applicable at this time. However, future applications for building permits will be required to address these criteria.

IV. COMPLIANCE WITH 17.69 – PUA PUBLIC USE AIRPORT

17.69.010 Purpose. The purpose of the public use airport zone is to encourage and support the continued operation and vitality of the Scappoose Industrial Airpark by allowing certain airport-related commercial, manufacturing and recreational uses in accordance with state law

Response: Purpose statement; no response required.

17.69.020 Conformance with public use airport safety and compatibility overlay. All uses, activities, facilities and structures allowed in the public use airport (PUA) zone shall comply with the requirements of the Public Use Airport Safety and Compatibility Overlay (Chapter 17.88). In the event of a conflict between the requirements of this zone and those of the public use airport safety and compatibility overlay, the requirements of the overlay shall control.

Response: No application for specific land use is included within this application. The CMP does provide for the necessary parcel sizes and utility provision to support the airport related and supportive uses intended for the PUA and EAE designations.

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

Response: No application for specific land use is included within this application. The CMP does provide for the necessary parcel sizes and utility provision to support the airport related and supportive uses intended for the PUA and EAE designations.

17.69.070 Dimensional requirements and development standards.

- A. *Lot Size.* There is no minimum lot size in the PUA zone.
- B. *Setbacks.* No front, side or rear yard setbacks except on lots abutting a residential district, where the minimum setback is fifty feet on the side abutting or facing the residential district.
- C. *Screening.* All outside storage areas require buffering and screening as defined in Chapter 17.100 (Landscaping) of the Scappoose Development Code.
- D. *Uses shall be developed and located in a manner consistent with the most recent federally approved airport layout plan, the 2004 Scappoose Industrial Airpark Airport Master Plan (as amended August 9, 2006).*
- E. *Additional requirements shall include any applicable section of this title.*

Response: The PUA zoning designation does not set minimum lot sizes, nor front, side or rear yard setbacks, except on lots abutting residential districts. The northern portion of the CMP contains lands that are adjacent to lands zoned RR-5 by Columbia County. For these properties (connected to Moore Road) future industrial uses will need to be setback 50 feet from the property line. The large sized parcels contained within the CMP provide ample opportunity to apply said buffer.

V. COMPLIANCE WITH 17.88 – AO PUBLIC USE AIRPORT SAFETY AND COMPATIBILITY OVERLAY ZONE

17.88.010 Purpose. The purpose of this overlay zone is to encourage and support the continued operation and vitality of the Scappoose Industrial Airpark by establishing compatibility and safety standards to promote air navigational safety at the Airpark and to reduce potential safety hazards for persons living, working or recreating near the Airpark.

Response: Purpose statement; no response required.

17.88.030 Imaginary surface and noise impact boundary delineation. The airport elevation, the airport noise impact boundary, the airport direct impact boundary, the airport secondary impact boundary, and the location and dimensions of the runway, primary surface, runway protection zone, approach surface, horizontal surface, conical surface and transitional surface shall be delineated for the Scappoose Industrial Airpark and shall be made part of the Official Zoning Map. The imaginary surfaces and the noise impact boundary are illustrated in the 2004 Scappoose Industrial Airpark Airport Master Plan (as amended August 9, 2006). All lands, waters and airspace, or portions thereof, that are located within these boundaries or surfaces, and are located within the city limits, shall be subject to the requirements of this overlay zone.

Response: CMP and Annexation lands are within the lands depicted on the Airport Airspace Plan from the Airpark Master Plan. No application for specific land use is included within this application. However, future use and development applications will be subject to the requirements of the overlay.

17.88.050 Height limitations on allowed uses in underlying zones. All uses permitted by the underlying zone shall comply with the height limitations in this section. When height limitations of the underlying zone are

more restrictive than those of this overlay zone, the underlying zone height limitations shall control. A. Except as provided in subsections B and C of this section, no structure or tree, plant or other object of natural growth shall penetrate an airport imaginary surface. B. For areas within airport imaginary surfaces but outside the approach and transition surfaces, where the terrain is at higher elevations than the airport runway surfaces such that existing structures and permitted development penetrate or would penetrate the airport imaginary surfaces, a local government may authorize structures up to thirty-five feet in height. C. Other height exceptions or variances may be permitted when supported in writing by the airport sponsor, the Department of Aviation and the FAA. Applications for height variances shall follow the procedures for other variances and shall be subject to such conditions and terms as recommended by the Department of Aviation and the FAA

Response: No buildings are proposed as part of this application. The criterion related to height is not applicable at this time.

17.88.060 Procedures. An applicant seeking a land use or limited land use approval in an area within this overlay zone shall provide the following information in addition to any other applications or requirements as listed within the Scappoose Development Code:

- A. A map or drawing showing the location of the property in relation to the airport imaginary surfaces. The Planning Department shall provide the applicant with appropriate base maps upon which to locate the property.*
- B. Elevation profiles and a site plan, both drawn to scale, including the location and height of all existing and proposed structures, measured in feet above mean sea level.*
- C. If a height variance is requested, letters of support from the airport sponsor, the Department of Aviation and the FAA.*

Response: No height exceptions or variances are required or requested.

17.88.070 Land use compatibility requirements. Applications for land use or building permits for properties within the boundaries of this overlay zone shall comply with the requirements of this chapter as provided herein.

- A. Noise. Within airport noise impact boundaries, land uses shall be established consistent with the levels identified in OAR 660, Division 13, Exhibit 5. A declaration of anticipated noise levels shall be attached to any subdivision or partition approval or other land use approval or building permit affecting land within airport noise impact boundaries. In habitable areas where the noise level is anticipated to be at or above 45 Ldn, prior to issuance of a building permit for construction of a noise sensitive land use (real property normally used for sleeping or as a school, church, hospital, public library or similar use), the permit applicant shall be required to demonstrate that a noise abatement strategy will be incorporated into the building design that will achieve an indoor noise level equal to or less than 45 Ldn.*

Response: Per Exhibit 4A of the 2004 Scappoose Airport Master Plan and Sheet 9 of the draft 2015 Scappoose Airport Master Plan, the western portion of the site is located within the airport noise impact boundaries. Per OAR 660, Division 13, Exhibit 5, a DNL below 65 dB is compatible with all land uses. No uses are proposed at this time however.

- B. Outdoor Lighting. No new or expanded industrial, commercial or recreational use shall project lighting directly onto an existing runway or taxiway or into existing airport approach surfaces except where necessary for safe and convenient air travel. Lighting for these uses shall incorporate shielding in their*

designs to reflect light away from airport approach surfaces. No use shall imitate airport lighting or impede the ability of pilots to distinguish between airport lighting and other lighting.

Response: No uses are proposed at this time for which the criterion would apply.

- C. *Glare. No glare producing material, including but not limited to unpainted metal or reflective glass, shall be used on the exterior of structures located within an approach surface or on nearby lands where glare could impede a pilot's vision.*

Response: No uses are proposed at this time for which the criterion would apply.

- D. *Industrial Emissions. No new industrial, mining or similar use, or expansion of an existing industrial, mining or similar use, shall, as part of its regular operations, cause emissions of smoke, dust or steam that could obscure visibility within airport approach surfaces, except upon demonstration, supported by substantial evidence, that mitigation measures imposed as approval conditions will reduce the potential for safety risk or incompatibility with airport operations to an insignificant level. The review authority shall impose such conditions as necessary to ensure that the use does not obscure visibility.*

Response: No uses are proposed at this time for which the criterion would apply.

- E. *Communications Facilities and Electrical Interference. No use shall cause or create electrical interference with navigational signals or radio communications between an airport and aircraft. Proposals for the location of new or expanded radio, radiotelephone, and television transmission facilities and electrical transmission lines within this overlay zone shall be coordinated with the Department of Aviation and the FAA prior to approval. Approval of cellular and other telephone or radio communication towers on leased property located within airport imaginary surfaces shall be conditioned to require their removal within ninety days following the expiration of the lease agreement. A bond or other security shall be required to ensure this result.*

Response: No uses are proposed at this time for which the criterion would apply.

- F. *Limitations and Restrictions on Allowed Uses in the RPZ, Approach Surface, and Airport Direct and Secondary Impact Areas. The land uses identified in Table 17.88.1, and their accessory uses, are permitted (P); permitted under limited circumstances (L); or prohibited in the manner therein described (N). In the event of conflict with the underlying zone, the more restrictive provisions shall control. As used in this section, a limited use means a use that is allowed subject to special standards specific to that use. All regulation of uses within the RPZ, approach surface, and airport direct and secondary impact areas are limited to land areas within the city limits of Scappoose. Direct and secondary impact areas located outside of the city limits are regulated by the codes and ordinances of Columbia County.*

Response: No uses are proposed at this time for which the criterion would apply.

17.88.080 Water impoundments within approach surfaces and airport direct impact boundaries.

- A. Any use or activity that would result in the establishment or expansion of a water impoundment shall comply with the requirements of this section.
- B. No new or expanded water impoundments greater than or equal to one-quarter acre in size, individually or cumulatively, are permitted:
 - 1. Within an approach surface or any lands located in the city limits that are within five thousand feet from the end or edge of a runway (areas within five thousand feet that are located outside of the city limits are regulated by Columbia County); or
 - 2. On land owned by the airport sponsor that is necessary for airport operations.

Response: The site is located within 5,000 feet of the Scappoose Airpark runway, and is subject to this requirement. However, no uses or water impoundments are proposed at this time for which the criterion would apply.

17.88.110 Avigation easement. Within this overlay zone, the owners of properties that are the subjects of applications for land use or limited land use decisions, for building permits for new residential, commercial, industrial, institutional or recreational buildings or structures intended for inhabitation or occupancy by humans or animals, or for expansions of such buildings or structures by the lesser of fifty percent or one thousand square feet, shall, as a condition of obtaining such approval or permits, dedicate an avigation easement to the airport sponsor. The avigation easement shall be in a form acceptable to the airport sponsor and shall be signed and recorded in the deed records of Columbia County. The avigation easement shall allow unobstructed passage for aircraft and ensure safety and use of the airport for the public. Property owners or their representatives are responsible for providing the recorded instrument prior to issuance of building permits.

Response: The subject property is subject to a limited land use decision. An aviation easement will be provided as required by the airport sponsor.

VI. COMPLIANCE WITH APPLICABLE CITY OF CODE 17.136: ANNEXATIONS

17.136.010 Purpose. The purpose of this chapter is to enact policies relating to annexation and petitions for annexation of property to the city, to determine the process and criteria by which annexations will be reviewed and approved, to provide for city review of all annexation requests for a determination of the availability of facilities and services as related to the proposal, and maximize citizen involvement in the annexation review process

Response: Purpose statement, no response required.

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

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

- 1. The annexation complies with the provisions of the Scappoose comprehensive plan;

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

Response: The petition for annexation will facilitate implementation of the City's comprehensive plan. The annexation's location adjacent to the airport constitutes a logical service area. The properties have been adjusted to ensure that parcel boundaries are coterminous with the UGB. When developed, the properties will provide substantial financial benefit to the City and County in terms of ad valorem tax and creation of jobs. The application is consistent with the City's policies related to annexation.

17.136.030 Administration and approval process.

- B. *The application for an annexation required by this chapter shall be filed with the city, including required fees, on forms provided by the city. Upon receipt of a completed request for annexation, the planner shall prepare a staff report and recommendation describing compliance with the policies and criteria required by this and other relevant ordinances. The planning commission shall hold a public hearing in accordance with the provisions of Chapter 17.162 and shall make a recommendation to the city council. The city council shall hold a public hearing in accordance with the provisions of Chapter 17.162. Following the public hearing, the council shall make a final decision on the annexation request. The final action on a proposed annexation may be approval, approval with modification, or denial.*

Response: Application for annexation has been made via submission on forms provided by the City and accompanied by payment of \$6,700.

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 pre-application conference was held that included representative service providers. No area deficiencies were noted at the time. At time of site development or subdivision utility needs will be analyzed and provided to serve the site. According the CMP, future utilities are to be provided via the right-of-way along the future northbound roadway connecting the CZ Road to Moore Road. The CMP also demonstrates that the suggested future parcels all have sufficient room for on-

site infiltration storm ponds. Alternatively, one or more regional facilities could be created for central infiltration.

The CMP also demonstrates an understanding that a future well can be located on a site to be determined in order to enhance the City's fresh water supply system.

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: A pre-application conference was held that included representative service providers. No area deficiencies were noted at the time.

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

Response: The Scappoose Employment Opportunities Analysis (see figure 33, page 37) demonstrates the need for an additional 269 acres of Industrial land. One hundred (100) acres of this need are expected to come from large, 50 acre or greater sites. This application includes said needed lands, therefore satisfying the need for employment opportunities to support the city and surrounding area.

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

Response: As displayed in the CMP, the site is directly adjacent to the eastern boundary of the Scappoose Industrial Airport and inside the UGB. Public facilities will be readily and efficiently provided within the future right-of-way of the proposed road connecting the CZ Road from the South up to Moore Road on the north. The attached transportation analysis report describes the efficiency of the transport system and any potential community impacts. Further, annexation of the properties furthers implementation of the City's Comprehensive Plan.

The location of the future collector road is also sufficiently off-set from the existing CZ logging road to preserve the CZ trail in its current location.

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;*

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: For A through C above - See Sheets P1.0 – P1.2 for the required information describing the annexation area and conceptual master plan (CMP). Appendix D includes a list of the names and addresses of all who are property owners of record and whose property is within three hundred feet of the site.

VII. COMPLIANCE WITH APPLICABLE STANDARDS OF CITY OF SCAPPOOSE DEVELOPMENT CODE CHAPTER 17.136 ANEXATIONS

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

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

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

Response: This application narrative demonstrates that the proposed annexation is compliant with the City's comprehensive plan and will enhance the city economically and through enhance opportunities for jobs. Further, it will assist the city with implementation of plans set in motion through the 2015 Urban Growth Boundary amendment. These criteria are met.

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.*

Response: This application provides a number of benefits to the city and surrounding community, it is serviceable within a reasonable timeframe and will not disrupt city endeavors. These criteria are addressed.

17.136.030 Administration and approval process.

- B. The application for an annexation required by this chapter shall be filed with the city, including required fees, on forms provided by the city. Upon receipt of a completed request for annexation, the planner shall prepare a staff report and recommendation describing compliance with the policies and criteria required by this and other relevant ordinances. The planning commission shall hold a public hearing in accordance with the provisions of Chapter 17.162 and shall make a recommendation to the city council. The city council shall hold a public hearing in accordance with the provisions of Chapter 17.162. Following the*

public hearing, the council shall make a final decision on the annexation request. The final action on a proposed annexation may be approval, approval with modification, or denial.

Response: Application has been made using the appropriate city forms with requisite payment. The applicant understands that public hearings will be held by the Planning Commission and City Council. Applicant understands and respects City's decision making authority and process.

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: The applicant will supply the necessary extensions of public facilities in a timely manner. Detailed facility planning will be demonstrated at time of subdivision application.

- 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: The applicant has met with the municipalities and service providers to ensure that public facilities are available and adequate, and that no undue compromises will result.

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

Response: This application is in direct response to the amendment of the UGB as mechanism to secure needed employment lands as per the City's EOA. The eventual industrial subdivision will supply needed jobs to the city and surrounding Columbia county residents.

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

Response: The proposal is very much site dependent as it aims to enhance the economic engine that is the Scappoose Industrial Airport. It can be readily served by other needed public facilities. Additionally, the industrial activity is isolated from city residents, minimizing any potential social impacts.

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;*
- 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: This application has been made using the form provided by the city. It is accompanied by maps detailing the site and proposal, a legal description a list of owners located nearby and a technical report related to transportation impacts. This narrative also describes the detailed nature of the proposal along with addressing potential impacts and benefits as they relate to the city's plans and policies.

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 Designation</i>	<i>Zoning Classification</i>
<i>AE, Airport Employment</i>	<i>PUA, Public Use</i>
<i>PL, Public Lands</i>	<i>PLR, Public Lands Recreation</i>

Response: This application includes the request for the site to be zone PUA with the comprehensive plan of AE.

17.136.080 Annexation of non-conforming uses. When a nonconforming use (including a billboard) is annexed into the city, the applicant shall provide a schedule for the removal of the no-conforming use for the planning commission and city council. At the time of approval of the annexation, the city council may add conditions to ensure the removal of the non-conforming use during a reasonable time period. The time period may vary from one year to ten years at the discretion of the city council.

Response: No non-conforming uses are present. The site is currently in agricultural use.

VIII. COMPLIANCE WITH 17.162 - PROCEDURES FOR DECISION MAKING - QUASI JUDICIAL

17.162.010 Purpose. The purpose of this chapter is to establish procedures for the consideration of development applications, for the consideration of quasi-judicial comprehensive plan or zoning amendments and for appeal of quasi-judicial decisions.

17.162.020 Application process.

A. The applicant shall be required to meet with the planner for a pre-application conference. Such a requirement may be waived in writing by the applicant.

Response: A pre-application conference was held on March 10, 2016 at Scappoose City Hall.

B. At the pre-application conference if conducted, the planner shall:

- 1. Cite the applicable comprehensive plan policies and map designation;*
- 2. Cite the applicable substantive and procedural ordinance provisions;*
- 3. Provide available technical data and assistance which will aid the applicant as provided by the public works director;*
- 4. Identify other policies and regulations that relate to the application; and*
- 5. Identify other opportunities or constraints that relate to the application.*

C. Another pre-application conference is required if an application is submitted six months after the preapplication conference.

Response: The application is being submitted within 6 months of the pre-application conference.

E. Applications for approval required under this title may be initiated by:

- 1. Resolution of the city council;*
- 2. Resolution of the planning commission;*
- 3. The planner;*
- 4. A recognized neighborhood planning organization or city advisory board or commission; or*
- 5. Application of a record owner of property or contract purchaser.*

Response: This application is made by a record owner of property within the site.

G. The application shall be made on forms provided by the planner.

Response: Application has been made utilizing the forms provided by the City of Scappoose.

H. The application shall:

- 1. Include the information requested on the application form;*
- 2. Address appropriate criteria in sufficient detail for review and action; and*

3. *Be accompanied by the required fee.*

Response: Required information and associated narrative have been included along with a check in the amount of \$6,700.

17.162.021 Consolidation of proceedings.

- A. *Except as provided in subsection C of this section, whenever an applicant requests more than one approval and more than one approval authority is required to decide the applications, the proceedings shall be consolidated so that one approval authority shall decide all applications in one proceeding.*

Response: This application includes a consolidated request for annexation, approval of a Conceptual Master Plan and a zone change.

17.162.025 Noticing requirements.

- B. *For all quasi-judicial decisions requiring a public hearing, the applicant shall post signs provided by the planner displaying notice of the pending hearing at least fourteen days prior to the date of the hearing. One sign shall be required for each three hundred feet, or part thereof, of frontage of the subject property on any street. The content, design, size and location of the signs shall be as determined by the planner to assure that the information is legible from the public right-of-way. As a precondition to a hearing, the applicant shall file an affidavit of such posting with the planner no less than ten days prior to the hearing.*

Response: The applicant will create and post signs as specified using language to be obtained by the City Planner

17.162.140 Decision process.

- A. *The decision shall be based on:*
1. *Proof by the applicant that the application fully complies with:*
 - a. *Applicable policies of the city comprehensive plan; and*
 - b. *The relevant approval standards found in the applicable chapter(s) of this title, the public works design standards, and other applicable implementing ordinances*

Response: This application includes maps, appendices and written narrative that collectively demonstrate that the application fully complies with applicable policies of the comprehensive plan and approval standards of the relevant chapters.

IX. COMPLIANCE WITH RELEVANT SECTIONS OF THE COMPREHENSIVE PLAN

GOAL OF THE URBAN GROWTH BOUNDARY

It is the goal of the City of Scappoose to:

- 1) *Create optimal conditions of livability within the City and its urban growth area.*

Response: This combined request is made to facilitate future development of employment uses within the City of Scappoose and a community college education facility. While no uses are proposed at this time, this application is necessary to facilitate urban growth that will support the City and supply jobs for its residents.

- 2) *Locate all major public and private developments such as schools, roads, shopping centers, and places of employment, so that they do not tend to attract residential development to locations outside the designated Urban Growth Boundary.*

Response: The proposed actions are all within the City's UGB. The uses that will call this land home will be connected directly to city infrastructure and attract users and employees from its urban neighborhood.

- 3) *Include within the Urban Growth Boundary sufficient land for future development.*

Response: The City's EOA calls for roughly 269 acres of industrial land to be added to the inventory. This annexation and zone change request aim to add lands specifically for this purpose.

- 4) *Promote employment generating uses within the airport section of the Urban Growth Boundary.*

Response: This combined request is made to facilitate future development of employment supportive of, and facilitated by the Scappoose Industrial Airport.

- 5) *Develop the airport area in a manner to create an industrial and business park with airport related and airport compatible uses.*

Response: This application aims to begin the process of creating industrial and business park use that is supportive of and compatible with the airport. The accompanying Conceptual Master Plan further illustrates the intended layout that would support such development.

POLICIES FOR THE URBAN GROWTH BOUNDARY

It is the policy of the City of Scappoose to:

Policies 1-9 are not relevant

- 10) *Meet the following conditions prior to development of the land within the Airport Employment (AE) area:*

A) A master plan shall be approved showing the general locations of major streets, taxiways, building areas, and sanitary sewer, water and storm drainage facilities.

Response: This application contains a request for approval of a conceptual master plan as per City Code 17.74.080: Conceptual Master Plan requirements for large sites

B) The master plan shall identify large parcels to be retained consistent with the Scappoose Economic Opportunities Analysis.

Response: See response above to 17.74.080 for demonstration of numerous sites within the proposed area that respond to the needs and specifications of the CMP requirements.

C) No urban zone change or development shall be permitted until the Oregon Department of Transportation has approved a transportation impact analysis and consequent mitigation measures.

Response: Lancaster Engineering has worked in coordination with the City of Scappoose, Columbia County and ODOT to perform necessary analysis and development of recommendations to ensure compliance with the Transportation Planning Rule (TPR). See the transportation report contained Appendix A for additional details.

D) The land shall be held in an agricultural holding zone until Conditions A-C have been met.

Response: Conditions A through C all are being addressed through this combined application. No holding zone will be necessary following approval.

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 wellbeing of the community and which help guide development into conformance with the Comprehensive Plan.*

Response: The future use of the subject properties as airport supportive industry with associated public facilities will further support the economic amenity of the airport. Additionally a future public park will also provide open space directly linked to the wellbeing of the community.

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

Response: Public facilities, including water and sewer will come from the exiting UGB and support uses within the newly amended UGB.

- 3) *Not relevant to this application*

- 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.*

Response: The area is planned for intensive urban employment uses within the City's UGB.

Goals 5 – 11 not applicable

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: For this application the CMP includes generalized facility and utility planning to support needed growth. Urban facility design and environmental preservation planning will occur in detail in subsequent phases, include subdivision and development review.

- 2) *Not relevant to this application*

- 3) *Not relevant to this application*

- 4) *Require in new developments that water, sewer, street and other improvements be installed as part of initial construction.*

Response: This application does not propose actual construction. Applicant understands that utility improvements will be made as part of initial construction.

- 5) *Not relevant to this application*

- 6) *Not relevant to this application*

- 7) *Not relevant to this application*

- 8) *Not relevant to this application*

- 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: No development is proposed at this time. For this application the CMP includes only generalized facility and utility planning to support needed growth. Planning for flood control and groundwater will occur in detail in subsequent phases, include subdivision and development review.

- 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: This application does not propose actual construction. Applicant understands that drainage planning and development will be made as part of initial construction.

Policies 11 - 28 not applicable

- 29) *Require master plans for business and industrial parks to ensure efficient provision of streets, sewer, water, and storm drainage facilities to large, undeveloped sites.*

Response: This application contains a request for approval of a conceptual master plan as per City Code 17.74.080: Conceptual Master Plan requirements for large sites. The CMP includes conceptual level plans for provision of necessary utilities to serve future development. Urban facility design will occur in detail in subsequent phases, include subdivision and development review.

GOAL FOR ECONOMICS

It is the goal of the City of Scappoose to:

- 1) *Maintain conditions favorable for a growing, healthy, stable, and diversified business and industrial climate.*

Response: This application is made in direct response to the needs identified by the City's EOA for increased opportunities for industrial development. Further the CMP demonstrates that large sites are anticipated and accommodated for. Industrial growth will add health, stability and diversity to the City's economic wellbeing.

- 2) *Establish greater local control over local economic development policy through the adoption of the Scappoose Economic Opportunities Analysis.*

Response: the EOA has been adopted and was a driving force in the development of this CMP.

- 3) *Provide the land and public facilities necessary to support economic development while allowing the free market economy to operate with an absolute minimum of restrictions.*

Response: This application will facilitate additional employment associated with the Industrial Airpark. The addition numerous new lots, including two of at least fifty acres will provide additional market choice for business in the area.

- 4) *Take advantage of economic opportunities identified in the Scappoose Economic Opportunities Analysis (EOA) to increase local employment and community prosperity.*

Response: This application presents the opportunity for a number of airport related business enterprises, including large site industrial. Development of this area will support the goal of increasing local employment and community prosperity.

- 5) *Capitalize on the comparative advantages identified in the Scappoose EOA to maintain and attract industrial and commercial employment opportunities.*

Response: The application will further enable the City to capitalize on the advantages identified by the EOA. The combination of large sites, airport support, HWY 30 access and pricing advantage compared to the Portland Metropolitan area competition provide advantages to the City of Scappoose and the Port of St. Helens for increasing industrial employment opportunities.

POLICIES FOR ECONOMICS

It is the policy of the City of Scappoose to:

- 1) *Make sufficient suitable land available for the anticipated expansion of commercial and industrial activities identified in the Scappoose EOA.*

Response: Approval of the proposed Conceptual Master Plan will enable the city to add more than 250 acres of employment land to the City. This need was identified by the Scappoose EOA.

- 2) *Not applicable to this application*
- 3) *Not applicable to this application*
- 4) *Encourage the expansion of employment opportunities within the urban area, so residents can work within their community.*

Response: Approval of this combined application will set the stage for expanding employment opportunities within Scappoose that will be directly accessible to members of the community.

- 5) *Promote pollution free industrial development necessary to provide a balanced tax base for the operation of local government services.*

Response: No development is proposed at this time for which a determination of pollution could be determined. However, City policy and Oregon's DEQ provide guidance and strict limits to ensure protection of clean air, water and lands.

- 6) *Not applicable to this application*
7) *Not applicable to this application*
8) *Not applicable to this application*
9) *Not applicable to this application*

- 10) *Capitalize on the comparative advantages offered by the Scappoose Industrial Airpark, proximity to the Portland region, a pro-business community attitude, and the availability of serviced employment land to create job opportunities for existing and future Scappoose residents.*

Response: The application will further enable the City to capitalize on the advantages identified by the EOA. The combination of large sites, airport support, Highway 30 access and pricing advantage compared to the Portland Metropolitan area competition provide advantages to the City of Scappoose and the Port of St. Helens for increasing industrial employment opportunities.

- 11) *Identify special locations for industrial activities that will assist in energy conservation; specifically, industries should be clustered:*
a) *Close to existing rail lines, Highway 30, and the airport.*

Response: This application will set the stage for development clustered around the airport as specified by this criterion.

- b) *To allow for employees to use carpools and public transportation.*

Response: The CMP provides for a future transport network that is efficient and provides ready access from multiple travel modes. At time of development review applications will further describe the mechanisms by which development will support biking, walking, carpools and public transit.

- 12) *Not applicable to this application*
13) *Coordinate plans by the City, County and Port District to provide and pay for public facilities to accommodate expected industrial, commercial, institutional, and residential growth.*

Response: The public facilities provided to the future development on this site will be paid for by the developers of future uses, or with system development charges to cover increased needs that are addressed off-site.

14) *Not applicable to this application*

15) *Encourage energy saving building practices in future commercial and industrial buildings.*

Response: No buildings are proposed at this time.

16) *Protect industrial, airport-related and commercially designated areas for their intended uses as identified in the Scappoose Economic Opportunities Analysis.*

Response: The proposed CMP direction supports the uses identified by the Scappoose EOA.

17) *Coordinate with the Port of St. Helens and individual property owners to protect land near the Scappoose Industrial Airpark for intended airport-related and airport-compatible employment uses as called for in the Scappoose EOA.*

Response: The proposed CMP direction supports the uses identified by the Scappoose EOA.

18) *Take actions called for in the EOA to increase local employment and improve the population to employment balance.*

Response: Approval of this combined application will set the stage for expanding employment opportunities within Scappoose that will be directly accessible to members of the community.

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 included Conceptual Master Plan and accompanying reports demonstrate that approval will support growth that is orderly and efficient. Adherence with the principles of the EOA also demonstrates that said future development is planned in accordance with community needs. Further, airport supportive development on this site would be additive to the existing employment district, clearly responding to the existing development pattern.

2) *Not applicable to this application*

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.*

Response: The addition of future employment lands will enhance the economic balance of land uses. It will provide a larger range of employment opportunities in support of community needs.

- 4) *Not applicable to this application*
- 5) *Not applicable to this application*
- 6) *Not applicable to this application*
- 7) *Not applicable to this application*
- 8) *Industrial areas should be suitable for their purpose, properly located, and adequate for future needs.*

Response: The application covers land intended for industrial use. Located immediately proximate to the Scappoose Industrial Airport, on relatively flat ground, and with nearby access to utilities, these lands are extremely well suited for their purpose and stand to accommodate future needs.

- 9) *Not applicable to this application*
- 10) *Not applicable to this application*
- 11) *Not applicable to this application*
- 12) *Adequate public services and facilities should be provided to encourage an orderly and efficient growth pattern.*

Response: A pre-application conference was held that included representative service providers. No area deficiencies were noted at the time. At time of site development or subdivision utility needs will be analyzed and provided to serve the site in order to support an efficient growth pattern.

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

Response: The area will be accessed via a new connecting road from Moore Rd in the North to the CA Rd in the south. Internally driveways, taxi-ways and local streets will be used to support future need.

Additionally, Lancaster Engineering conducted a transportation study in coordination with the City and State, and found that trips generated by future uses will be less than what was anticipated by the modeling involved in the City's Transportation System Plan (TSP). Accordingly, no impacts will limit the safety and convenience of the overall transportation network. See exhibit A for additional details.

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

Response: Approval of the proposed Conceptual Master Plan will enable the city to add more than 250 acres of employment land to the City. This need was identified by

the Scappoose EOA. The addition of these job lands will strengthen and diversify the local economy.

15) *Not applicable to this application*

16) *Not applicable to this application*

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

Response: The CMP describes a condition of clustered employment uses in close proximity to the airport and the city's many neighborhoods. The close proximity will limit energy consumption by cars and trucks, and limit the distance required for provision of urban infrastructure.

18) *Not applicable to this application*

19) *Not applicable to this application*

GOAL FOR TRANSPORTATION

It is the goal of the City of Scappoose:

Goals 1 – 6 not applicable

7) *To cooperate closely with the County and State on transportation matters.*

Response: The applicant's traffic consultants, in conjunction with the proposed zone change have coordinated with Columbia County and ODOT personnel to identify and address concerns that may arise as a result of the zone change and subsequent development within the subject property.

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

Response: The City's recently adopted TSP estimated that TAZ #103, which nearly fully matches the site's boundaries, would have a projected traffic increase of 2,583 new peak-hour trips. The analysis shows that this project will generate up to 2,033 AM peak hour trips (the higher of the two peaks). At roughly 500 fewer trips than planned within the TSP, the existing and planned transportation network's capacity will not be infringed upon.

9) *Not applicable to this application*

10) *To encourage energy conservation modes of transit such as car-pooling.*

Response: The annexation and zoning request will enable for the creation of jobs in close proximity to residents of Scappoose and neighboring Columbia County. One benefit of job creation in this vicinity is that these new work trips will be shorter than those to farther flung job centers, especially the City of Portland or in Washington County. Further, the site is

anticipated to host a multi-use path, separated from the travel way to enable cycling and walking from the City to the site.

11) *To provide special protected routes for walking and bicycling.*

Response: No specific site designs are proposed with this application. However, the applicant has been in discussion with the City of Scappoose regarding design of the future road connecting the CZ road to Moore Rd. Said facility is being considered to provide a shared-use path, separated from traffic to facilitate safe and convenient cycling and walking.

12) *Enhance the aesthetics of all streets and roadways through planting and maintenance of street trees.*

Response: No specific site designs are proposed with this application. However, the applicant has been in discussion with the City of Scappoose regarding design of the future road connecting the CZ road to Moore Rd. Said facility will adhere to the City's design standards. Proximity to the CZ trail further enhances the need for an aesthetically enhanced facility, to which a park way design is under consideration and will be designed and engineered as part of application for subdivision.

13) *Work with the Port of St. Helens to maintain the continuing viability of the Scappoose Industrial Airpark.*

Response: The conceptual master plan demonstrates the intension of the property to serve airpark dependent users. Further the applicant has coordinated with the Port of St. Helens, and is included four Port Owned properties as part of this application. See Appendix B; Letter from the Port of St. Helens dated August 10, 2016 regarding proposed annexation of scappoose airport properties.

POLICIES FOR TRANSPORTATION

It is the policy of the City of Scappoose to:

- 1) *Require all newly established streets and highways to conform to Scappoose Municipal Code requirements for width, alignment, design and construction*

Response: No specific site designs are proposed with this application. However, the applicant has been in discussion with the City of Scappoose regarding design of the future road connecting the CZ road to Moore Rd. Said facility will adhere to the City's code standards.

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

Response: No specific site designs are proposed with this application. Full accessway design will be included with the upcoming application for subdivision; plats and dedications will indeed comply with city code requirements for safety and efficiency.

- 3) *Cooperate with the County and State on plans to improve transportation facilities--especially on Highway 30.*

Response: In conjunction with the proposed zone change we have coordinated with Columbia County and ODOT personnel to identify and address concerns that may arise as a result of the zone change and subsequent development within the subject property.

The newly-adopted TSP includes several planned transportation infrastructure improvements that address future transportation needs within the City of Scappoose, including along Highway 30. These improvements are intended to support future development both within the subject property and generally throughout the city. It is anticipated that as development proceeds within the subject property specific improvements and/or financial contributions toward project costs may be required, as is proportionate to the impacts of the individual developments.

It is anticipated that the improvements and policies identified in the TSP will be sufficient to address the concerns of the Oregon Department of Transportation, since the TSP included traffic levels for the subject property in excess of those that can be expected under the "reasonable worst case" development scenario for the proposed zoning, and inclusive of the anticipated PCC conditional-use facilities.

Columbia County has identified concerns regarding the safety and capacity of West Lane Road between N Honeyman Road and Highway 30. It is also anticipated that future development within the subject property will participate in analysis and mitigation tasks for this roadway in proportion to the traffic impacts of individual developments.

- 4) *Regulate signs and sign lighting along major routes to avoid distractions for motorists.*

Response: No specific site designs are proposed with this application. Upon which time facilities are designed, they will include necessary lighting and signage to facilitate wayfinding and safe operation.

Policies 5-19 not applicable to this application

GOALS FOR THE AIRPORT EMPLOYMENT (AE) LAND USE DESIGNATION

It is the goal of the City of Scappoose to:

- 1) *Support and promote the continued safe operation of the Scappoose Industrial Airpark and the economic vitality of the AE designation by providing suitable sites for targeted employment opportunities identified in the Scappoose EOA.*

Response: This application is made in direct response to the needs identified by the City's EOA for increased opportunities for industrial development. Further the CMP demonstrates that large sites are anticipated and accommodated for as per the EOA. No development is proposed at this time. However, it is understood that future development will be coordinated with the Airport Master Plan to ensure compatibility, safety and access.

- 2) *Provide a location for airport-related and -compatible employment activities in a master-planned setting with good highway, arterial road and airport access – in an area where their environmental effects will have a minimal impact upon the community.*

Response: The Conceptual Master Plan describes an employment area with numerous large and medium sized sites. It includes the creation of a new arterial for access, and provides taxi-ways to all properties. No adverse environmental effects are anticipated.

- 3) *Utilize the AE as an attractor for employment opportunities identified in the Scappoose EOA that are dependent upon, compatible with, or benefit from aircraft access, air transportation, and the existing cluster of aviation-related businesses located near the airport.*

Response: The Conceptual Master Plan responds to the EOA and Airport Master Plan. It provides for an employment area with numerous large and medium sized sites that are supported by the economic engine that is the Airport itself. It both supports the existing cluster and provides taxi-ways to all properties facilitating use of the runways and other facilities.

- 4) *Take advantage of the transportation options provided by the Scappoose Industrial Airpark by allowing airport-related and compatible employment uses called for in the Scappoose EOA, including industrial, office and service commercial, and supportive lodging and restaurant employment.*

Response: The many lots of varied sizes will cater to a range of supportive employment uses with access to roadways, trails and air facilities.

POLICIES FOR THE AIRPORT EMPLOYMENT (AE) LAND USE DESIGNATION

It is the policy of the City of Scappoose to:

- 1) *Locate light industrial, office and service commercial, and airport-related employment areas that have a convenient relationship to the community's vehicular and aircraft transportation systems.*

Response: The direct proximity of the project ensures a convenient relationship with the airport. Extension of the CZ/Connecting road and taxi-ways to all properties will also ensure community access to the aircraft transportation system.

- 2) *Screen or set back the boundaries of airport related development areas from abutting existing residential uses.*

Response: The requested zoning specifies a fifty (50) foot buffer from residential districts. A small cluster of these uses are located at the northern portion of the site. If these lands remain as residential (as per current county zoning) the required buffer and landscaping will effectively screen the properties.

3) *Not applicable to this application*

4) *Protect the stability and functional aspects of airport-related uses by prohibiting incompatible uses that create safety hazards or otherwise interfere with customary and usual aviation-related activities as defined by the Development Code.*

Response: The PUA zoning and EAE overlay specify the list of allowed uses that are both compatible and supportive of the airport. No uses are proposed at this time. However, approval of the requested zone change will allow for application of the appropriate standards to the property, facilitating compatible development in the future.

5) *Encourage airport-related educational opportunities.*

Response: The southern 20 acres of the proposed site is anticipated for use as a community college education facility. Said use will both encourage and support airport related education.

6) *Work with the Port of St. Helens and private property owners to maintain the continuing viability of the Scappoose Industrial Airpark and the AE.*

Response: The applicant has invited all property owners, including the Port to join the annexation application, thereby enhancing the ability to support the viability of the Industrial Airpark.

7) *Encourage mixed office and service commercial uses, and supporting lodging and restaurant opportunities in a master planned setting in designated Business Park areas.*

Response: The CMP is aimed primarily at airport related industrial uses as specified in the PUA zone and EAE overlay. While office is a likely component of an industrial endeavor, lodging and dining are encouraged in other locations nearby.

8) *Protect large industrial sites for their intended use as called for in the Scappoose EOA.*

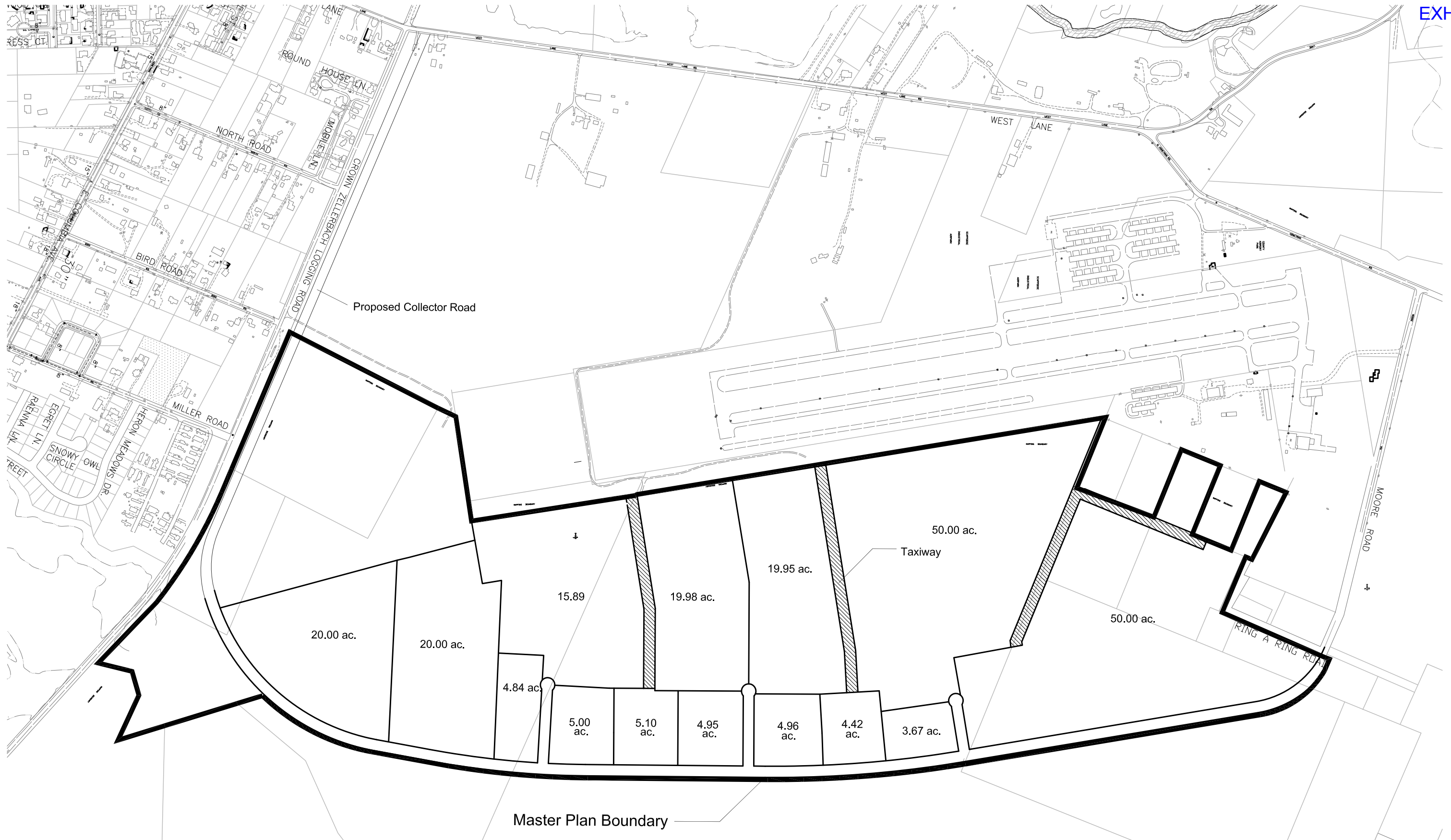
Response: The CMP includes the potential development of numerous large and middle size sites in accordance with the Scappoose EOA.

9) *Provide taxiway access to employment sites wherever feasible – especially in designated Industrial Airpark areas.*

Response: The CMP includes taxi-way access for all potential employment sites.

X. CONCLUSION

This application is in compliance with the goals and policies contained within the Scappoose Comprehensive Plan, is supportive of, and responsive to the Scappoose, and complies applicable requirements from the City's development code. The applicant hereby requests approvals for the Conceptual Master Plan, Annexation to the City of Scappoose and Zone Changes to PUA and PLR with the EAE overlay as applicable.



Legend

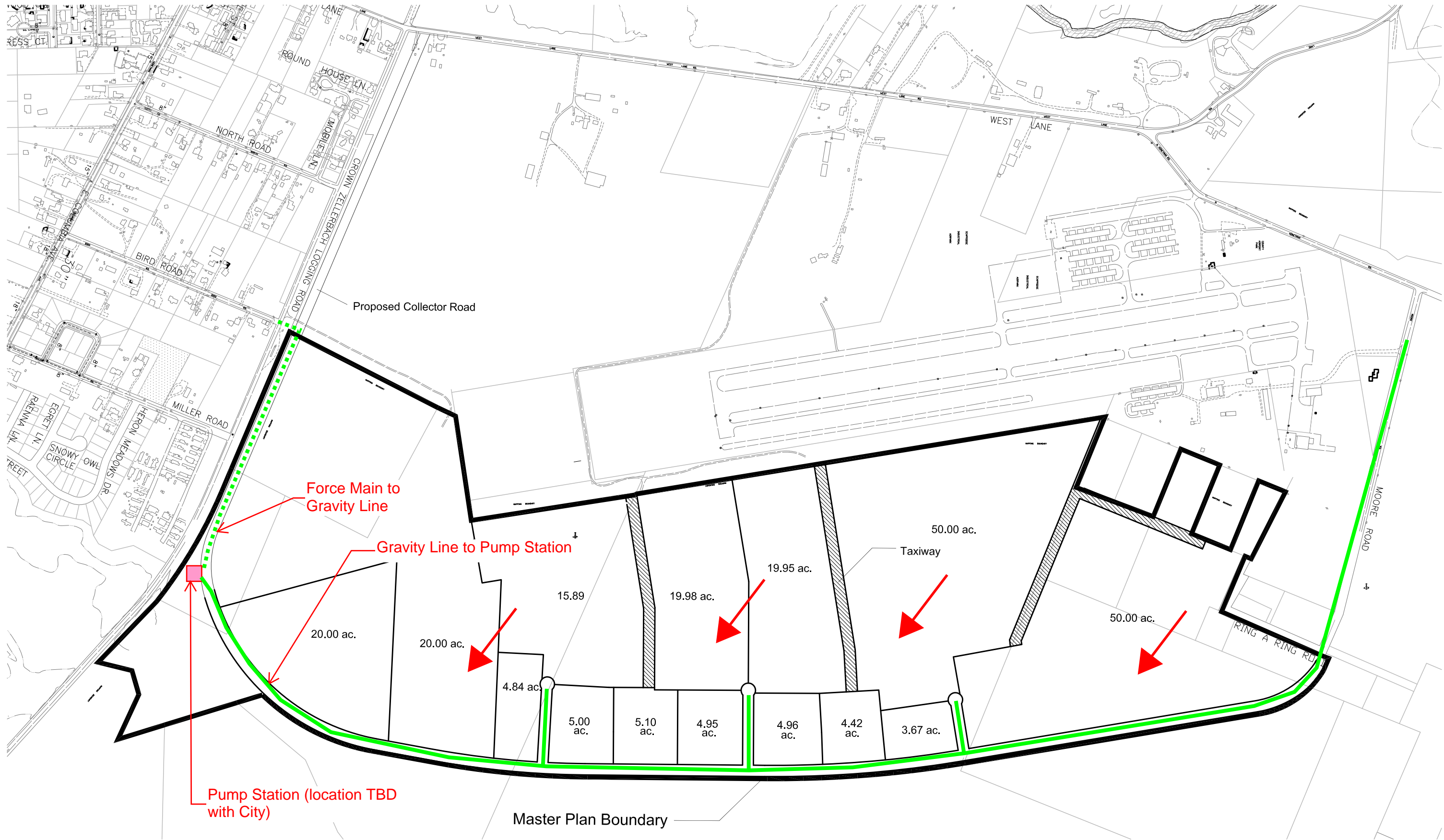
Taxiway



East Airport Master Plan Conceptual Master Plan

Airpark Development LLC





Legend

Taxiway



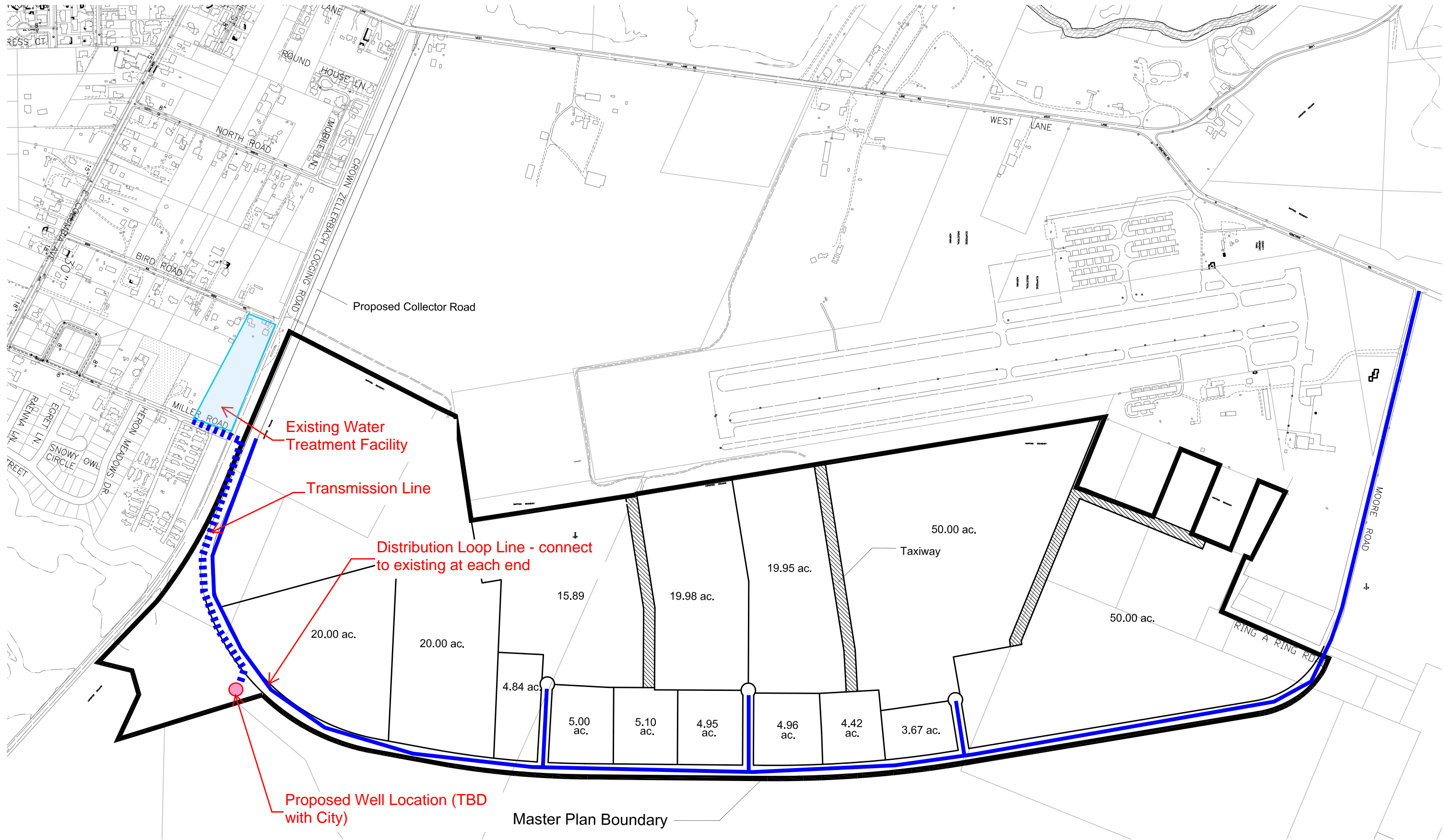
East Airport Master Plan

Conceptual Master Plan

Public Sewer System

Airpark Development LLC





Legend

Taxiway



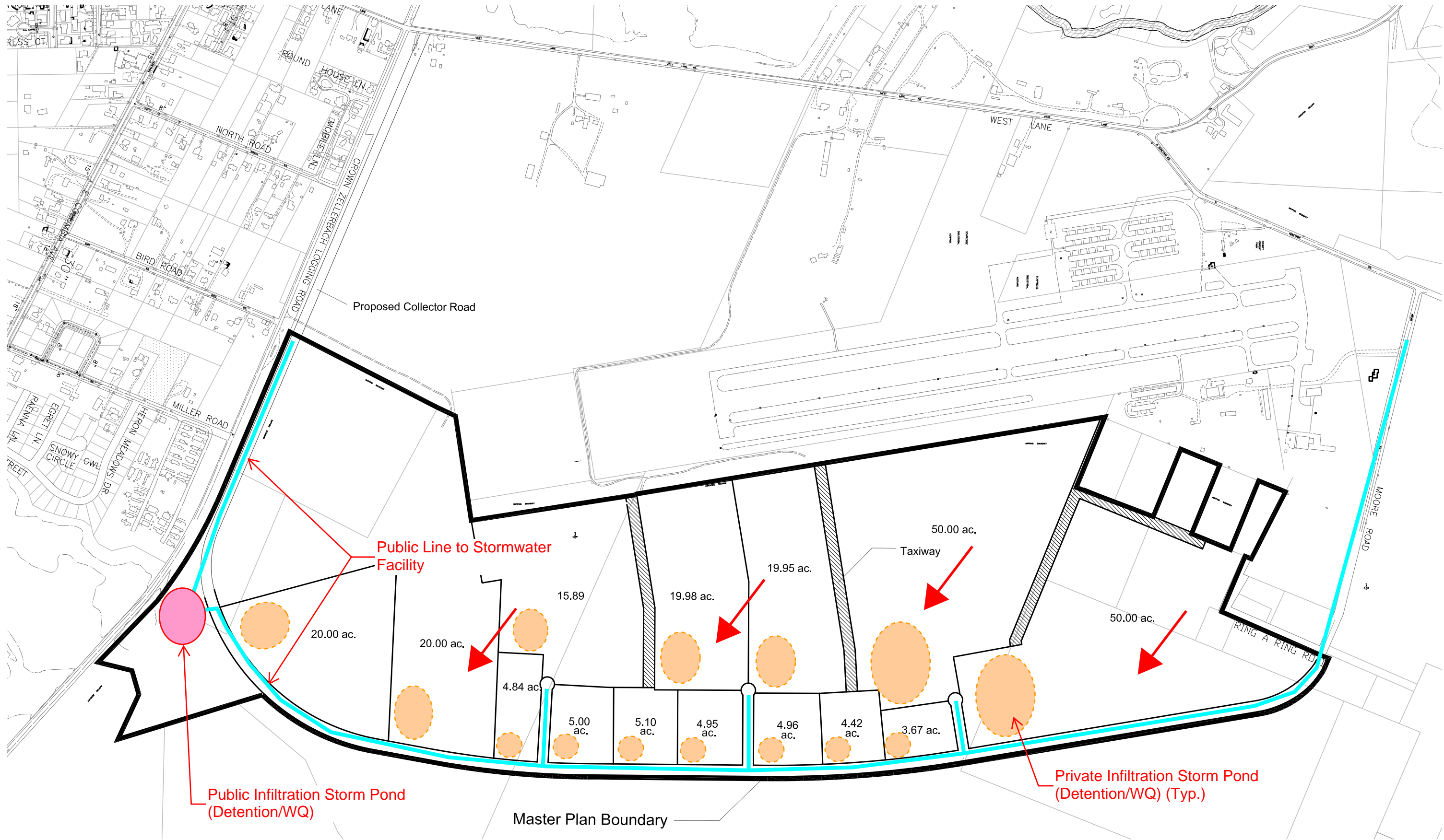
East Airport Master Plan

Conceptual Master Plan

Public Water System

Airpark Development LLC





Legend

Taxiway



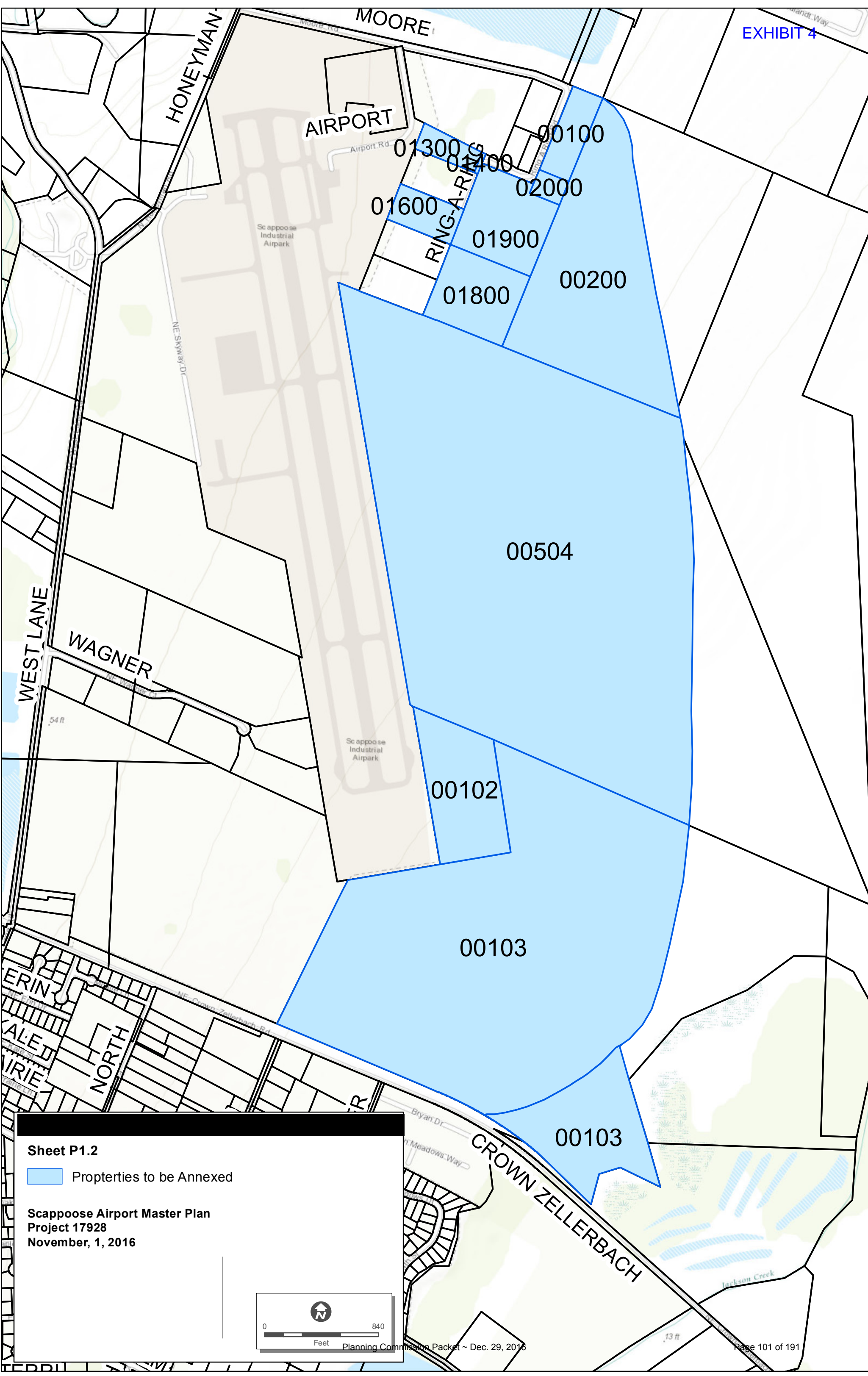
East Airport Master Plan

Conceptual Master Plan

Public Storm System

Airpark Development LLC

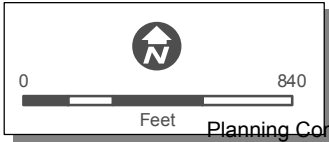


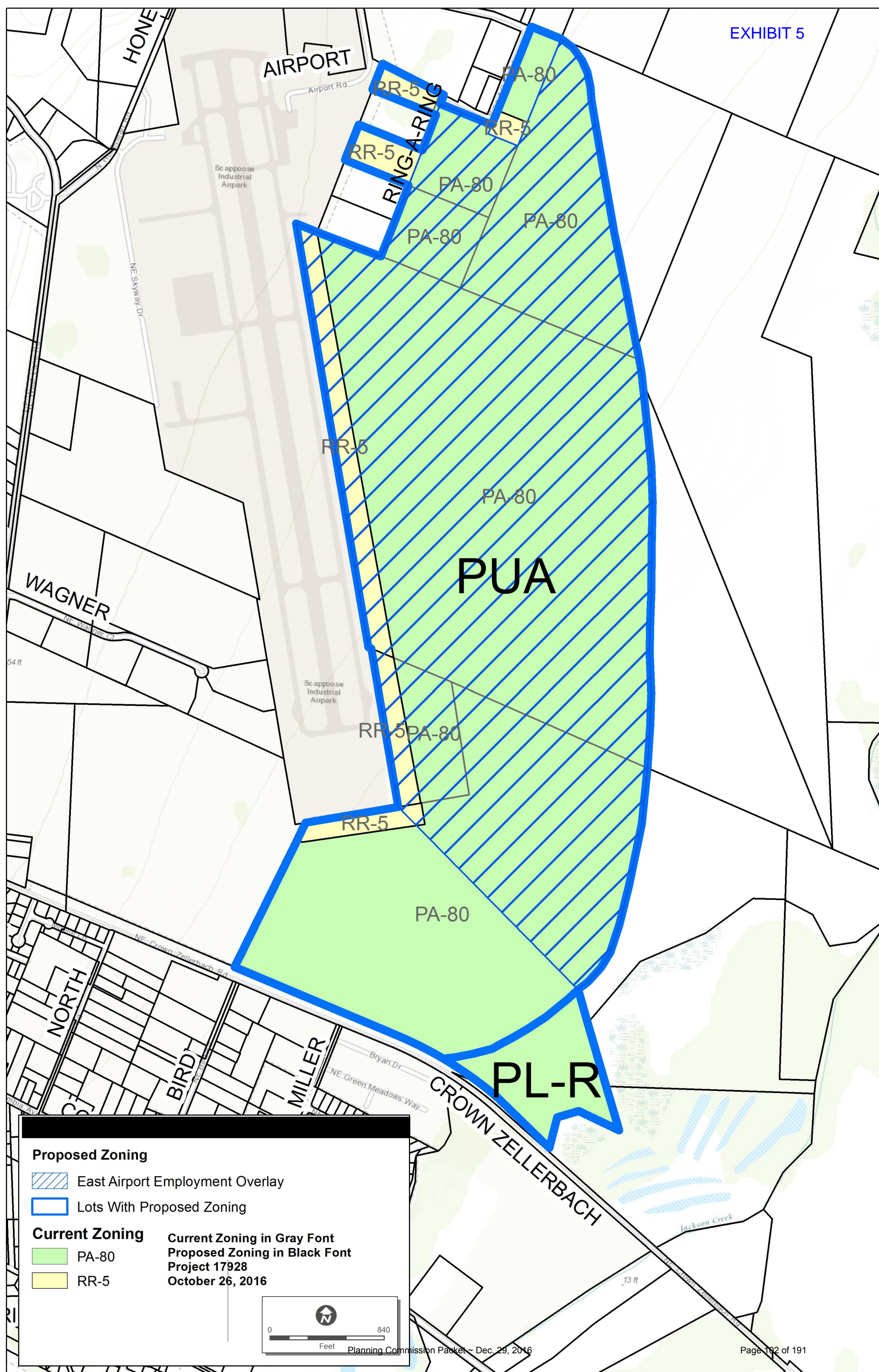


Sheet P1.2



Properties to be Annexed

Scappoose Airport Master Plan
Project 17928
November 1, 2016







Proposed Zoning

-  East Airport Employment Overlay
-  Lots With Proposed Zoning

Current Zoning

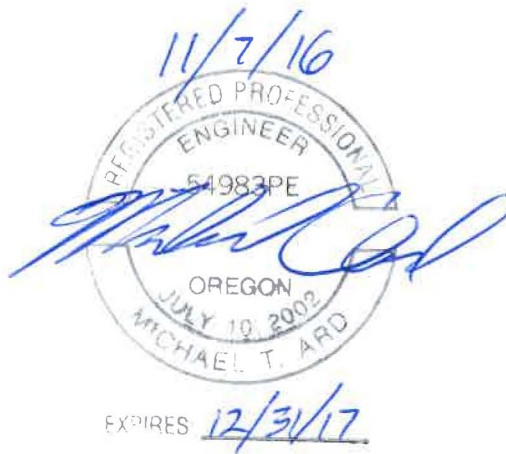
-  PA-80
-  RR-5

Current Zoning in Gray Font
Proposed Zoning in Black Font
Project 17928
October 26, 2016



November 7, 2016

Glen Bolen, AICP
Otak, Inc.
808 SW 3rd Avenue, Suite 300
Portland, OR 97204



321 SW 4th Ave., Suite 400
Portland, OR 97204
phone: 503.248.0313
fax: 503.248.9251
lancasterengineering.com

Dear Glen,

This letter is written to provide information and analysis for the proposed Scappoose Airpark zone change in Scappoose, Oregon. This letter details the trip generation associated with the current and proposed zoning and provides additional information related to the City's recently-adopted Transportation System Plan as well as Oregon's Transportation Planning Rule.

CURRENT AND PROPOSED ZONING

The subject property is currently zoned by Columbia County with a mixture of Rural Residential 5-Acre (RR-5) and Primary Agriculture Use 80-Acre (PA-80) zoning. The property is proposed to be annexed into the City of Scappoose, at which time Public-Use Airport (PUA) zoning with East Airport Employment (EAE) overlay will be applied to the property.

TRIP GENERATION

To estimate the number of trips that could be generated under the existing and proposed zonings of the subject property, trip rates from the *TRIP GENERATION MANUAL*, Ninth Edition, published by the Institute of Transportation Engineers (ITE), were used. The trip rates used were for land-use codes 210, *Single-Family Detached Housing*, 130, *Industrial Park*, and 540, *Junior-Community College*.

For the existing zoning, the trip generation calculations are based on the maximum number of single-family homes that could be constructed on the property given the mix of RR-5 and PA-80 zoning. Under the RR-5 zoning, the minimum lot size is 5 acres. Accordingly, six homes could be constructed within the 30 acres of RR-5 property. Under the PA-80 zoning, the minimum lot size is 80 acres. Accordingly, a maximum of four single-family homes could be constructed within the 328 acres of PA-80 property. In total, ten single-family homes can be constructed on the property under the existing Columbia County zoning.

Under the proposed PUA zoning with the EAE overlay, the property can be developed with a mix of industrial land uses. Since a tech school has indicated immediate interest in 20 acres of the property, this potential land use was also considered in the analysis. For the remaining 338 acres of the property, development as an industrial park was determined to represent the reasonable worst case development scenario. Since the size of the subject property exceeds the maximum size of the data set (approximately 160 acres), trip equations could not be directly used to calculate the number of trips expected as a result



of future development within the subject area. However, since the effective trip rates for the Industrial Park land use decline as the size of a development increases, it can be conservatively assumed that the subject property will generate trips at an effective trip rate less than the trip rate calculated using trip equations for a large-scale Industrial Park. Accordingly, the trip rate for the 338-acre Industrial Park was calculated based on equations for a 160-acre Industrial Park, which size falls within the range of the data set. Using this approach, effective trip rates were calculated reflecting 5.49 trips per acre during the morning peak hour, 5.15 trips per acre during the evening peak hour, and 51.08 daily trips per acre.

The trip generation calculations indicate that there could be up to 2,500 additional trips generated by under the proposed zoning during the morning peak hour, with 2,021 entering and 479 exiting the site. During the evening peak hour, 2,284 additional trips are projected with 681 entering and 1,603 exiting the site. A net increase of 23,156 weekday trips is projected, with half entering and half exiting.

A summary of the trip generation calculations for potential future development under the Public-Use Airport zoning on the subject property is shown in the table on the following page. Detailed trip generation calculations are included in the appendix to this report.

WEEKDAY TRIP GENERATION SUMMARY

East Airport Industrial Master Plan

	Size	AM Peak Hour			PM Peak Hour			Weekday
		In	Out	Total	In	Out	Total	Total
Industrial Park	338 acres	1,541	316	1857	366	1,375	1741	17264
Junior-Community College	20 acres	482	169	651	321	232	553	5988
Single-Family Homes	10 units	2	4	6	5	3	8	96
Proposed Zoning Trips		2,023	485	2,508	687	1,607	2,294	23,252
Existing Zoning Trips		2	6	8	6	4	10	96
Net New Trips		2,021	479	2,500	681	1,603	2,284	23,156

In addition to determination of the maximum number of trips that could be generated under the existing and proposed zonings, the trip generation assumptions used in developing the city's recently-adopted Transportation System Plan were also examined. The subject property falls within Transportation Analysis Zone (TAZ) #103, which had a projected average PM peak hour traffic increase of 2583 new trips over the planning horizon, with 929 trips entering and 1654 trips exiting the zone. Since the subject property represents the entirety of TAZ #103, the trip projections reflect the assumed development potential of the subject property under the proposed zoning. Notably, the number of trips considered in developing the Transportation System Plan was in excess of the number of trips anticipated within the subject property under the worst-case development scenario with full development of the subject site. Accordingly, it is anticipated that the transportation system improvements identified within the City's Transportation System Plan are both compatible with the proposed zone change and sufficient to address the traffic impacts of future development within the subject property.



Glen Bolen, AICP
November 7, 2016
Page 3 of 4

TRANSPORTATION PLANNING RULE ANALYSIS

The Transportation Planning Rule (TPR) is in place to ensure that the transportation system is capable of supporting possible increases in traffic intensity that could result from changes to adopted plans and land use regulations. The applicable portions of the TPR are quoted in *italics* below, with responses directly following.

660-012-0060

(1) *If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. 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);*

The proposed zone change will not necessitate changes to the functional classification of existing or planned transportation facilities. Accordingly, this section is not triggered.

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

The proposed zone change will not change any standards implementing the functional classification system. Accordingly, this section is also not triggered.

(c) *Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.*

(A) *Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*

(B) *Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or*

(C) *Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.*

In this instance the proposed zone change would be projected to result in degradation of performance of area roads and intersections as compared to allowed uses in the existing zones since the proposed rezone is projected to result in significant increases in traffic levels during the peak hour. However, the project-

Glen Bolen, AICP
November 7, 2016
Page 4 of 4

ed impacts from the proposed zone change were accounted for in the planning models on which the city's recently-adopted TSP were based, and the infrastructure improvements and policies contained within the TSP already address those impacts. Accordingly, the language of OAR 660-012-0060(9) is applicable as follows:

- (9) *Notwithstanding section (1) of this rule, a local government may find that an amendment to a zoning map does not significantly affect an existing or planned transportation facility if all of the following requirements are met.*
- (a) *The proposed zoning is consistent with the existing comprehensive plan map designation and the amendment does not change the comprehensive plan map;*
 - (b) *The local government has an acknowledged TSP and the proposed zoning is consistent with the TSP; and*
 - (c) *The area subject to the zoning map amendment was not exempted from this rule at the time of an urban growth boundary amendment as permitted in OAR 660-024-0020(1)(d), or the area was exempted from this rule but the local government has a subsequently acknowledged TSP amendment that accounted for urbanization of the area.*

The City of Scappoose's Comprehensive Plan map designation for the subject property is AE – Airport Employment. The proposed PUA zoning with the EAE overlay is consistent with this plan, and the amendment will not change the comprehensive plan map. Accordingly, subsection (a) is satisfied.

The city recently adopted a new TSP that is consistent with the proposed zoning. Accordingly, subsection (b) is satisfied.

The area subject to the zoning map amendment was not exempted from the relevant rule at the time of an urban growth amendment. Accordingly, subsection (c) is also satisfied.

Since the provisions of the three subsections are met, the City of Scappoose may conclude that the proposed zone change does not significantly affect an existing or planned transportation facility, and the Transportation Planning Rule is satisfied. The City of Scappoose's adopted TSP includes sufficient improvements and policies to address the transportation impacts of the proposed annexation and zone change. No further improvements or mitigations are recommended in conjunction with the proposed zone change.

If you have any questions regarding this analysis, please feel free to contact me at any time.

Sincerely,

Michael Ard, PE
Senior Transportation Engineer

APPENDIX

Le

TRIP GENERATION CALCULATIONS

Land Use: Industrial Park

Land Use Code: 130

Variable: Acres

Variable Quantity: 160 (maximum size of data set)

AM PEAK HOUR

Trip Equation: $\ln(T) = 0.78\ln(X) + 2.82$

	Enter	Exit	Total
Directional Distribution	83%	17%	
Trip Ends	730	149	879

Trip Rate Per Acre

5.49

PM PEAK HOUR

Trip Equation: $\ln(T) = 0.72\ln(X) + 3.06$

	Enter	Exit	Total
Directional Distribution	21%	79%	
Trip Ends	173	651	824

Trip Rate Per Acre

5.15

WEEKDAY

Trip Equation: $T = 47.82(X) + 520.18$

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	4,086	4,086	8,172

Trip Rate Per Acre

51.08

SATURDAY

Trip Equation: $T = 32.11(X) + 64.99$

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	2,601	2,601	5,202

Trip Rate Per Acre

32.51

Source: TRIP GENERATION, Ninth Edition

Le

TRIP GENERATION CALCULATIONS

Land Use: Industrial Park
Land Use Code: 130
Variable: Acres
Variable Quantity: 338

AM PEAK HOUR

Trip Rate: 5.49

	Enter	Exit	Total
Directional Distribution	83%	17%	
Trip Ends	1,541	316	1,857

PM PEAK HOUR

Trip Rate: 5.15

	Enter	Exit	Total
Directional Distribution	21%	79%	
Trip Ends	366	1,375	1,741

WEEKDAY

Trip Rate: 51.08

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	8,632	8,632	17,264

SATURDAY

Trip Rate: 32.51

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	5,495	5,495	10,990

Source: Calculated trip rates for large site based on equations for a 160-acre site from TRIP GENERATION, Ninth Edition



TRIP GENERATION CALCULATIONS

Land Use: Junior/Community College
Land Use Code: 540
Variable: 1000 Sq Ft Gross Floor Area
Variable Value: 218

AM PEAK HOUR

Trip Rate: 2.99

	Enter	Exit	Total
Directional Distribution	74%	26%	
Trip Ends	482	169	651

PM PEAK HOUR

Trip Rate: 2.54

	Enter	Exit	Total
Directional Distribution	58%	42%	
Trip Ends	321	232	553

WEEKDAY

Trip Rate: 27.49

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	2,994	2,994	5,988

SATURDAY

Trip Rate: 11.23

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	1,223	1,223	2,446

Source: TRIP GENERATION, Eighth Edition



TRIP GENERATION CALCULATIONS

Land Use: Single-Family Detached Housing
Land Use Code: 210
Variable: Dwelling Units
Variable Value: 8

AM PEAK HOUR

Trip Rate: 0.75

	Enter	Exit	Total
Directional Distribution	25%	75%	
Trip Ends	2	4	6

PM PEAK HOUR

Trip Rate: 1.00

	Enter	Exit	Total
Directional Distribution	63%	37%	
Trip Ends	5	3	8

WEEKDAY

Trip Rate: 9.52

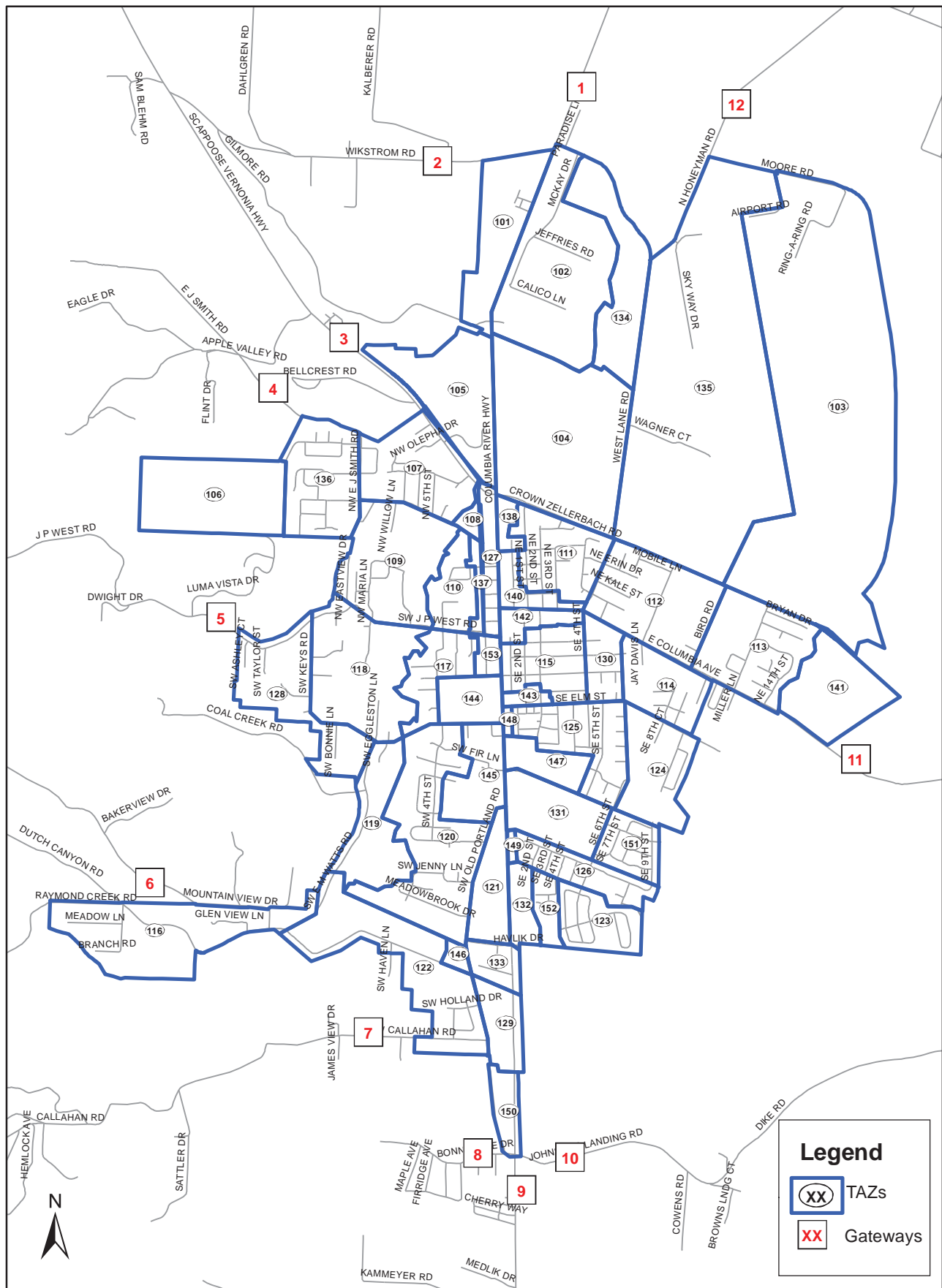
	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	38	38	76

SATURDAY

Trip Rate: 9.91

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	40	40	80

Source: TRIP GENERATION, Ninth Edition



Trip Generation by TAZ - Average PM Peak Hour							
TAZ	2013		2035		2013 - 2035		
	Trips In	Trips Out	Trips In	Trips Out	Trips In Growth	Trips Out Growth	Total Trips Growth
101	178	181	776	715	597	534	1131
102	28	33	43	40	15	7	22
103	13	19	942	1673	929	1654	2583
104	39	74	231	383	192	309	501
105	18	35	133	232	115	197	312
106	0	0	0	0	0	0	0
107	66	44	127	82	61	38	99
108	7	4	8	5	1	0	1
109	54	39	145	102	91	63	155
110	82	49	157	124	75	75	150
111	114	70	125	67	10	-3	7
112	92	62	134	82	42	21	63
113	68	47	110	73	42	26	68
114	48	32	86	54	37	22	59
115	74	46	111	68	38	22	60
116	43	35	117	87	74	53	127
117	72	44	89	51	18	7	25
118	60	42	156	110	96	68	164
119	29	22	58	47	29	25	54
120	149	96	274	171	125	75	200
121	478	545	639	650	161	105	267
122	39	29	226	148	187	119	306
123	4	8	4	7	0	-1	0
124	50	33	109	74	60	41	100
125	117	71	135	73	19	2	20
126	74	45	82	46	8	1	9
127	89	115	350	341	261	226	487
128	43	31	128	91	85	60	145
129	14	10	87	68	74	58	132
130	41	26	48	27	7	1	8
131	64	61	103	87	39	25	64
132	46	58	129	134	83	76	159
133	219	244	287	300	68	56	124
134	19	35	114	198	95	163	258
135	23	44	439	787	416	743	1159
136	83	53	109	65	26	12	38
137	10	7	117	104	108	97	205
138	23	23	31	34	8	11	20
139	0	0	0	0	0	0	0
140	78	98	143	148	64	50	114
141	0	0	0	0	0	0	0
142	55	84	82	101	27	17	44
143	3	5	5	9	2	4	6
144	34	33	55	46	21	14	34
145	220	233	1028	953	807	720	1528
146	16	29	53	61	37	31	68
147	84	80	135	114	50	33	83
148	0	0	0	0	0	0	0
149	0	0	0	0	0	0	0
150	6	4	230	210	223	206	430
151	64	39	71	38	6	-1	5
152	3	3	166	162	163	159	322
153	70	79	106	101	37	22	58
Total	3,300	3,100	9,032	9,343	5,732	6,243	11,976

**PORT OF ST. HELENS**

Mailing Address: P.O. Box 190, Columbia City, Oregon 97018
Office Location: 100 E Street, Columbia City, Oregon 97018
Telephone: (503) 397-2888 • Fax: (503) 397-6924
Web Page: www.portsh.org

August 10, 2016

Otak, Inc
Glen Bolen
808 SW Third Avenue, suite 300
Portland, OR 97204

Re: Proposed Annexation of Scappoose Airport Properties

Dear Mr. Bolen,

I am writing in response to your letter on July 14, 2016 informing the Port of St Helens that our neighboring property owners east of the Scappoose Industrial Airport inside the recently completed Scappoose Urban Growth Boundary expansion area are seeking to annex their properties into the City of Scappoose.

The Port appreciates your offer to include neighboring properties in your annexation effort, especially with Airpark Development LLC covering all the expenses related to the annexation petition. The Port is interested in adding our four properties on Ring-A-Ring Road, taxlot numbers 31W06B001300, 31W06B001400, 31W06B001600, and 31W06B000102, to your petition for annexation.

Let us know what further steps are necessary to be a part of the annexation process. As I am sure you know the Port is a public body and will appreciate being kept up to date on this process.

Sincerely,

A handwritten signature in black ink, appearing to read 'Scott Jensen'.

Scott Jensen
Planner
Port of St Helens

**LEGAL DESCRIPTION for
ANNEXATION TO THE CITY OF SCAPPOOSE
November 25, 2016**

BEGINNING at the southeast corner of Parcel 2 of Partition Plat No. 2016-005, recorded as Instrument No. 2016-4238, Columbia County Records, being a point on the north right of way line of Old Crown Zellerbach Road 50.00 feet from, when measured at right angles to, the centerline thereof, said POINT OF BEGINNING being marked with a 5/8 inch iron rod with yellow plastic cap marked "OTAK INC.";

Thence along the east line of said Parcel 2, North 25°39'55" East, a distance of 1180.89 feet to a 5/8 inch iron rod with yellow plastic cap marked "COLUMBIA COUNTY SURVEYOR" at a point on the south line of Scappoose Industrial Airport;

thence along said south line, North 80°18'49" East, a distance of 699.94 feet to the southwest corner of that tract of land described in Statutory Warranty Deed to Port of St. Helens recorded November 14, 1996 as Document No. 96-1889;

thence along the west line of said tract described in Document No. 96-1889, North 09°40'45" West, a distance of 1181.04 feet;

thence North 66°29'53" West, a distance of 23.87 feet;

thence along the east line of said Scappoose Industrial Airport, North 09°40'49" West, a distance of 3175.66 feet to a 5/8 inch iron rod with illegible yellow plastic cap bent to the east, being a point on the south line of the John McPherson DLC No. 38;

thence along said DLC line, South 68°08'24" East, a distance of 676.57 feet to the east line of that tract of land described in Statutory Bargain and Sale Deed to Karyl M. Larson recorded April 10, 2014 as Document No. 2014-002234;

thence along said east line and the northerly extension thereof, North 21°17'33" East, a distance of 554.34 feet to the southeast corner of Parcel 1 of that land described in Warranty Deed to Port of St. Helens Recorded January 25, 2006 as Document No. 2006-001072;

thence along the south line of said Parcel 1, North 69°08'22" West, a distance of 503.00 feet;

thence along the west lines of said Parcel 1 and of Parcel 2 as described in said Document No. 2006-001072, North 21°17'33" East, a distance of 278.81 feet;

thence along the north line of last said Parcel 2, South 69°08'27" East, a distance of 503.00 feet;

thence North 21°17'33" East, a distance of 278.80 feet to the southeast corner of Parcel 3 as described in said Document No. 2006-001072;

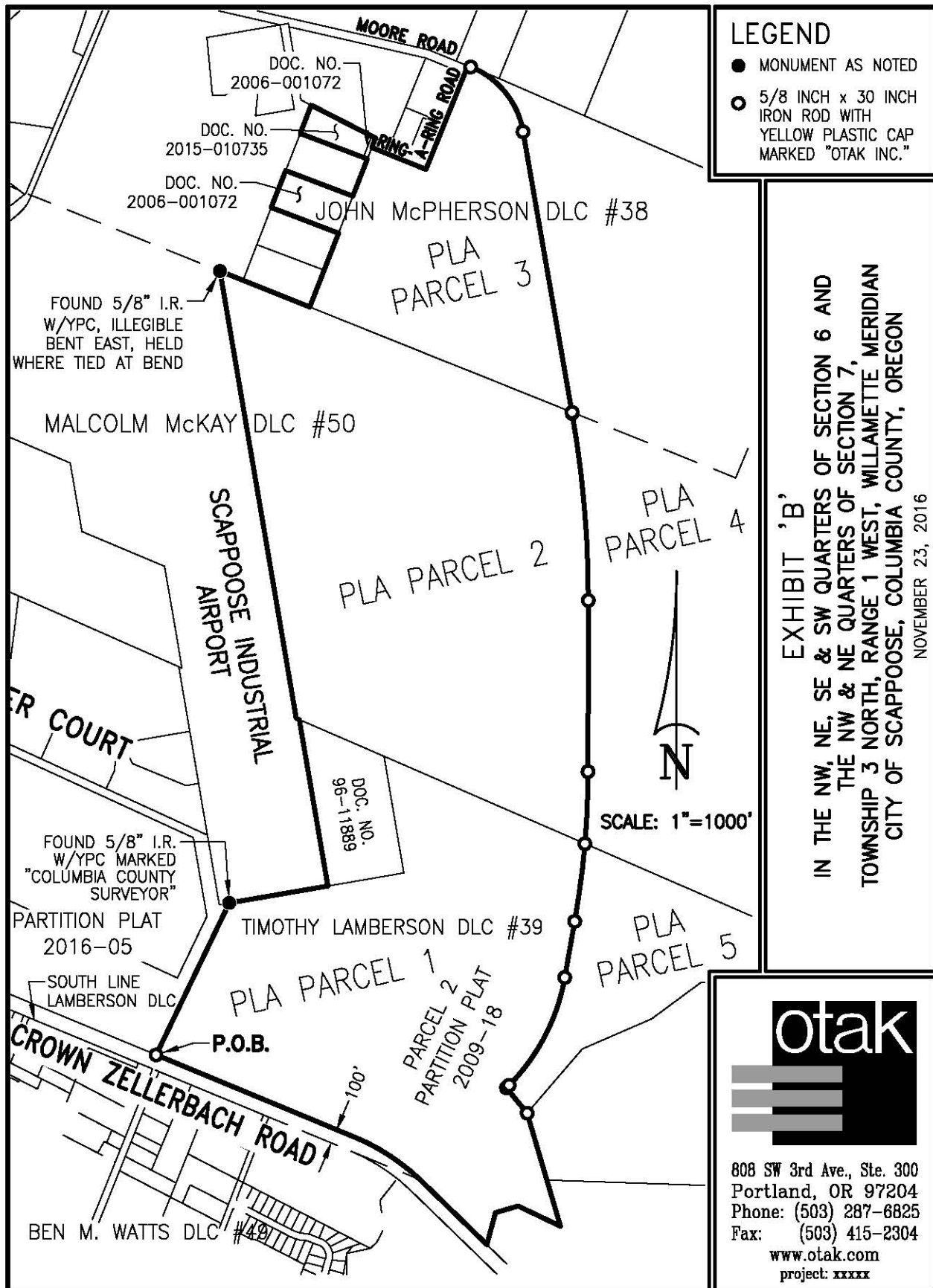
thence along the south line of said Parcel 3 and along the south line of that tract of land described in Statutory Warranty Deed to Port of St. Helens recorded December

31, 2015 as Document No. 2015-010735, North 69°08'27" West, a distance of 503.00 feet;
 thence along the west line of said land described in Document No. 2015-010735, North 21°17'33" East, a distance of 211.93 feet;
 thence along the north line of said land described in Document No. 2015-010735 and along the north line of said Parcel 3, South 62°58'22" East, a distance of 505.52 feet to a point on the westerly terminus of the public right of way known as Ring-a-ring Road, the southerly portion of which varies in width;
 thence along said westerly terminus, South 21°17'33" West, a distance of 71.00 feet;
 thence along the southerly right of way line of said Ring-a-ring Road, South 67°53'35" East, a distance of 408.45 feet to the most southerly angle point of said Ring-a-ring Road right of way line;
 thence along the east right of way line of a portion of said Ring-a-ring Road being 60.00 feet in width, North 22°00'06" East, a distance of 781.93 feet to the north right of way line of Moore Road;
 thence South 67°57'11" East, a distance of 22.03 feet to a 5/8 inch iron rod with yellow plastic cap marked "OTAK INC.";
 thence along the east line of the Urban Growth Boundary Amendment approved April 18, 2011 as City of Scappoose Ordinance No. 816 through the following 15 courses: along the arc of a 600.00 foot radius curve to the right, through a central angle of 58°02'23", an arc length of 607.79 feet (chord bears South 38°55'59" East a distance of 582.13 feet);
 thence South 09°54'48" East, a distance of 1993.27 feet to a point on the south line of said John McPherson DLC No. 38;
 thence continuing South 09°54'48" East, a distance of 8.00 feet;
 thence along the arc of a 7535.00 foot radius curve to the right, through a central angle of 10°00'00", an arc length of 1315.11 feet (chord bears South 04°54'48" East a distance of 1313.44 feet);
 thence South 00°05'12" West, a distance of 1199.00 feet;
 thence along the arc of a 6035.00 foot radius curve to the right, through a central angle of 04°47'28", an arc length of 504.65 feet (chord bears South 02°28'56" West a distance of 504.50 feet) to a point on the north line of Parcel 2 of Partition Plat 2009-18 recorded as Instrument No. 2009-11271, Columbia County Records;
 thence along the arc of a 6035.00 foot radius curve to the right, through a central angle of 05°12'32", an arc length of 548.66 feet (chord bears South 07°28'56" West a distance of 548.47 feet);
 thence South 10°05'12" West, a distance of 398.96 feet;
 thence along the arc of a 1435.00 foot radius curve to the right, through a central angle of 35°07'09", an arc length of 879.58 feet (chord bears South 27°38'47" West a distance of 865.87 feet);
 thence South 45°12'21" West, a distance of 7.88 feet;

thence South 39°13'32" East, a distance of 229.00 feet to a point on the east line of said Parcel 2 of Partition Plat No. 2009-18, said point being 1533.73 from the most northerly angle point of last said Parcel 2;
thence along the lines of last said Parcel 2 through the following seven courses:
South 16°24'00" East, a distance of 825.00 feet;
thence North 64°24'00" West, a distance of 330.00 feet;
thence South 73°36'00" West, a distance of 165.00 feet;
thence South 14°36'00" West, a distance of 232.00 feet to a point on said north right of way line of Old Crown Zellerbach Road;
thence along last said north right of way line through the following three courses:
North 45°52'37" West, a distance of 651.30 feet;
thence along the arc of a 1424.02 foot radius curve to the left, through a central angle of 21°36'01", an arc length of 536.85 feet (chord bears North 56°40'37" West a distance of 533.67 feet)
thence North 67°28'37" West, a distance of 1518.17 feet to the POINT OF BEGINNING.

Contains 351.5 acres, more or less.





CITY OF SCAPPOOSE

33568 E. COLUMBIA AVE.
SCAPPOOSE, OREGON 97056
(503) 543-7184 FAX: (503) 543-5679

LAND USE ACTION REFERRAL (ANX1-15/ZC2-15)

October 20, 2016

RETURN TO: Laurie Oliver, City Planner, City of Scappoose, 33568 East Columbia Ave, Scappoose, OR, 97056 (FAX 503-543-5679) by October 31, 2016.

REGARDING: An application submitted by Airpark Development LLC, for the proposed Annexation (ANX1-16), Zone Change (ZC2-16) and Conceptual Master Plan approval of approximately 358 acres east of the Scappoose Industrial Airport, described as Columbia County Assessor Map Numbers: 3106-00-00200, 3106-00-000504, 3106-B0-00100, 3106-B0-01300, 3106-B0-01400, 3106-B0-01600, 3106-B0-01800, 3106-B0-01900, 3106-B0-02000, 3107-00-00102, and 3107-00-00103. Based on the requirements of the Scappoose Development Code, if this property is annexed approximately 343 acres would automatically receive the Public Use Airport (PUA) zoning designation since the site has an "Airport Employment" Comprehensive Plan Map designation, and approximately 15 acres would automatically receive the Public Lands-Recreation (PL-R) zoning designation since the site has a "Public Lands" Comprehensive Plan Map designation.

1. ☒ We have reviewed the enclosed application and have no objection to its approval as submitted.
2. ☐ Please see either our comments (below) or attached letter.
3. ☐ We are considering the proposal further, and will have comments to you by _____.
4. ☐ Our board must meet to consider this; we will return their comments to you by _____.
5. ☐ Please contact our office so we may discuss this.
6. ☐ We recommend denial of the application. Please see either our comments (below) or attached letter:

COMMENTS: Please see the attached letter.

Signed: Ken Shunkwiler

Title: Senior Transportation Planner, ODOT Date: 11/8/2016



November 4, 2016

TO: Laurie Oliver, City Planner Scappoose
FROM: Ken Shonkwiler, ODOT Transportation Planner
SUBJECT: Land Use Action Referral (ANX1-16/ZC2-16)

Thank you for the opportunity to comment on this annexation and zone change.

The Oregon Department of Transportation (ODOT) routinely comments on planning proposals that may have an impact on state highways. If a plan amendment is involved (including annexations and zone changes), ODOT makes itself available to assist local governments in complying with the requirements of OAR 660-012-0060 (known as the Transportation Planning Rule). This requires that local governments amending adopted plans and regulations demonstrate that the amendment will not significantly affect existing or planned transportation facilities (both state and local) or that such amendments are concurrent with local and state plans.

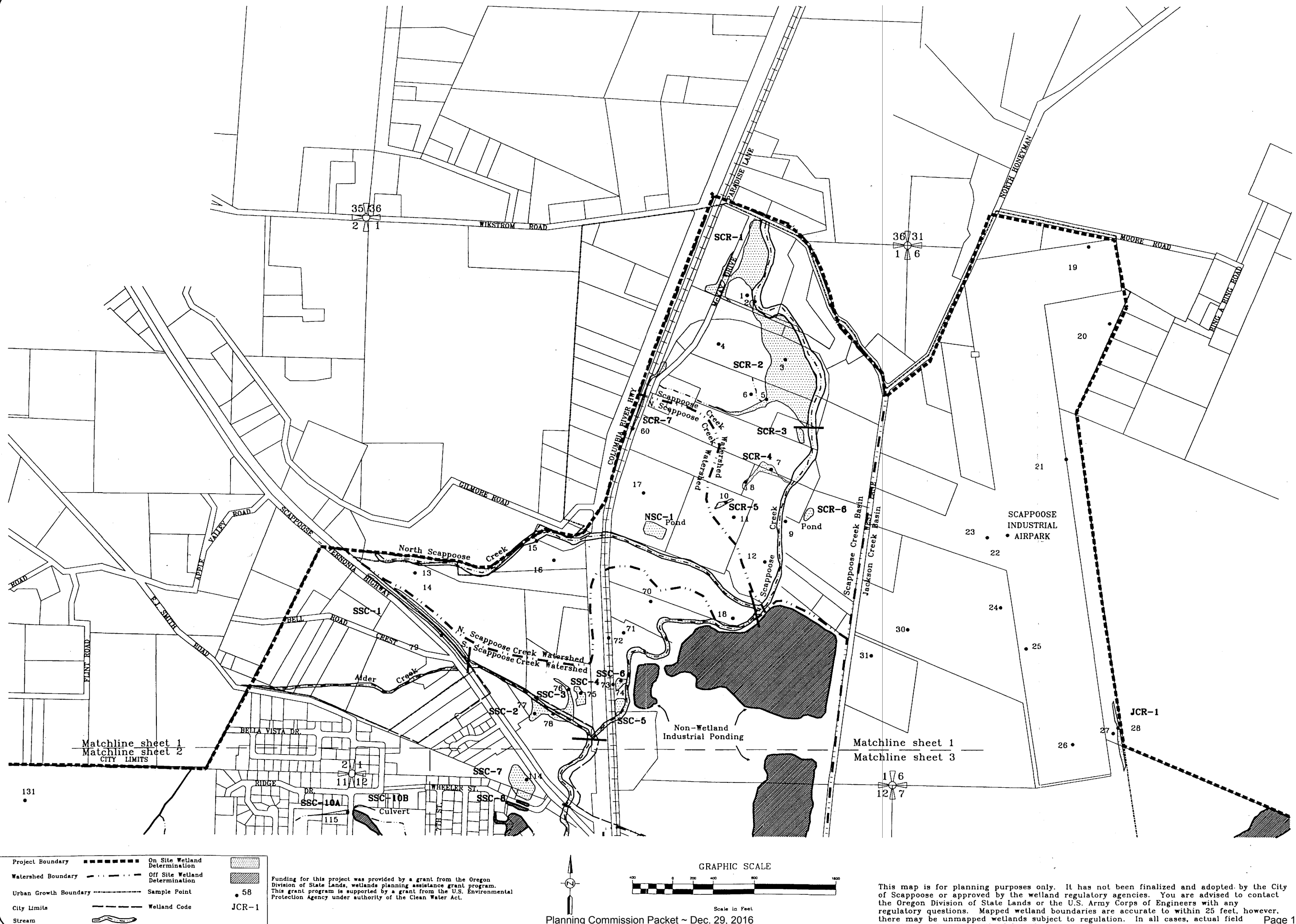
Scappoose recently adopted a Transportation Systems Plan (TSP) that accounted for the future development, annexation, and zone change involving this project. After further review, the TPR Analysis and annexation/zone change remains consistent with the TSP. ODOT is in agreement with the proposed annexation and zone change as the Transportation Planning Rule OAR 660-012-0060 (9) has been satisfied through this concurrence.

ODOT will work with the City of Scappoose and the Oregon Transportation Commission to approve the alternative mobility targets set within the TSP in upcoming months. ODOT asks that the city and Airpark Development LLC convene with ODOT when access is being proposed.

Scappoose
Local Wetlands Inventory

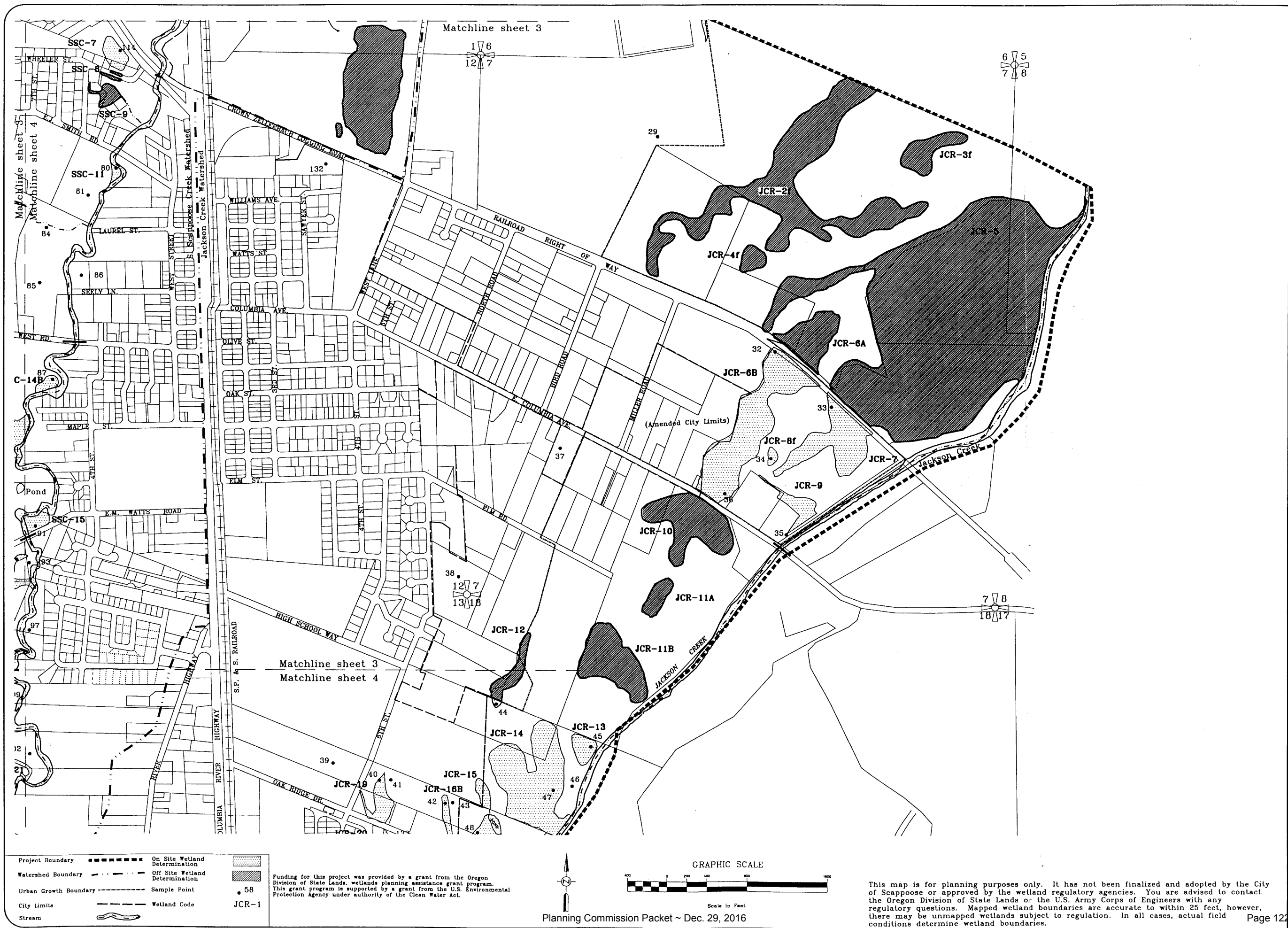
Pacific Habitat Services, Inc.
9450 SW Commerce Circle, Suite 180
Wilsonville, Oregon 97070
Phone: (503) 570-0800

DATE: December, 1998
MAP INFO: Supplied by City of Scappoose
K.C.M. Engineering
JOB NO: 5-1234



Funding for this project was provided by a grant from the Oregon Division of State Lands, wetlands planning assistance grant program. This grant program is supported by a grant from the U.S. Environmental Protection Agency under authority of the Clean Water Act.

This map is for planning purposes only. It has not been finalized and adopted by the City of Scappoose or approved by the wetland regulatory agencies. You are advised to contact the Oregon Division of State Lands or the U.S. Army Corps of Engineers with any regulatory questions. Mapped wetland boundaries are accurate to within 25 feet, however, there may be unmapped wetlands subject to regulation. In all cases, actual field conditions determine wetland boundaries.



Scappoose

Local Wetlands Inventory

Fig. 4C

DATE: December, 1998

MAP INFO: Supplied by City of Scappoose

BY: K.C.M. Engineering

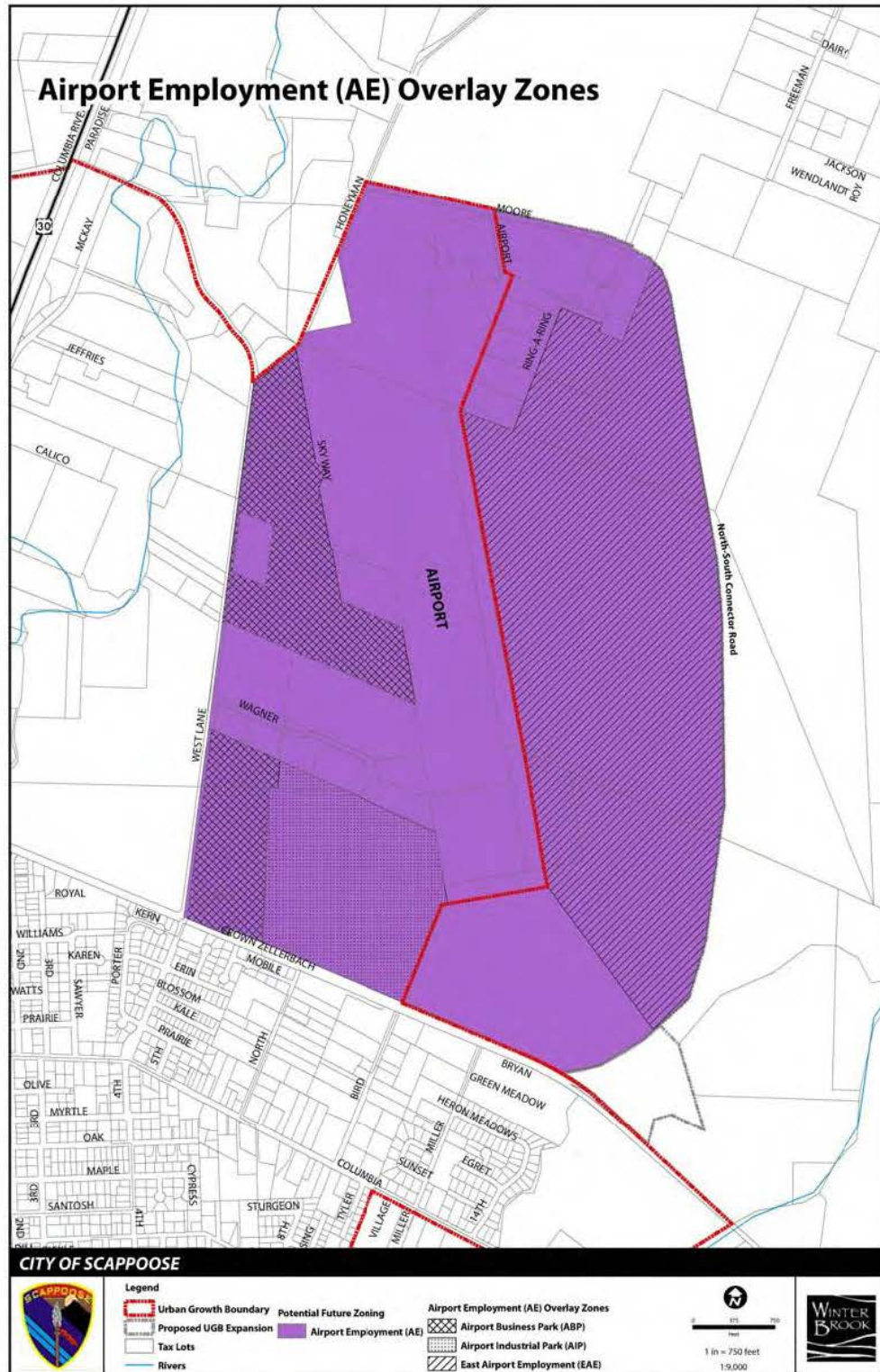
JOB NO.: 5-1234

Page 122 of 191

Pacific Habitat Services, Inc.
9450 SW Commerce Circle, Suite 180
Wilsonville, Oregon 97070
Phone: (503) 570-0800

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Figure 17.74.1: Airport Employment Potential Future Zoning Map Conceptual location of Airport Employment Overlay Zones: Per Section 17.74.030, the precise location of zoning district boundaries will be determined at the time of the zone change request. (Ord. 816, 2011)



CITY OF SCAPPOOSE

33568 E. COLUMBIA AVE.
SCAPPOOSE, OREGON 97056
(503) 543-7184 FAX: (503) 543-5679

LAND USE ACTION REFERRAL (ANX1-16/ZC2-16)

November 7, 2016

RETURN TO: Laurie Oliver, City Planner, City of Scappoose, 33568 East Columbia Ave, Scappoose, OR, 97056 (FAX 503-543-5679) by November 18, 2016.

REGARDING: An application submitted by Airpark Development LLC, for the proposed Annexation (ANX1-16), Zone Change (ZC2-16) and Conceptual Master Plan approval of approximately 358 acres east of the Scappoose Industrial Airport, described as Columbia County Assessor Map Numbers: 3106-00-00200, 3106-00-000504, 3106-B0-00100, 3106-B0-01300, 3106-B0-01400, 3106-B0-01600, 3106-B0-01800, 3106-B0-01900, 3106-B0-02000, 3107-00-00102, and 3107-00-00103. Based on the requirements of the Scappoose Development Code, if this property is annexed approximately 343 acres would automatically receive the Public Use Airport (PUA) zoning designation since the site has an "Airport Employment" Comprehensive Plan Map designation, and approximately 15 acres would automatically receive the Public Lands-Recreation (PL-R) zoning designation since a portion of the site has a "Public Lands" Comprehensive Plan Map designation.

1. ☐ We have reviewed the enclosed application and have no objection to its approval as submitted.
2. ☒ Please see either our comments (below) or attached letter.
3. ☐ We are considering the proposal further, and will have comments to you by _____.
4. ☐ Our board must meet to consider this; we will return their comments to you by _____.
5. ☐ Please contact our office so we may discuss this.
6. ☐ We recommend denial of the application. Please see either our comments (below) or attached letter:

COMMENTS: _____

Signed: Jonny R. Wilts

Title: Transportation Planner

Date: 11/17/16



Columbia County Road Department

1054 Oregon Street, St. Helens, OR 97051

David Hill, Public Works Director

Ph: (503) 397-5090 Fax: 397-7215

e-mail: David.Hill@co.columbia.or.us

To: Lonny Welter, Transportation Planner

From: David Hill, Public Works Director

Date: November 16, 2016

Subject: East Airport Conceptual Master Plan, Annexation, and Zone Change - Scappoose

Airpark Development LLC is proposing a conceptual master plan, annexation and zone change east of the Scappoose Airport, and the City of Scappoose is asking for our comments on the matter.

Columbia County's draft Transportation System Plan suggests that a Traffic Impact Study should be prepared for this proposal, and the information that was presented to us indicates that such a study has already been done. Columbia County should obtain a copy of the study and review the information and the associated traffic impacts from this project.

The West Coast Project currently under construction along West Lane Road prepared an impact study for their project and I am attaching pages 20 – 28 of that report which is the operational analysis of the area in regards to their project. This analysis included assumed traffic from "in-process" approved developments, but did not include traffic from this east airport development nor traffic from any future training center which is also likely to be along West Lane Road.

Page 25 of the West Coast Project Traffic Impact Study states "the intersection of Highway 30 at West Lane Road is projected to operate at a level-of-service F under 2018 traffic conditions either with or without the addition of site trips from the proposed development." (Levels-of-service range from A – F with F being the worst. Level F means a high degree of congestion and delay.)

Page 25 also states "The intersection of Highway 30 at Columbia Avenue currently operates with a v/c ratio of 0.71 during the morning peak hour and 0.89 during the evening peak hour... The intersection v/c ratios during the evening peak hour are consistently over the maximum allowable 0.85 standard established in the Oregon highway Plan, and since the proposed development will impact the v/c ratio during evening peak hour, some form of mitigation is appropriate."

Therefore, without considering the East Airport Project, congestion and delay at Highway 30 intersections is going to be very poor. With additional development at the East Airport Project

and other proposed developments along West Lane Road, I believe traffic congestion on Highway 30 is going to be extremely poor through Scappoose. And as you know, we are already experiencing traffic congestion through Scappoose in this current day without additional development. Traffic through Scappoose could be a "livability" issue for most residents of Columbia County.

Developments in this area should address the traffic impacts associated with their developments, and therefore Columbia County Road Department would like the opportunity to review a Traffic Impact Study for this development and how the associated impacts from the development are proposed to be mitigated. The Road Department has initiated discussions about an alternate arterial route around the east side of Scappoose to serve the area. The City, the County, and the State should come together to formalize a plan to mitigate traffic congestion through Scappoose.

A Traffic Impact Study for the East Airport Project should also include an analysis of the County Road intersections and in particular the proposed offset intersection of West Lane Road and CZ Road. It should address the CZ Trail and any impacts to the trail, and it should address physical road conditions such as narrow lanes and pavement conditions.

Please forward these and any other comments to the City of Scappoose for their review.

WEST COAST PROJECT

6

OPERATIONAL ANALYSIS

An operational analysis was prepared for the morning and evening peak hours for existing, year 2018 background and year 2018 background plus site trips conditions in order to identify the impacts of the proposed development and determine any mitigation necessary to safely support future site traffic.

BACKGROUND TRAFFIC

For the “existing plus approved development” scenarios, it is anticipated that completion of the approved in-process trips as well as completion of the proposed development will occur over approximately two years. During this time, traffic volumes on Highway 30 would be projected to increase due to development outside the city of Scappoose. Accordingly, a growth rate was used to estimate future traffic volumes at the study area intersections.

Using data from ODOT’s Future Volume Table, a linear growth rate of 1.58 percent per year (linear) was calculated for the site vicinity. Typically a growth rate of 2.0 percent per year (compounded) is used for estimating traffic volume growth on local streets. To simplify the analysis while ensuring that the results are conservative, a 2.0 percent compounded growth rate was applied to both the highway and local-street traffic volumes. This growth rate was applied to the study area intersections over a period of two years to generate year 2018 background traffic volumes.

Trips from several nearby in-process developments were also incorporated into the operational analysis of the study intersections. These in-process trips are associated with developments that have been approved but are not yet fully completed. Accordingly, it is anticipated that these trips will be present on the street system in the future.

The in-process developments included the 44-lot Dutch Canyon Phase 2 Subdivision, the 7-lot Five Peaks Terrace Subdivision, the 88-lot South Fork Preliminary Plat, the 14-lot Unger Subdivision, and the 39-lot Pioneer 2 Subdivision. Accordingly, site trips from these approved developments were added to the study area intersections as in-process trips.

The background traffic volumes comprise the existing 30th highest hour traffic volumes with the highway growth rate applied and the in-process traffic volumes added. Diagrams showing the year 2018 background plus in-process trips traffic volumes for the morning and evening peak hours are given in Figures 7 and 8 on pages 20 and 21. Traffic flow diagrams showing the year 2018 background plus site trips volumes during the morning and evening peak hours are given in Figures 9 and 10 on pages 22 and 23.



TRAFFIC VOLUMES
2018 Background Conditions (with In-Process Trips)
AM Peak Hour



FIGURE
7
PAGE
21



TRAFFIC VOLUMES
2018 Background Conditions (with In-Process Trips)
AM Peak Hour



FIGURE
7

PAGE
21



Le

TRAFFIC VOLUMES
2018 Background Conditions (with In-Process Trips)
PM Peak Hour



FIGURE
8

PAGE
22

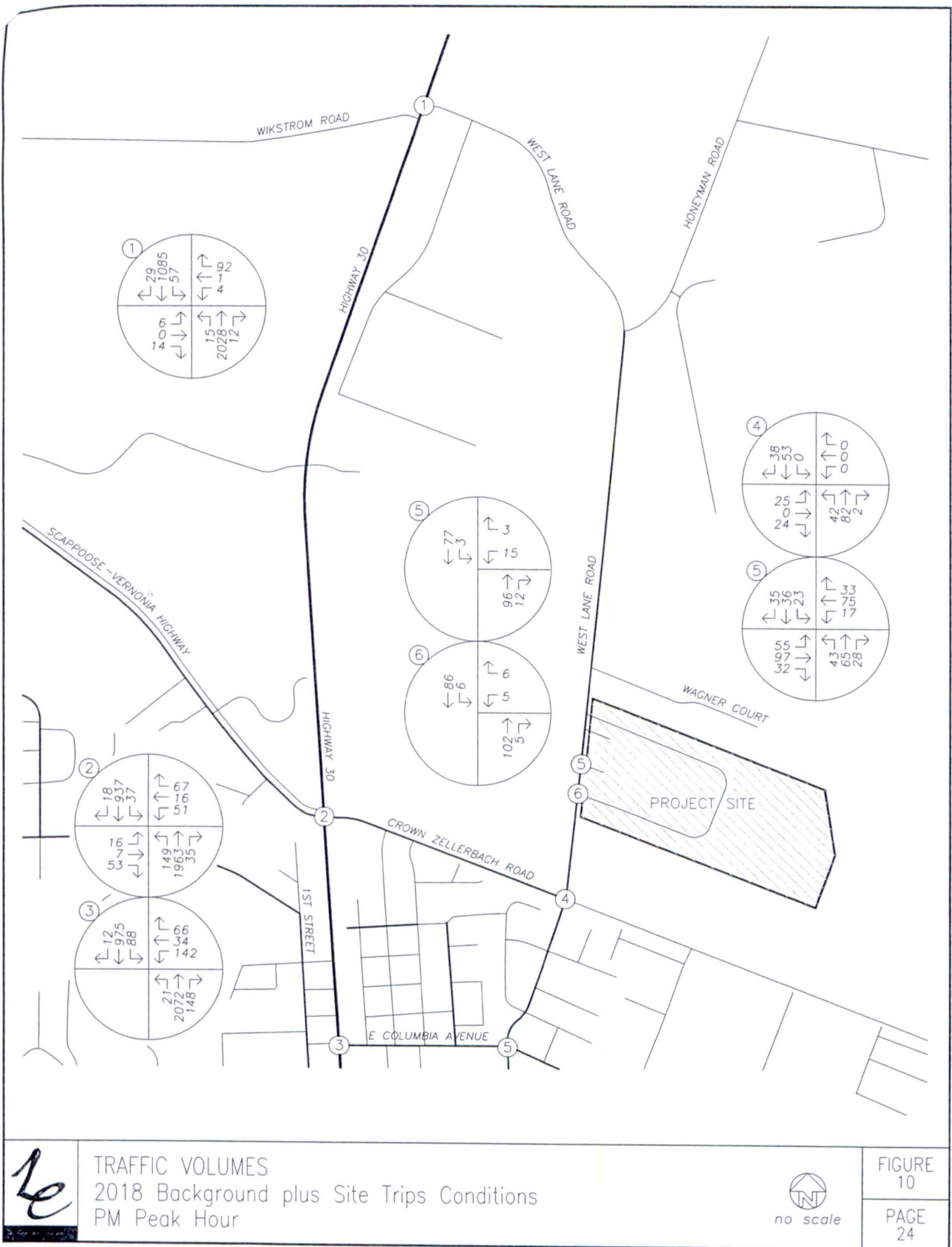


TRAFFIC VOLUMES
 2018 Background plus Site Trips Conditions
 AM Peak Hour

no scale

FIGURE
9

PAGE
23



2e

CAPACITY ANALYSIS

To determine the level of service at the study intersections, a capacity analysis was conducted. The study intersections were analyzed using the signalized and unsignalized intersection analysis methods in the *2010 HIGHWAY CAPACITY MANUAL*, published by the Transportation Research Board.

The level of service can range from A, which indicates very little or no delay, to level F, which indicates a high degree of congestion and delay. The City of Scappoose requires that intersections operate at level of service E or better during the peak hours. The analysis was made for the existing, background, and background plus site conditions during the evening peak hours.

The study intersections operate under the jurisdiction of the Oregon Department of Transportation (ODOT) and must operate according to standards established in the *OREGON HIGHWAY PLAN*. For the intersections of Highway 30 at Crown Zellerbach Road and Highway 30 at E Columbia Avenue, based on the classification of Highway 30 as a Statewide Highway and a Freight Route as well as the posted speed limit of 35 mph and the location of the study intersections within the urban growth boundary, the intersections are required to operate with a volume-to-capacity ratio (v/c) of 0.85 or less. For Highway 30 at West Lane Road, based on the higher speed limit of 55 mph, the intersection is required to operate with a v/c of 0.80 or less on the major-street approaches and 0.90 or less on the minor-street approaches.

Under existing (year 2016) 30th-highest hour conditions, the intersection of Highway 30 at West Lane Road/Wikstrom Road operates with a v/c ratio of 0.29 during the morning peak hour and 0.47 during the evening peak hour. Under year 2018 background conditions the intersection is projected to operate with a v/c ratio of 0.35 during the morning peak hour and 0.54 during the evening peak hour. With the addition of site trips from the proposed development, the intersection is projected to operate with a v/c ratio of 0.36 during the morning peak hour and 0.62 during the evening peak hour.

It should be noted that the intersection of Highway 30 at West Lane Road is projected to operate at level-of-service F under year 2018 traffic conditions either with or without the addition of site trips from the proposed development. This indicates that the average delay on one or more of the stop-controlled side-street approaches is in excess of 50 seconds. The actual projected average delays range up to 57 seconds. The addition of turn lanes on the side-street approaches would not decrease the projected average delays, and a traffic signal cannot be installed since the intersection volumes do not meet traffic signal warrants. Since the intersection can operate safely, operation meets ODOT performance standards, and no reasonable mitigation proportionate to the impacts of the proposed development is possible, no mitigations are recommended in conjunction with the proposed development.

The intersection of Highway 30 at Columbia Avenue currently operates with a v/c ratio of 0.71 during the morning peak hour and 0.89 during the evening peak hour. Under year 2018 background conditions, the intersection is projected to operate with a v/c ratio of 0.75 during the morning peak hour and 0.94 during the evening peak hour. With the addition of site trips from the proposed development, the intersection is projected to operate with a v/c ratio of 0.76 during the morning peak hour and 0.95 during the evening peak hour. The intersection v/c ratios during the evening peak hour are consistently over the maximum allowable 0.85 standard established in the Oregon Highway Plan,

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and since the proposed development will impact the v/c ratio during the evening peak hour, some form of mitigation is appropriate. Given the low number of site trips added to the intersection during the evening peak hour (less than one percent of existing intersection volumes), the extent of mitigation that can be required is somewhat limited, since significant improvement costs would be disproportionate to the impacts of the proposed development. However it was noted that if the westbound intersection approach was reconfigured to provide a dedicated left-turn lane and a shared left/through/right lane, the v/c ratio during the evening peak hour will be no greater than under background conditions. Although this potential mitigation would be capable of offsetting the impacts of the proposed development, ODOT has indicated that "Region Traffic typically does not recommend a proposed mitigation measure be implemented unless it has a significant operational and/or queue length improvement and no negative effect on safety." In this instance, the operational improvement would be marginal (1 percent), and ODOT has expressed concerns about safety impacts associated with potential conflicts between the two lanes of left-turning vehicles. Accordingly, ODOT does not support construction of this mitigation. Since there is no other mitigation available that would be proportionate to the impacts of the proposed development, ODOT has indicated that no mitigation will be required for this intersection in conjunction with the proposed development.

The remaining study area intersections as well as the proposed site access intersection are projected to meet both City of Scappoose and ODOT performance standards. No other operational mitigations are recommended in conjunction with the proposed development.

The results of the capacity analysis, along with the Levels of Service (LOS) and delay are shown in the table on the following page. Detailed operational analysis results, including results for the site access intersections are included in the technical appendix. Tables showing the relationships between delay and level of service are also included in the appendix to this report.

2c

LEVEL OF SERVICE SUMMARY

West Coast Project

	AM Peak Hour			PM Peak Hour		
	<u>LOS</u>	<u>Delay</u>	<u>v/c</u>	<u>LOS</u>	<u>Delay</u>	<u>v/c</u>
<i>Highway 30 at West Lane Road/Wikstrom Road</i>						
2016 Existing Conditions	E	46	0.29	E	40	0.47
2018 Background with In-Process Trips	F	54	0.35	E	48	0.54
2018 Background plus Site Trips	F	57	0.36	F	56	0.62
<i>Highway 30 at Scappoose-Vernonia Road/Crown Zellerbach Road</i>						
2016 Existing Conditions	B	18	0.67	B	16	0.78
2018 Background with In-Process Trips	B	19	0.71	C	23	0.83
2018 Background plus Site Trips	B	19	0.72	C	23	0.84
<i>Highway 30 at Columbia Avenue</i>						
2016 Existing Conditions	A	9	0.71	C	21	0.89
2018 Background with In-Process Trips	B	10	0.75	C	27	0.94
2018 Background plus Site Trips	B	10	0.76	C	28	0.95
2018 Background plus Site Trips - Mitigated	A	10	0.74	C	35	0.94
<i>West Lane Road at Crown Zellerbach Road</i>						
2016 Existing Conditions	B	13	0.11	B	11	0.03
2018 Background with In-Process Trips	B	13	0.12	B	11	0.03
2018 Background plus Site Trips	B	13	0.16	B	11	0.05
<i>West Lane Road at Columbia Avenue</i>						
2016 Existing Conditions	A	9	0.24	A	9	0.25
2018 Background with In-Process Trips	A	10	0.25	A	9	0.26
2018 Background plus Site Trips	A	10	0.26	A	10	0.27

LOS = Level of Service

Delay = Average delay per vehicle in seconds

v/c = Volume-to-capacity ratio

¹ Westbound approach has a dedicated left-turn lane and a shared left/through/right lane.

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CONCLUSIONS

A crash analysis was conducted for the study area intersections. Based on the detailed crash analysis, no significant intersection design concerns were identified and no crash mitigations are recommended.

Intersection sight distance was examined for the proposed new points of access. With clearing of vegetation along the site frontage, intersection sight distances in excess of the recommended minimums for both passenger cars and trucks can be achieved at all proposed access locations. For the intersection of West Lane Road at Crown Zellerbach Road, vegetation should be cleared from within the northwest corner of the intersection to provide a minimum of 495 feet of intersection sight distance for safety. Alternatively, a stop sign could be installed on the southbound Lane Road approach to Crown Zellerbach Road to ensure safe operation of the intersection.

Based on the warrant analyses, no new left-turn lanes or traffic signals are recommended.

The intersection of Highway 30 at West Lane Road/Wikstrom Road is projected to meet ODOT operational standards, but is projected to operate at level of service F during the evening peak hours. Since a traffic signal cannot be installed and no reasonable mitigation proportionate to the impacts of the proposed development is possible, no mitigation is recommended in conjunction with the proposed development.

The intersection of Highway 30 at Columbia Avenue is projected to meet City of Scappoose operational standards, but is projected to operate with a v/c ratio of 0.95 during the evening peak hour with the addition of site trips. Although a potential mitigation was identified that could restore operation of this intersection to background levels, ODOT has indicated that they would not support construction of mitigation showing an operational improvement of only one percent, and that they have concerns about safety impacts associated with potential conflicts between left-turning vehicles in two turning lanes. Since there is no other mitigation available that would be proportionate to the impacts of the proposed development, ODOT has indicated that no mitigation will be required in conjunction with the proposed development.

All other study area intersections as well as the site access intersections are projected to meet all applicable ODOT and City of Scappoose operational standards under all analysis scenarios. No other operational mitigations are recommended.

CITY OF SCAPPOOSE

33568 E. COLUMBIA AVE.
SCAPPOOSE, OREGON 97056
(503) 543-7184 FAX: (503) 543-5679

LAND USE ACTION REFERRAL (ANX1-16/ZC2-16)

November 7, 2016

RETURN TO: Laurie Oliver, City Planner, City of Scappoose, 33568 East Columbia Ave, Scappoose, OR, 97056 (FAX 503-543-5679) by November 18, 2016.

REGARDING: An application submitted by Airpark Development LLC, for the proposed Annexation (ANX1-16), Zone Change (ZC2-16) and Conceptual Master Plan approval of approximately 358 acres east of the Scappoose Industrial Airport, described as Columbia County Assessor Map Numbers: 3106-00-00200, 3106-00-000504, 3106-B0-00100, 3106-B0-01300, 3106-B0-01400, 3106-B0-01600, 3106-B0-01800, 3106-B0-01900, 3106-B0-02000, 3107-00-00102, and 3107-00-00103. Based on the requirements of the Scappoose Development Code, if this property is annexed approximately 343 acres would automatically receive the Public Use Airport (PUA) zoning designation since the site has an "Airport Employment" Comprehensive Plan Map designation, and approximately 15 acres would automatically receive the Public Lands-Recreation (PL-R) zoning designation since a portion of the site has a "Public Lands" Comprehensive Plan Map designation.

1. _____ We have reviewed the enclosed application and have no objection to its approval as submitted.
2. X Please see either our comments (below) or attached letter.
3. _____ We are considering the proposal further, and will have comments to you by _____.
4. _____ Our board must meet to consider this; we will return their comments to you by _____.
5. _____ Please contact our office so we may discuss this.
6. _____ We recommend denial of the application. Please see either our comments (below) or attached letter:

COMMENTS: Attached in the email along with this response.

Signed: 

Title: Planner
Port of St. Helens

Date: 11/18/16



Oliver, Laurie

From: Scott Jensen <Jensen@portsh.org>
Sent: Friday, December 16, 2016 1:53 PM
To: Oliver, Laurie
Subject: RE: LUA Referral ANX1-16/ZC2-16 comments

Laurie,

The Port would like to add to our previous comment on the conceptual master plan.

We would advise the property owners to keep in mind the runway protection zone at the south end of the runway. This may already have been accounted for, and is not a concern for this land use action. It is something the Port and FAA will be watching for as future activities occur. Also worth noting is that the runway protection zone should be based on the extended runway envisioned in the Airport Master Plan not just the existing facility. [The FAA is now considering roads and multi-use trails as a possible hazard to navigation related to the potential height of any vehicles that may be using the road. The future alignment of the Crown Zellerbach trail and loop road should keep this in mind as design work progresses.](#)

Thank you,
Scott Jensen

From: Scott Jensen
Sent: Friday, November 18, 2016 4:05 PM
To: Oliver, Laurie
Subject: LUA Referral ANX1-16/ZC2-16 comments

Laurie,

The Port has reviewed the conceptual master plan, annexation and zone change documents ANX1-16/ZC2-16 and have the following comments regarding the conceptual master plan.

The taxiway on the north side, partially running along Ring-a-Ring road does not appear to connect with the airport. What is the conceptual alignment for extending this taxiway to the airport proper? We would need to coordinate the location(s) any taxiways wish to enter the airport "through the fence". This may not be an issue now but could become one as parcels are subdivided and taxiway easements are granted.

We would advise the property owners to keep in mind the runway protection zone at the south end of the runway. This may already have been accounted for, and is not a concern for this land use action. It is something the Port and FAA will be watching for as future activities occur. Also worth noting is that the runway protection zone should be based on the extended runway envisioned in the Airport Master Plan not just the existing facility.

Our larger concern is the public and private storm water management concepts shown on the Public Storm System map. It appears that there will be significant areas dedicated to storm water storage. These could become habitat that is attractive to birds, which would then present a potential hazard to aviation. We understand that this is only a conceptual plan and as such register no objection at this time, however we will be monitoring this concern closely in any future development proposals.

Regards,

Scott Jensen
Planner, Port of St. Helens
503 397-2888
Jensen@portsh.org

CITY OF SCAPPOOSE

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SCAPPOOSE, OREGON 97056
(503) 543-7184 FAX: (503) 543-5679

LAND USE ACTION REFERRAL (ANX1-16/ZC2-16)

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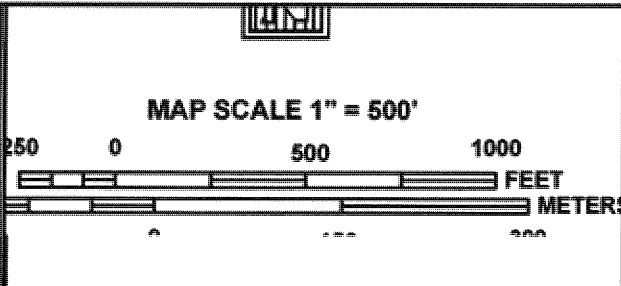
1. ☐ We have reviewed the enclosed application and have no objection to its approval as submitted.
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3. ☐ We are considering the proposal further, and will have comments to you by _____.
4. ☐ Our board must meet to consider this; we will return their comments to you by _____.
5. ☐ Please contact our office so we may discuss this.
6. ☐ We recommend denial of the application. Please see either our comments (below) or attached letter:

COMMENTS: The Scappoose Drainage Improvement Company has no objection to the application as long as the owner pays any applicable drainage assessment and the project does not increase the quantity of water, or speed with which SDIC's drainage system receives it, or degrade the quality of the water within SDIC's boundaries.

Signed: Laurie Oliver

Title: President

Date: 11-9-16



LEGEND

SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD
The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, ARB, V, and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood.

ZONE A No Base Flood Elevations determined.

ZONE AE Base Flood Elevations determined.

ZONE AH Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.

ZONE AO Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.

ZONE AR Special Flood Hazard Areas formerly protected from the 1% annual chance flood by a flood control system that was subsequently decertified. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.

ZONE ARB Area to be protected from 1% annual chance flood by a Federal flood protection system under construction; no Base Flood Elevations determined.

ZONE V Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.

ZONE VE Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.

FLOODWAY AREAS IN ZONE AE

The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.

OTHER FLOOD AREAS

ZONE X Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.

OTHER AREAS

ZONE X Areas determined to be outside the 0.2% annual chance floodplain.

ZONE D Areas in which flood hazards are undetermined, but possible.

COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS

OTHERWISE PROTECTED AREAS (OPAs)

CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.

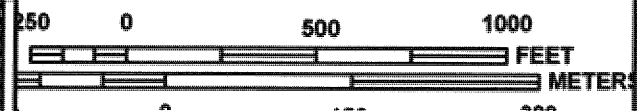
1% Annual Chance Floodplain Boundary

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

Page 141 of 161



MAP SCALE 1" = 500'



NFIP

NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0463D

FIRM

**FLOOD INSURANCE RATE MAP
COLUMBIA COUNTY,
OREGON
AND INCORPORATED AREAS**

PANEL 463 OF 525

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
COLUMBIA COUNTY	410034	0463	D
SCAPPOOSE, CITY OF	410039	0463	D

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.



**MAP NUMBER
41009C0463D**

**MAP REVISED
NOVEMBER 26, 2010**

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.nfip.fema.gov

EXHIBIT 16

CITY OF SCAPPOOSE

33568 E. COLUMBIA AVE.
SCAPPOOSE, OREGON 97056
(503) 543-7184 FAX: (503) 543-5679

RECEIVED

NOV 09 2016

Land Development Services

LAND USE ACTION REFERRAL (ANX1-16/ZC2-16)

November 7, 2016

RETURN TO: Laurie Oliver, City Planner, City of Scappoose, 33568 East Columbia Ave, Scappoose, OR, 97056 (FAX 503-543-5679) by November 18, 2016.

REGARDING: An application submitted by Airpark Development LLC, for the proposed Annexation (ANX1-16), Zone Change (ZC2-16) and Conceptual Master Plan approval of approximately 358 acres east of the Scappoose Industrial Airport, described as Columbia County Assessor Map Numbers: 3106-00-00200, 3106-00-000504, 3106-B0-00100, 3106-B0-01300, 3106-B0-01400, 3106-B0-01600, 3106-B0-01800, 3106-B0-01900, 3106-B0-02000, 3107-00-00102, and 3107-00-00103. Based on the requirements of the Scappoose Development Code, if this property is annexed approximately 343 acres would automatically receive the Public Use Airport (PUA) zoning designation since the site has an "Airport Employment" Comprehensive Plan Map designation, and approximately 15 acres would automatically receive the Public Lands-Recreation (PL-R) zoning designation since a portion of the site has a "Public Lands" Comprehensive Plan Map designation.

1. _____ We have reviewed the enclosed application and have no objection to its approval as submitted.
2. X Please see either our comments (below) or attached letter.
3. _____ We are considering the proposal further, and will have comments to you by _____.
4. _____ Our board must meet to consider this; we will return their comments to you by _____.
5. _____ Please contact our office so we may discuss this.
6. _____ We recommend denial of the application. Please see either our comments (below) or attached letter:

COMMENTS: Three Property Line Adjustments to move property
lines facilitating new boundary for UGB line and proposed
annexation line ARE NOT COMPLETE
need to file deeds or property exchanges

Signed: _____

Glen C. Higgins

Title: _____

Planning Manager

Date: _____

11/28/16



Memorandum

Date: December 7, 2016

To: Laurie Oliver, City Planner
33568 E. Columbia Ave.
Scappoose, OR 97056

From: Chris Negelspach, P.E., City Engineer

Subject: Land Use Action Referral (ANX1-16/ZC2-16)

I have reviewed the application by Airpark Development, LLC for the proposed Annexation, Zone Change and Conceptual Master Plan approval of approximately 358 acres east of the Scappoose Industrial Airport. The following analysis is provided to document the utility impacts for the land use application in compliance with Chapter 17.136 Annexation policy and approval standards criteria referenced below;

17.136.020 Policy.

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

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;

The basis for this evaluation is determined from the allowed uses at full buildout. This property will be rezoned to Public Use Airport (PUA), with an East Airport Employment Overlay, which allows a mix of uses and various parcel sizes, i.e., Industrial, Commercial, and Retail. In order to simplify the analysis, my review will be based on flows generated for Light Industrial zone. Although this is not as conservative as using a mix of zones, the flow rates include a peaking factor and inflow and infiltration factors to provide conservative values for planning purposes and thus should suffice for this evaluation.

For the review, I have also reduced the annexation area to 268 acres by eliminating those areas which would have little to no impact on the utility infrastructure. These areas include;

- 50 Acres (airport master plan runway expansion area)



- 15 Acres (dedicated parks)
- 25 Acres (~10% roads)

It should be noted that this review is based on the draft Sewer Master Plan by Keller and Associates and Public Works Design Standards (PWDS). Also, since the application area was just recently added during the Urban Growth Boundary (UGB) expansion, effective in 2014, it is not addressed in the current Water and Sewer master plans which date back to the late 1990's. As such, I relied on the UGB Infrastructure report dated 2010 and the Water Conservation Management Plan (WCMP) which included updated demand forecasting and curtailment recommendations, completed in 2012.

SEWER:

Conveyance

The applicants Conceptual Master Plan (CMP) shows the site using a combination of gravity pipe, force main and one lift station to convey sewer flows to the south via an existing 21-inch main line in Bird Road, which connects to an 18-inch trunk line located in E. Columbia Avenue, which flows east to the sewer treatment plant. The location of the pump station may need to be adjusted based on the distance from the north end of the property (~8,000 LF), pipe size and slope in order to maintain the pipe at a reasonable depth for construction, or result in multiple lift stations.

The City's GIS indicates that the 21-inch Bird Road main line was constructed in 2007 based on the Aero Business Center asbuilt plans. The design criteria for the Aero project has not been reviewed and the current sewer master plan dated 1998 did not include this as a recommended project. However, the 21-inch line is sized sufficiently to handle the future annexation flows based on the design methodology outlined in the Public Works Design Standards (PWDS);

$$\text{Total Daily Sewer Flow (TDSF)} = \text{Acres} * (1,000 + \text{DSF} * (5.756 - 0.232 * \text{LN}(\text{DSF})))$$

Where;

DSF = Daily Sanitary Flow in GPD from Keller draft sewer master plan
Table 7-1 for Light Industrial = 1,250 GPD/Acre

LN = Natural Logarithm of Daily Sanitary Flow = 7.13

An allowance of 1,000 gallons/acre/day shall be added for all the land area in the basin being served (I&I factor).

Acres = 358 – 50 (airport runway expansion area) – 15 (parks) – 25 (roads) = 268 Acres

Then using the appropriate sanitary sewerage flows, a peaking factor shall be calculated as:

$$\text{Peaking Factor} = 5.756 - 0.232 * \text{LN}(\text{GPD}) = 4.10 \text{ (with a maximum of 3.30).}$$

Using these formulas the final sewer flow is calculated as;

$$\text{TDSF} = 268 * (1,000 + 1,250 * (3.3)) = \underline{1.37 \text{ MGD (2.12 CFS)}}$$



Based on the TDSF and pipe capacity flowrates outlined below, the sewer flows from the annexation area can be accommodated using half of the design flowrate for the existing 21" sewer line. Since the Keller report indicates that Bird mainline has existing flows of 0 – 25%, this leaves approximately 25% - 50% of the pipe capacity to convey the annexation area, the remaining undeveloped property within the vicinity of the airport and potential flows west of the airport.

Conveyance calculations in Bird Road and E. Columbia Ave;

Pipe Dia. (Inches)	Design Pipe Flow (CFS)	Basin Flow Rates (CFS)	Existing Basin Flows + Annexation Flows (CFS)	Flow Deficiency or Excess Capacity (CFS)
21	4.90	2.12	2.12	2.78
18	3.61	3.61	5.73	-2.12
30	12.68	3.61	5.73	6.90

However, the 18-inch trunk line in E. Columbia Ave between Bird Road and the sewer plant is currently at capacity or in surcharge along its entire length (~2,300 LF) during the design flow event, according to Figure 11 of the draft Wastewater Master Plan (available upon request). The flows indicated by the table above require that an additional 2.12 CFS of capacity is required by the annexation and current City flows. The draft sewer master plan recommends upsizing the Columbia Ave sewer line from 18-inch to 30-inch at a cost of \$1.26M.

It should be noted that future development west of the airport will need to be considered when reviewing the downstream conveyance system. The remaining undeveloped properties include;

- Parker pit and surrounding property west of West Lane Rd ~ 200 Acres (UGB)
- Wagner Court development ~ 60 Acres (City limits)
- Airpark Development LLC and south to CZ Trail ~ 40 Acres (City limits)

Treatment

Based on the Keller and Associates, draft sewer master plan, the treatment plant is currently sized to handle daily flows of approximately 1.515 MGD with peak flows at 2.64 MGD. The five year sewer flows are expected to exceed daily flows of 2.0 MGD and peak flows of 4.1 MGD. The full buildout daily and peak flows in 2035 are projected to be 5.181 MGD and 7.218 MGD, respectively.

Based on the future five year flows, the following conveyance and treatment plant systems will need to be upgraded;

Draft 5-yr CIP Tasks
East Columbia Avenue Truck Line
Biosolids Handling/Dewatering Building
Secondary Clarifier and Sludge Building Expansion
Tertiary Filters and Pump Expansion
Upgrade UV System
Aeration for Aeration Basin
SCADA System

Upgrade Influent Pumps
Upgrade Effluent Pumps

It is not known at this time which treatment system will be utilized and thus what the total costs will be until the master plan has been finalized by the City and approved by the DEQ.

Conclusion

The CMP indicates the addition of one new sewer pump and sufficient conveyance improvements to serve the annexation area. However, portions of the City's existing conveyance and treatment system are at or near capacity based on the draft sewer master plan. As outlined in the analysis above, the conveyance system will require a new mainline in E. Columbia Ave while the treatment plant will need various upgrades in order to handle the predicted five year flows.

Completion of the sewer master plan and further analysis will need to be completed in order to determine the costs and most efficient phasing for each improvement to support full buildout of the annexation area.

WATER:

Supply and Treatment

The current 1998 Water System Master Plan (WSMP) does not include the annexation area in question as the property was not within the UGB until 2014. However, the WSMP indicates the need for an average day demand of 1.17 MGD with a peak of demand of 2.8 MGD by 2015. The 2012 Water Conservation and Management Plan (WCMP) provided updated average and peak demand rates for 2015 of 0.89 MGD and 1.86 MGD, respectfully with 1.48 MGD of available water (includes surface water sources). Based on these figures, the report predicts a shortfall of 0.39 MGD in 2015.

As noted in the WCMP, the surface supply does not provide sustainable flows during the peak summer demand months in July, August and September. In addition, it recommends limiting summer flows to 250 GPM to provide adequate flow for native fish. This means that the reliable supply may be closer to 1.41 MGD as follows;

- Dutch Canyon (1 well) = 0.40 MGD (recent production rate ~ 280 GPM)
- Miller Road (2 wells) = 0.65 MGD (~450 GPM)
- Surface Creek Supply (Gourlay, South Fork, Lazy) = 0.36 MGD (250 GPM)

This yields a shortfall of 0.45 MGD (~310 GPM) which correlates closely to the predicted shortfall outlined in the WMCP for 2015 of 0.39 MGD.

The applicant's CMP did not provide any proposed uses and therefore 0.335 MGD (~233 GPM) forecasting for the domestic and fire demand may vary widely since multiple development scenarios could be used. In order to be consistent with the UGB expansion infrastructure report, the sewer flow equation is applied without the peaking and infiltration/inflow factors;



$$\text{TDSF} = 268 \text{ Acres} * 1,250 \text{ Gal/Acre} = \underline{335,000 \text{ GPD (~233 GPM)}}$$

Based on the calculated demand, it appears that one additional 0.335 MGD (~233 GPM) source would be required to serve the annexation area. Additionally, I would recommend upsizing the raw water mainline and pump house to accommodate a future well and utilize the available treatment capacity at Miller Road, 0.79 MGD (550 GPM).

Water Storage

Based on the UGB infrastructure report the added demand anticipated from the industrial site will also increase the required storage. Since the site is located within pressure zone 1, the increased storage should be supplied from this pressure zone. Based on OTAK's findings, "1.13 MG of storage volume is required beyond the forecasted demand within the existing UGB for 2030." Since the City's current planning documents do not address this area, an updated review of the storage should be completed to determine the improvements required to resolve this deficiency.

Distribution

The CMP shows water infrastructure extending to the north side of the site. However, this falls short of the requirements outlined in the UGB infrastructure report which further recommends that the waterline should be extended from the north side of the site from Moore Road to Honeyman Road to West Lane to complete a looped system for the site. Again, since the City's current planning documents do not address this area, an updated review of the distribution system should be completed to determine the improvements required to ensure no deficiency exists.

Conclusion

The applicant's CMP shows one new well at the southwest corner of the annexation property near Crown Zellerbach trail with a new waterline extending to the north end of the property. However, as identified in various infrastructure reports, several components of the water system may not be sufficient. Further analysis will be required to confirm if additional improvements are needed regarding the storage and distribution system to support full buildout of the annexation area.

STORMWATER:

Treatment and Conveyance

The applicant is showing conveyance along the Crown Zellerbach extension with individual retention ponds located at the low point of each property for treatment and disposal. Based on the CMP, a regional retention facility is located at the southeast corner of the site to accommodate street runoff. However, follow up conversation with the consultant indicates that since the total storm facility area will exceed ¼ acre that bio-retention curbside planters may be utilized.

Conclusion

The annexation area will need to provide conveyance for the upstream basin areas and sufficient treatment and disposal for full buildout. Additional review of the basin areas will help in determining which treatment and disposal system best suits the annexation



area including development of infiltration planters or a more regional facility with outfall to Johnson Creek.

The applicant will be providing a new storm water system to accommodate full buildout of the proposed annexation area and therefore sufficient capacity will exist.

AFTER RECORDING RETURN TO:

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

This space provided for recorder's use.

**IRREVOCABLE WAIVER OF REMONSTRANCE
AND CONSENT TO LOCAL IMPROVEMENT FORMATION AND
ASSESSMENT
CITY OF SCAPPOOSE, OREGON**

Property Description:

Columbia County Assessor Map No. _____, and as described in the legal description (Exhibit A), attached hereto and incorporated herein ("the Property").

Owner(s) Name:

Owner filed an application to annex the Property to City. On _____ City approved Land Use Action Referral ANX1-16/ZC2-16, including findings that adequate sewer conveyance facilities and other facilities are not available to the Property. In lieu of denying the annexation, the Planning Commission and Owner agreed to conditions of approval granting deferred compliance provided that the Owner assure provision of sewer conveyance through formation of a local improvement district. Subsequently, the City Council determined that it is in the public's interest to annex the Property now, rather than to delay annexation until adequate public services and facilities are available, provided that the owner complies with the conditions of approval.

Owner acknowledges City's legal authority to require that Owner construct certain public improvements to serve the Property. The required public improvements subject to the Waiver and Consent consist of:

Replacing the existing 18" sewer trunk line located in E. Columbia Avenue between Bird Rd. and the city sewer treatment facility with a 30" sewer trunk line, and a sewer pump station, all as more specifically to be defined in a report provided for in SMC 3.04.030 (the "Report").

Owner agrees that the improvements to be built will constitute "local improvements" as defined in Oregon law and Scappoose Municipal Code chapter 3.04 that will directly enhance and benefit the Property. Owner agrees that City may levy the entire cost of the improvements against the area annexed pursuant to ANX1-16/ZC2-16, to be apportioned among the annexed properties based on benefit as determined in the Report or as modified and approved by City Council, and that the cost shall be an assessment and lien against the Property.

In consideration of annexation approval and deferred construction of the required improvements, Owner, for itself, its heirs, executors, successors and assigns, hereby **IRREVOCABLY CONSENTS TO AND WAIVES** any right it otherwise may have to remonstrate against or object to: City's formation of a Local Improvement District that includes the Property, construction of the public improvements previously noted and levy of assessment liens for the proportionate cost of the public improvements as provided in the Report.

Owner further for itself, its heirs, executors, successors and assigns, hereby **IRREVOCABLY WAIVES** any and all defects and irregularities, known or unknown, current and in the future, in any proceeding for formation of such Local Improvements District, for the certification of the cost of the improvements and for the levying of assessments for same, including but not limited to the giving of notice of any proceeding concerning same. Nothing herein shall constitute a waiver of any right Owner otherwise may have to provide testimony in opposition to or regarding the proposed method of assessment for the improvements or the computation of the proportionate cost of improvements to be levied against the Property.

Owner further agrees for itself, executors, successors and assigns hereby **IRREVOCABLY WAIVES** any claim against the City, known or unknown, current or future, to the effect that the improvements deferred by this agreement constitute unlawful exactions or takings of property without compensation.

This Waiver and Consent is in addition to, and not in lieu of, any conditions of approval imposed on specific development applications, and any City fees and charges, including but not limited to SDC's. City may record this document in the deed records of Columbia

This document affects your legal rights. By executing this Consent and Waiver, you are representing that you have had an opportunity to consult with legal counsel, have read, understand and knowingly agree to the terms herein.

_____, Owner

Personally appeared the above named _____ and
acknowledged the foregoing instrument to be a voluntary act.

[illegible]

This instrument was acknowledged before me on _____, 20____, by
_____as City Manager of City of Scappoose.

NOTARY PUBLIC FOR OREGON

My Commission Expires: _____

AFTER RECORDING RETURN TO:

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

This space provided for recorder's use.

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AND CONSENT TO LOCAL IMPROVEMENT FORMATION AND
ASSESSMENT
CITY OF SCAPPOOSE, OREGON**

Property Description:

Columbia County Assessor Map No. _____, and as described in the legal description (Exhibit A), attached hereto and incorporated herein ("the Property").

Owner(s) Name:

Owner filed an application to annex the Property to City. On _____ City approved Land Use Action Referral ANX1-16/ZC2-16, including findings that adequate water service and facilities are not available to the Property. In lieu of denying the annexation, the Planning Commission and Owner agreed to a condition of approval granting deferred compliance provided that the Owner assure provision of adequate water through formation of a local improvement district. Subsequently, the City Council determined that it is in the public interest to annex the Property now, rather than to delay annexation until adequate public services and facilities are available, provided that Owner complies with the conditions of approval.

Owner acknowledges City's legal authority to require that Owner construct certain public improvements to serve the Property. The required public improvements subject to this Waiver and Consent consist of:

Provision of one approximate 0.335 MGD (~233 GPM) potable water well and construction of a water mainline and pump house to convey the water to the City water treatment facility. The water mainline and pump house to be sized to accommodate a future well in the annexed area and to utilize the available treatment capacity at Miller Road, .79 MGD (550 GPD).

Owner agrees that the improvements to be built will constitute "local improvements" as defined in Oregon law and Scappoose Municipal Code chapter 3.04 that will directly enhance and benefit the Property. Owner agrees that City may levy the entire cost of the improvements against the area annexed pursuant to ANX1-16/ZC2-16, to be apportioned among the annexed properties based on benefit as determined in the Report or as modified and approved by City Council, and that the cost shall be an assessment and lien against the Property.

In consideration of annexation approval and deferred construction of the required improvements, Owner, for itself, its heirs, executors, successors and assigns, hereby **IRREVOCABLY CONSENTS TO AND WAIVES** any right it otherwise may have to remonstrate against or object to: City's formation of a Local Improvement District that includes the Property, construction of the public improvements previously noted and levy of assessment liens for the proportionate cost of the public improvements as provided in the Report.

Owner further for itself, its heirs, executors, successors and assigns, hereby **IRREVOCABLY WAIVES** any and all defects and irregularities, known or unknown, current and in the future, in any proceeding for formation of such Local Improvements District, for the certification of the cost of the improvements and for the levying of assessments for same, including but not limited to the giving of notice of any proceeding concerning same. Nothing herein shall constitute a waiver of any right Owner otherwise may have to provide testimony in opposition to or regarding the proposed method of assessment for the improvements or the computation of the proportionate cost of improvements to be levied against the Property.

Owner further agrees for itself, executors, successors and assigns hereby **IRREVOCABLY WAIVES** any claim against the City, known or unknown, current or future, to the effect that the improvements deferred by this agreement constitute unlawful exactions or takings of property without compensation.

This Waiver and Consent is in addition to, and not in lieu of, any conditions of approval imposed on specific development applications, and any City fees and charges, including

This document affects your legal rights. By executing this Consent and Waiver, you are representing that you have had an opportunity to consult with legal counsel, have read, understand and knowingly agree to the terms herein.

Dated this _____ day of _____, _____

_____, Owner

_____, Owner

_____, Owner

Personally appeared the above named _____ and
acknowledged the foregoing instrument to be a voluntary act.

CITY OF SCAPPOOSE

By: _____

Its: City Manager

Page 156 of 191

This instrument was acknowledged before me on _____, 20____, by
_____as City Manager of City of Scappoose.

NOTARY PUBLIC FOR OREGON

My Commission Expires: _____

CITY OF SCAPPOOSE STAFF REPORT

This project is funded by Oregon general fund dollars through the Department of Land Conservation and Development. The contents of this document do not necessarily reflect the views or policies of the State of Oregon.

- Request: Approval of two proposed legislative changes to the Comprehensive Plan and Development Code:
1. Comprehensive Plan Text Amendment CPTA2-16 to update the findings and implementation text for the Airport Employment (AE) Plan Designation.
 2. Development Code Text Amendment DCTA1-16 to Chapter 17.74 *Airport Employment Overlay Zones* and Chapter 17.162 *Procedures for Decision Making--Quasi-Judicial* to apply the overlay zones to specific properties, to clarify conceptual master plan requirements, and to specify review procedures.

Applicant: City of Scappoose

EXHIBITS

- A. Current draft of proposed amendments to Chapter 17.74 *Airport Employment Overlay Zones*
- B. Current draft of proposed amendments to Chapter 17.162 *Procedures for Decision Making--Quasi-Judicial*
- C. Current draft of proposed amendments to Comprehensive Plan text - Airport Employment (AE) Findings and Implementation
- D. City of Scappoose Economic Opportunities Analysis, January 10, 2011 (by reference¹)
- E. ODOT comment, dated November 18, 2016

INTRODUCTION

When City Council approved the urban growth boundary (UGB) amendment in 2011, associated changes to the Comprehensive Plan and Development Code created the Airport Employment (AE) Comprehensive Plan designation and three different implementing Airport Employment Overlay Zones. Chapter 17.74 of the Development Code identified the range of uses that would be permitted in each of the three overlay zones (Airport Industrial Park-AIP, Airport Business Park-ABP, and East Airport Employment-EAE) and illustrated conceptual locations of the overlay zones. However, application of the overlay zones was deferred since the transportation impacts of the overlay zones had not been fully analyzed. The City's new Transportation System Plan (TSP) now accounts for airport employment development. The proposed legislative

¹ Available online at <http://www.ci.scappoose.or.us/planning/page/economic-opportunities-analysis-0>

amendments would apply the overlay zones to specific properties and make related text changes to simplify implementation.

ANALYSIS

The proposed amendments to the Comprehensive Plan and Development Code are intended to apply the Airport Employment Overlay Zones to specific sites within the Public Use Airport (PUA) base zone. When Chapter 17.74 was adopted in 2011, it included *Figure 17.74.1: Airport Employment Potential Future Zoning Map*, which illustrated the conceptual locations of Airport Employment Overlay Zones. Now that the TSP has been adopted it is timely to review the map and apply the overlay zones. The proposed map is essentially the same as the current Figure 17.74.1 with the exception that one jog has been removed in the boundary between the ABP and AIP overlays south of Wagner Court (changing approximately half an acre from ABP to AIP) and other minor changes to align the boundaries with property lines. The Code amendments would apply the overlay zones to all areas within City limits identified in the new Figure 17.74.1 and would also specify that land that annexes to the City would automatically be subject to the overlay zones. The overlay zones would not cause any existing developments to become nonconforming uses since the affected property is either undeveloped, has existing uses consistent with the overlay zones or—in the case of the existing houses—is already nonconforming in the PUA base zone.

Based on further evaluation of the existing code language and recent experience processing the land use application for the Cascades manufacturing facility on West Lane (SDR1-16), staff has proposed a number of other refinements to Chapter 17.74, including the following:

- Specifying the submittal requirements for Conceptual Master Plans (CMP's);
- Requiring CMP's for all developments over 4 acres, not just annexation or zone changes;
- Decreasing the site size for industrial/business parks from 10 acres to 5 acres for developments in the AIP and ABP overlays;
- Clarifying that while the EAE has minimum site sizes, larger site sizes are permissible;
- Identifying the review process for CMP's and modifications of approved CMP's (quasi-judicial proceedings per Chapter 17.162); and
- Removing the "Medium Industrial Service" and "Medium Manufacturing and Production" use categories from the AE Overlay Zones since these uses are not defined and the City generally only permits Light Industrial uses.

The proposed changes to the Comprehensive Plan text updates the Airport Employment findings and implementation text to ensure consistency between the phrasing used in the Comprehensive Plan and the Development Code.

Taken all together, the proposed amendments are intended to implement the EOA's vision for employment growth in the City.

AGENCY COMMENTS & PUBLIC NOTICE

The City Manager, Building Official, City Engineer, Port of St. Helens, the Oregon Department of Transportation (ODOT), the Oregon Department of Aviation (ODA), and the Oregon

Department of Land Conservation and Development (DLCD) have been provided the opportunity to review copies of this application. No agencies have submitted objections to the proposal. A comment from ODOT is included as **Exhibit E**.

Notice of the proposed amendments to the Comprehensive Plan and Development Code was published in the local newspaper on November 18, 2016 and November 25, 2016 and mailed to affected property owners on November 18, 2016 as required by Chapter 17.160 of the Development Code. Staff has received no written comments from the public regarding this application as of the date of this report.

RECOMMENDATION

Based on the applicable statutes, rules, comprehensive plan provisions and implementing ordinances, staff recommends that the Planning Commission recommend adoption of the proposed amendments by the City Council.

FINDINGS OF FACT

1. Amending the Comprehensive Plan and the Development Code to apply the Airport Employment Overlay Zones to specific properties is consistent with Ordinance 816, adopted in 2011, which expanded the urban growth boundary, adopted an Economic Opportunities Analysis, and created the Airport Employment plan designation and the framework for Airport Employment Overlay Zones.
2. Application of the Airport Employment Overlay Zones to specific properties was deferred pending traffic impact analysis that demonstrated compliance with the state's Transportation Planning Rule (OAR 660-012-0060).
3. The Scappoose Transportation System Plan (TSP), adopted on September 6, 2016, analyzed the effects of future development throughout the City and urban growth boundary, including the development that would have been allowed near the airport if the Airport Employment Overlay Zones were in effect. The TSP update was funded by and prepared in partnership with the Oregon Department of Transportation (ODOT) to appropriately address the Transportation Planning Rule.
4. The following Statewide Planning Goals have been considered by the City of Scappoose in the formation of the language contained within this request:

Goal 1: Citizen Involvement

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

Finding:

This application complies with the citizen involvement processes included in the City's acknowledged Comprehensive Plan and Development Code, which is consistent with

Statewide Planning Goal 1. The Planning Commission and City Council hold public hearings on the proposal prior to adopting any amendments to the Scappoose Municipal Code. Notice of the proposal and hearings was published in the local newspaper on November 18, 2016 and November 25, 2016 and mailed to affected property owners on November 18, 2016.

Citizens may submit written or verbal testimony regarding the proposed amendments to communicate their input into the Comprehensive Plan and Development Code amendment review conducted by the City. For this application, the Planning Commission's hearing date is December 8, 2016, while the City Council's hearing date is December 19, 2016. This process complies with Goal 1.

Goal 2: Land Use Planning

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 proposal to amend the Comprehensive Plan and Development Code is consistent with the City's regulations regarding legislative land use decisions. Legislative decisions require a Planning Commission recommendation to the City Council, which then makes a decision based on stated findings. The Planning Commission and City Council hearings are open to the public.

The procedural requirements for the proposed Comprehensive Plan and Development Code amendments involve assessment of the application's merits, notice to affected parties, and public hearings. The proposal is to apply the Airport Employment Overlay Zones to specific properties and refine the associated regulations. Notice of the proposed amendment has been provided to the Oregon Department of Land Conservation and Development (DLCD) as required. The City's decision is based on findings of fact. This action complies with Goal 2.

Goal 9: Economic Development

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 2011 Economic Opportunities Analysis (EOA), UGB amendment, and associated Comprehensive Plan amendments created a framework to accommodate and encourage targeted industrial, office, retail, lodging, and public uses to satisfy the City's anticipated employment growth over a 20-year period. At that time, Chapter 17.74 of the Development Code was enacted to identify the range of uses that would be permitted in each of three Airport Employment Overlay Zones near Scappoose Industrial Airpark: Airport Industrial Park (AIP), Airport Business Park (ABP), and East Airport Employment (EAE). The chapter also included a map illustrating conceptual locations of the overlay zones. The Oregon Court of Appeals has now upheld the City's UGB amendment and associated legislative changes. To ensure that development in the affected area is consistent with the business types

Airport Employment Overlay Zones Amendments

identified in the Comprehensive Plan and the EOA, the overlay zones need to be applied to specific properties. The proposed legislative amendments would apply the overlay zones to land within the City and specify that the overlay zones will apply automatically upon annexation of parcels currently outside City Limits.

By applying the Airport Employment Overlay Zones to parcels in the same general locations as previously identified on a conceptual basis, the City is taking action to fulfill the commitments made with the 2011 UGB amendment. This action complies with Goal 9.

Goal 12: Transportation

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

Finding:

Statewide Planning Goal 12 is implemented by the state Transportation Planning Rule (TPR). TPR analysis was not required at the time of the creation of the Airport Employment Overlay Zones chapter since the overlays were not applied to specific property.

The proposed legislative amendments allow for the development types and intensities anticipated by the Comprehensive Plan. The transportation impacts associated with these development levels were analyzed as part of the 2016 TSP update. As demonstrated below in the Transportation Planning Rule findings, implementing the Airport Employment Overlay Zones is consistent with the Comprehensive Plan and TSP. This action complies with Goal 12.

Statewide Planning Goals 3-8 and 10-11, and 13-19 are not applicable to this application.

5. The following Goals and Policies from the Scappoose Comprehensive Plan have been considered by the City of Scappoose in the formation of the language contained within this proposal:

GENERAL GOALS OF THE CITY OF SCAPPOOSE FOR LAND USES

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.

Finding:

Notice of the proposed amendments to the Comprehensive Plan and Development Code has been published in the local newspaper to inform citizens of the opportunity to participate in the review and decision-making process. The applicable GENERAL GOAL OF THE CITY OF SCAPPOOSE FOR LAND USES is satisfied.

GOALS FOR ECONOMICS

It is the goal of the City of Scappoose to:

- 1) Maintain conditions favorable for a growing, healthy, stable, and diversified business and industrial climate.*
- 2) Establish greater local control over local economic development policy through the adoption of the Scappoose Economic Opportunities Analysis.*
- 3) Provide the land and public facilities necessary to support economic development while allowing the free market economy to operate with an absolute minimum of restrictions.*
- 4) Take advantage of economic opportunities identified in the Scappoose Economic Opportunities Analysis (EOA) to increase local employment and community prosperity.*
- 5) Capitalize on the comparative advantages identified in the Scappoose EOA to maintain and attract industrial and commercial employment opportunities.*

Finding:

The City created the Airport Employment Comprehensive Plan designation and the Airport Employment Overlay Zones in 2011 to implement the EOA. These actions created a regulatory framework that set aside land near the Scappoose Industrial Airpark to accommodate the range of employment uses identified in the EOA. The proposed legislative amendments take the theoretical framework established in Chapter 17.74 and apply it to specific properties to attract industrial and commercial employers. The applicable GOALS FOR ECONOMICS are satisfied.

GOALS FOR THE AIRPORT EMPLOYMENT (AE) LAND USE DESIGNATION

It is the goal of the City of Scappoose to:

- 1) Support and promote the continued safe operation of the Scappoose Industrial Airpark and the economic vitality of the AE designation by providing suitable sites for targeted employment opportunities identified in the Scappoose EOA.*
- 2) Provide a location for airport-related and -compatible employment activities in a master-planned setting with good highway, arterial road and airport access – in an area where their environmental effects will have a minimal impact upon the community.*
- 3) Utilize the AE as an attractor for employment opportunities identified in the Scappoose EOA that are dependent upon, compatible with, or benefit from aircraft access, air transportation, and the existing cluster of aviation-related businesses located near the airport.*

4) Take advantage of the transportation options provided by the Scappoose Industrial Airpark by allowing airport-related and compatible employment uses called for in the Scappoose EOA, including industrial, office and service commercial, and supportive lodging and restaurant employment.

Finding:

The Airport Employment Comprehensive Plan designation and the Airport Employment Overlay Zones implement the EOA by restricting allowable land uses to the range of industrial, commercial, and public uses targeted in the EOA. The overlay zones accommodate the airport-related uses allowed in the Public Use Airport base zone and allow for a targeted mix of airport-compatible businesses in several areas near the Scappoose Industrial Airpark. The proposed legislative amendments apply the overlay zones to specific properties and refine the master planning requirements to ensure efficient use of land near the airport. The applicable GOALS FOR THE AIRPORT EMPLOYMENT (AE) LAND USE DESIGNATION are satisfied.

6. The following Statutes and Administrative Rules have been considered by the City of Scappoose in the formation of the language contained within this proposal:

TRANSPORTATION PLANNING RULE

OAR 660 Division 12 – Transportation Planning:

660-012-0060

Plan and Land Use Regulation Amendments

(1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. 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) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.

Airport Employment Overlay Zones Amendments

(A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

(B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or

(C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.

[...]

(9) Notwithstanding section (1) of this rule, a local government may find that an amendment to a zoning map does not significantly affect an existing or planned transportation facility if all of the following requirements are met.

(a) The proposed zoning is consistent with the existing comprehensive plan map designation and the amendment does not change the comprehensive plan map;

(b) The local government has an acknowledged TSP and the proposed zoning is consistent with the TSP; and

(c) The area subject to the zoning map amendment was not exempted from this rule at the time of an urban growth boundary amendment as permitted in OAR 660-024-0020(1)(d), or the area was exempted from this rule but the local government has a subsequently acknowledged TSP amendment that accounted for urbanization of the area.

Finding:

Transportation Planning Rule (TPR) analysis was not required at the time of the creation of the Airport Employment Overlay Zones since the overlays were not applied to specific property. Prior to or in conjunction with application of the overlay zones to specific property, TPR analysis must be performed to demonstrate that the amendments would not significantly affect a transportation facility. The 2016 Scappoose Transportation System Plan (TSP), adopted on September 6, 2016 and effective on October 6, 2016, accounted for transportation impacts associated with the level of airport employment development that could be expected from the Airport Employment Overlay Zones. Therefore, separate TPR analysis is not required for this application. The proposed legislative amendments are consistent with the City's adopted Comprehensive Plan and do not change the Comprehensive Plan map. The overlay zones are consistent with the City's new TSP, and the TSP properly analyzed development of the entire UGB, including those portions added in 2011.

Based on this set of facts, the City concludes that the application does not significantly affect transportation facilities and is consistent with the TPR. Future TPR analysis would be required at the time of annexation for those parcels currently outside City Limits but within the AE Comprehensive Plan designation. ODOT has provided a comment (**Exhibit E**) stating

that the TPR has been satisfied since the City's TSP accounts for the impacts of the proposed amendment.

7. The following sections of Title 17 of the Scappoose Municipal Code (Scappoose Development Code) have been considered by the City of Scappoose in the formation of the language contained within this proposal:

Chapter 17.74 AIRPORT EMPLOYMENT OVERLAY ZONES

17.74.010 Purpose. *The purpose of the Airport Employment Overlay Zones is to encourage employment opportunities called for in the 2011 Scappoose Economic Opportunities Analysis (EOA) while supporting the continued operation and vitality of the Scappoose Industrial Airpark. Master planning requirements ensure that land is developed efficiently, that large employment sites are retained, and that the provision of transportation and utility facilities occurs consistent with adopted plans.*

Finding:

The AE overlay zones are intended to encourage development of targeted employment types near the Scappoose Industrial Airpark. The proposed code amendments help advance this objective by applying the overlay zones to specific parcels and improving the review process for master planning requirements. Section 17.74.010 is satisfied.

Chapter 17.160 PROCEDURES FOR DECISION MAKING—LEGISLATIVE

17.160.120 The standards for the decision. *A. The recommendation by the planning commission and the decision by the council shall be based on consideration of the following factors:*

- 1. Any applicable statewide planning goals and guidelines adopted under Oregon Revised Statutes Chapter 197;*
- 2. Any federal or state statutes or rules found applicable;*
- 3. The applicable comprehensive plan policies and map; and*
- 4. The applicable provisions of the implementing ordinances.*

B. Consideration may also be given to:

Proof of a substantial change in circumstances, a mistake, or inconsistency in the comprehensive plan or implementing ordinance which is the subject of the application.

Finding:

The Planning Commission's recommendations and the City Council's decisions are based on applicable statewide planning goals and guidelines, state statutes and rules, Comprehensive Plan policies, and provisions of the Scappoose Municipal Code, as detailed in the findings. The City has publicized the proposed amendments and will hold hearings in accordance with applicable laws. The City is amending the Comprehensive Plan and the Development Code to apply the Airport Employment Overlay Zones to specific properties and to update related regulations to make them easier to implement. Section 17.160.120 is satisfied.

In the text below, language to be omitted is ~~struckthrough~~, and proposed language additions are underlined.

Chapter 17.74

AIRPORT EMPLOYMENT OVERLAY ZONES

Sections:

- 17.74.010 Purpose.
- 17.74.020 Definitions.
- 17.74.030 Overlay zones and applicability.
- 17.74.040 Conformance with Public Use Airport Safety and Compatibility Overlay Zone.
- 17.74.050 Permitted uses.
- 17.74.060 Uses permitted subject to the acceptance of the airport sponsor.
- 17.74.070 Conditional uses.
- 17.74.080 Conceptual master plan requirements for large sites.
- 17.74.090 Dimensional requirements and development standards.
- 17.74.100 Environmental performance standards.

17.74.010 Purpose. The purpose of the Airport Employment Overlay Zones is to encourage employment opportunities called for in the 2011 Scappoose Economic Opportunities Analysis (EOA) while supporting the continued operation and vitality of the Scappoose Industrial Airpark. Master planning requirements ensure that land is developed efficiently, that large employment sites are retained, and that the provision of transportation and utility facilities occurs consistent with adopted plans.

17.74.020 Definitions. Unless the context specifically indicates otherwise, the meaning of terms used in this chapter shall be as follows:

- A. "Airport Employment Overlay Zones" include the Airport Industrial Park (AIP) overlay zone, the Airport Business Park (ABP) overlay zone, and the East Airport Employment (EAE) overlay zone.
- B. "Airport sponsor" is the owner, manager, person or entity designated to represent the interests of an airport. For the Scappoose Industrial Airpark, the airport sponsor is the Port of St. Helens.

17.74.030 Overlay zones and applicability. The three Airport Employment Overlay Zones shall apply to selected parcels in

city limits in the vicinity of the Scappoose Industrial Airpark ~~generally as illustrated on the Airport Employment Overlay Zones Potential Future Zoning map (Figure 17.74.1).~~ ~~The precise location of overlay district boundaries will be determined through the zoning map amendment process pursuant to Chapters 17.160 or 17.162 as appropriate.~~ Upon annexation, the area annexed shall be automatically subject to the applicable Overlay Zones illustrated in Figure 17.74.1.

- A. The Airport Employment Overlay Zones supplement the Public Use Airport (PUA) base zone that applies to land within the Airport Employment (AE) plan designation. In the event of a conflict between the requirements of the PUA zone and those of the Airport Employment Overlay Zones, the requirements of the overlay shall control.
- B. The Airport Industrial Park (AIP) overlay zone allows industrial uses targeted in the ~~Scappoose~~-EOA.
- C. The Airport Business Park (ABP) overlay zone allows a mix of targeted light industrial, commercial service and office, and supporting lodging and restaurant uses targeted in the ~~Scappoose~~-EOA.
- D. The East Airport Employment (EAE) overlay zone protects large industrial and institutional sites identified in the ~~Scappoose~~-EOA.

17.74.040 Conformance with Public Use Airport Safety and Compatibility Overlay Zone. All uses, activities, facilities and structures allowed in the Airport Employment Overlay Zones shall comply with the requirements of the Public Use Airport Safety and Compatibility Overlay (AO) Zone, Chapter 17.88. In the event of a conflict between the requirements of Airport Employment Overlay Zones and those of the Public Use Airport Safety and Compatibility Overlay (AO) Zone, the requirements of the AO overlay shall control.

17.74.050 Permitted uses. All uses and activities permitted outright in the PUA zone as specified in Section 17.69.040 shall be permitted outright in the Airport Employment Overlay Zones. Table 17.74.1 describes additional use categories that are permitted or subject to specific standards in each of the following overlay zones:

- A. Airport Industrial Park (AIP) overlay zone;
- B. Airport Business Park (ABP) overlay zone;
- C. East Airport Employment (EAE) overlay zone.

17.74.060 Uses permitted subject to the acceptance of the airport sponsor. All uses and activities permitted subject to the acceptance of the Airport Sponsor in the PUA zone as specified in Section 17.69.050 shall be permitted subject to the acceptance of

the Airport Sponsor in the Airport Employment Overlay Zones.

17.74.070 Conditional uses. All uses and activities permitted conditionally in the PUA zone as specified in Section 17.69.060 shall be permitted conditionally in the Airport Employment Overlay Zones. Table 17.74.1 describes additional use categories that are permitted through the conditional use process (Chapter 17.130) in each of the following overlay zones:

- A. Airport Industrial Park (AIP) overlay zone.
- B. Airport Business Park (ABP) overlay zone.
- C. East Airport Employment (EAE) overlay zone.

17.74.080 Conceptual Master Plan requirements for large sites. Sites with a combined area of more than four acres under common ownership shall receive Planning Commission approval of a conceptual master plan (CMP) prior to or in conjunction with a development proposal annexation (Chapter 17.136) or zone change (Chapter 17.22) approval within any of the Airport Employment Overlay Zones. The CMP is not intended to serve as a binding site plan, but rather provides overall guidance regarding future configurations of open space, public facilities, streets, taxiways and lots within the overlay district.

A. Conceptual Master Plan submittal requirements.

1. A narrative detailing how the CMP complies with applicable approval criteria.
2. Scaled drawings illustrating the following elements for the development site and the surrounding area:
 - a. The location and rights-of-way for existing and planned streets, which shall provide access to all existing and proposed parcels, consistent with the Transportation System Plan;
 - b. The general location and size of existing and planned sanitary sewer, storm water and water facilities, at adequate levels to serve existing and proposed development;
 - c. The location and area of floodplain, riparian, wetlands, and slope hazard areas;
 - d. Pedestrian and bicycle facilities and connections consistent with the TSP;
 - e. Configurations of existing and proposed open space, lots, structures, and taxiways; and
 - f. Zoning designations and overlay zone boundaries.

AB. Conceptual Master Plan approval criteria. The applicant for CMP approval ~~must~~ shall demonstrate that the proposed CMP is consistent with the following criteria:

1. The CMP shall address the requirements of ~~Section~~

~~17.74.080(C) and (D)~~ subsections (B) through (D) and shall demonstrate how the proposed site and other sites within the same Airport Employment Overlay District can be efficiently developed ~~for the intended uses consistent with the Scappoose EOA.~~

2. The CMP shall encourage the safe and efficient operation of the Scappoose Airpark consistent with the Scappoose Industrial Airpark Master Plan and the AO Public Use Airport Safety and Compatibility Overlay Zone, Chapter 17.88.
3. The CMP shall facilitate safe and efficient access to Public Land ~~shown~~ designated on the ~~Scappoose~~ Comprehensive Plan map or on any adopted park and recreational plan.
4. The CMP shall provide for an efficient, multi-modal transportation system consistent with the Scappoose Transportation System Plan, any applicable transportation impact studies, and any applicable circulation plans approved with previous land divisions.
5. The CMP shall ensure provision of Taxi way taxiway access ~~shall be provided~~ to the majority of sites within each of the Airport Overlay Zones.
6. The CMP shall ~~shown~~ how sanitary sewer, water and storm drainage facilities can be provided efficiently to the area proposed for ~~annexation or zone change~~ development and remaining land within the same Employment Overlay District.

~~BC.~~ Site size for AIP and ABP overlay zones. Consistent with the EOA, ~~T~~the minimum site size for an industrial park development in the AIP overlay zone or for a business park in the ABP overlay zone is ~~105~~ acres.

~~CD.~~ Site size for EAE overlay zone. Consistent with the EOA, ~~T~~the conceptual master plan ~~must~~ shall show how two large (approximately 50-acre) and two medium (approximately 20- to 30-acre) developable sites will be retained in conformance with industrial and campus site needs stated in Figure 33 of the ~~Scappoose~~ EOA: Employment Land Demand by Site Size for Scappoose (2030). Development sites may be larger than these minimum areas (smaller lots may be combined into larger lots with no maximum size).

~~DE.~~ Modifications to An an approved CMP may be modified through any of the following processes shall be processed in accordance with Chapter 17.162. so long as tThe criteria in Section 17.74.080~~(A) through (C)~~ shall continue to apply.be met:

~~1. the Land Division process set forth in Chapters 17.150 and~~

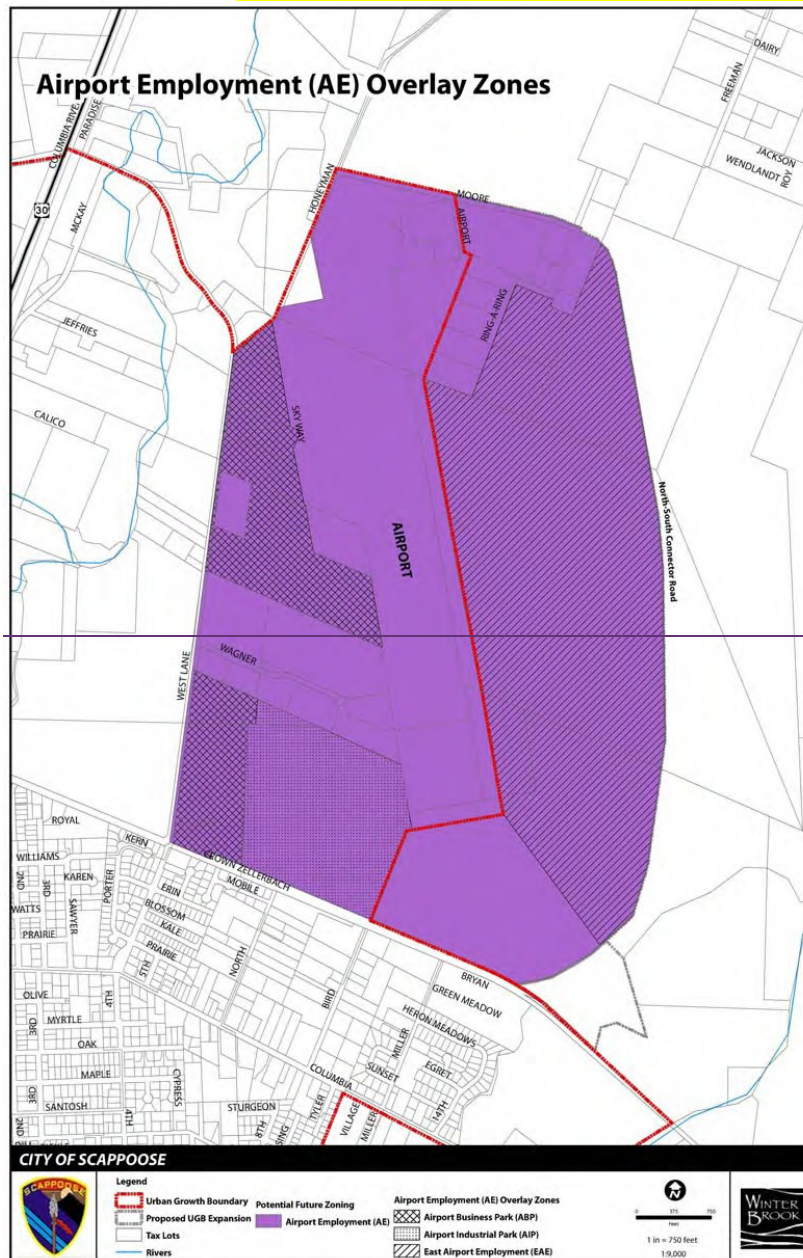
- ~~17.152;~~
~~2. the Zone Change process set forth in Chapter 17.22;~~
~~3. the Annexation process set forth in Chapter 17.136;~~
~~4. the Site Development Review process set forth in Chapter 17.120; or~~
~~5. the Conditional Use process set forth in Chapter 17.130.~~

17.74.090 Dimensional requirements and development standards.
The dimensional requirements and development standards within the Airport Employment Overlay Zones shall be in accordance with the standards for the PUA zone as specified in Section 17.69.070.

17.74.100 Environmental performance standards. The Environmental Performance Standards of Chapter 17.90 shall apply to all development in the Airport Employment Overlay Zones.

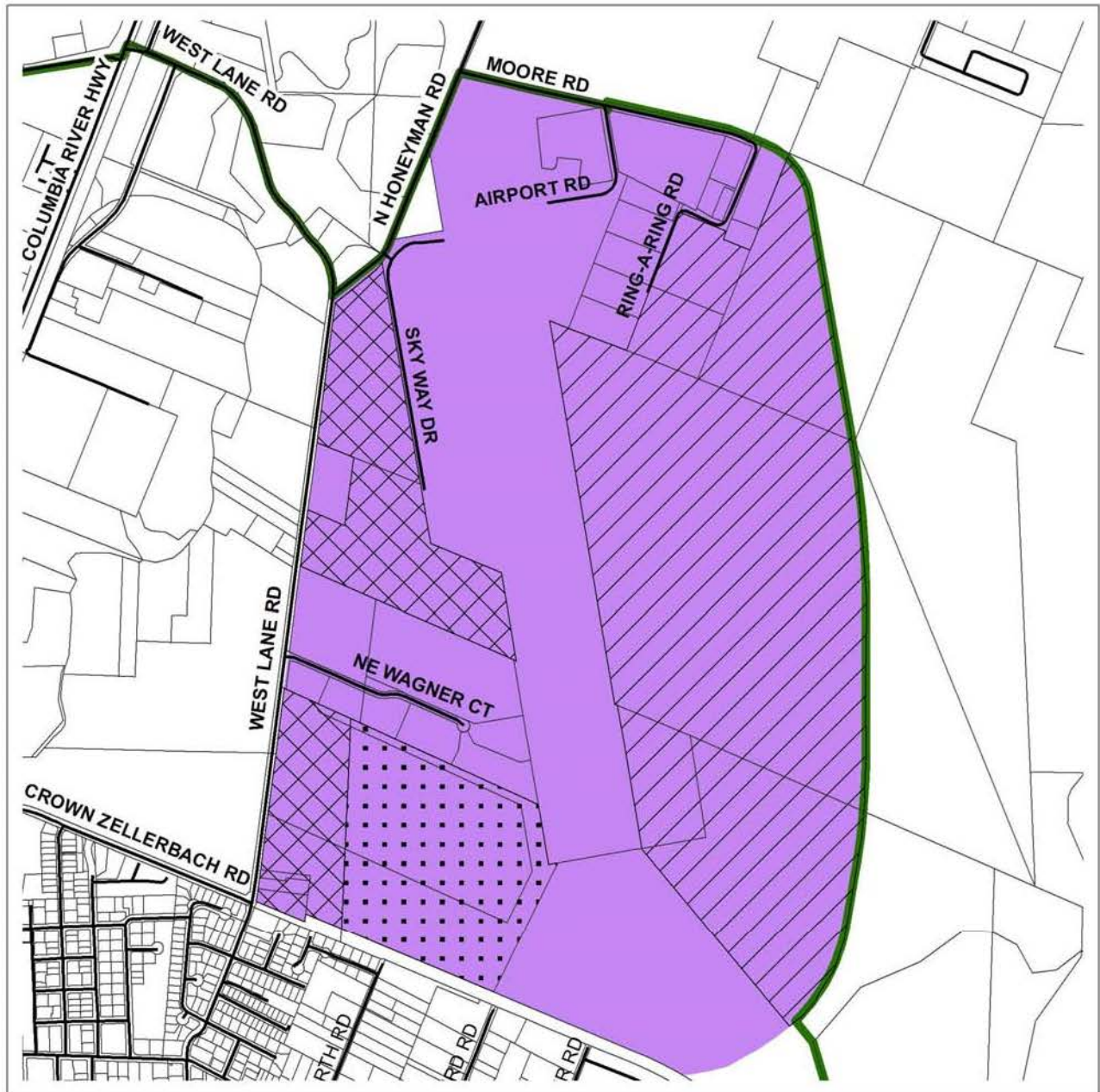
Figure 17.74.1: Airport Employment Overlay Zones~~Potential Future Zoning Map~~
~~Conceptual location of Airport Employment Overlay Zones: Per Section 17.74.030, the precise location of zoning district boundaries will be determined at the time of the zone change request~~
The AE overlay zones only apply within city limits. Those areas illustrated in the map but outside city limits are regulated by Columbia County.

{DELETE THE FOLLOWING MAP AND REPLACE IT WITH THE ONE ON THE FOLLOWING PAGE}



Airport Employment Overlay Zones

Overlay Zones apply within City Limits. Property in Columbia County is not subject to the Overlay Zones.



Scappoose GIS

Streets

Taxlots

Airport Employment Comprehensive Plan designation

Urban Growth Boundary

Airport Employment Overlay Zones

Airport Business Park (ABP)

Airport Industrial Park (AIP)

East Airport Employment (EAE)



0 500 1,000 Feet

Table 17.74.1: Airport Industrial Park (AIP), Airport Business Park (ABP) and East Airport Employment (EAE) Use Categories

P = Permitted (subject to Chapter 17.130~~130~~120)

A = Accessory to primary permitted use

L = Limited (special restrictions apply, see footnotes)

C = Conditional Use (subject to Chapter 17.130)

X = *Prohibited*

Use Category	Operating Characteristics	AIP	ABP	EAE
Educational Services - Commercial and Public	Commercial educational service uses are characterized by activities conducted in an office setting and generally focusing on serving students with supplemental education, enrichment, and/or tutoring. Public education service includes colleges and other institutions of higher learning that offer courses of general or specialized study leading to a degree. Colleges tend to be in campus-like settings or on multiple blocks, though they may be contained in a single building.	X	P	P
Community Services	Community Services are uses of a public, nonprofit, or charitable nature generally providing a local service to people of the community. Generally, they provide the service on the site or have employees at the site on a regular basis, or provide a central location for service delivery. The service is ongoing, not just for special events. The use may also provide special counseling, education, or training of a public, nonprofit or charitable nature.	C	P	C
Office	Office uses are characterized by activities conducted in an office setting and generally focusing on business, government, professional, medical, or financial services.	A	P	A

Use Category	Operating Characteristics	AIP	ABP	EAE
Commercial Retail	Sales-oriented: Stores selling, leasing, or renting the following items, provided that yards shall not be used for the storage or display of used building materials or any scrap or salvage; consumer, home, and business goods including art, art supplies, bicycles, clothing, dry goods, electronic equipment, fabric, furniture, garden supplies, gifts, groceries, hardware, home improvements, household products, jewelry, pets, pet food, pharmaceuticals, plants, printed material, stationery, and videos; and food sales.	A	L ¹	A
¹ Note: In the ABP overlay zone, commercial retail uses of 5,000 square feet or less of floor area are permitted; commercial retail uses between 5,000 and 20,000 square of floor area may be permitted through the conditional use process; and commercial retail uses of greater than 20,000 square feet of floor area are prohibited.				

Use Category	Operating Characteristics	AIP	ABP	EAE
Commercial Personal Service	Branch banks; laundromats; photographic studios; photocopy and blueprint services; hair, tanning, and personal care services; tax preparers, accountants, real estate, legal, financial services; business, martial arts, and other trade schools; dance or music classes; taxidermists; mortuaries; veterinarians; kennels limited to boarding, with no breeding; and animal grooming.	X	P	X
Medical & Dental Services	Medical offices; dental offices; urgent medical care; and medical centers including facilities providing medical or surgical care to patients and offering overnight care. Medical centers tend to be on multiple blocks or in campus settings.	C	P	C
Commercial Entertainment	Indoor or outdoor continuous entertainment activities such as bowling alleys, ice rinks, and game arcades; pool halls; theaters, health clubs, gyms, membership clubs, and lodges; hotels, and motels.	C	P	C
Commercial Food Services	Restaurants, cafes, cafeterias, delicatessens, taverns, and bars.	C	C	C
Commercial Repair & Service	Repair of TVs, bicycles, clocks, watches, shoes, guns, appliances and office equipment; photo or laundry drop off; quick printing; tailor; locksmith; and upholsterer.	P	P	P
Self Service Storage	Self-Service Storage uses provide separate storage areas for individual or business uses. The storage areas are designed to allow private access by the tenant for storing personal property.	X	C	X

Use Category	Operating Characteristics	AIP	ABP	EAE
Vehicle Repair	Firms servicing passenger vehicles, light and medium trucks and other consumer motor vehicles such as motorcycles, boats and recreational vehicles.	P	C	P
Automobile Rental	Automobile rental agencies.	C	P	C
Light Industrial Service	Light Industrial Service firms are engaged in the repair or servicing of light industrial, business or consumer machinery, equipment, products or by-products. Firms that service consumer goods do so by mainly providing centralized services for separate retail outlets. Contractors and building maintenance services and similar uses perform services off-site. Few customers, especially the general public, come to the site.	P	P	P
Medium-Industrial-Service	Industrial Service firms are engaged in the repair or servicing of medium industrial, business or consumer machinery, equipment, products or by-products. Few customers, especially the general public, come to the site.	P	C	P

Use Category	Operating Characteristics	AIP	ABP	EAE
Light Manufacturing and Production	Manufacturing and Production firms are involved in the manufacturing, processing, fabrication, packaging, or assembly of goods. Natural, man-made, raw, secondary, or partially completed materials may be used. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. Goods are generally not displayed or sold on site, but if so, they are a subordinate part of sales. Relatively few customers come to the manufacturing site.	P	P	P
Medium Manufacturing and Production	Manufacturing and Production firms are involved in the medium manufacturing, processing, or fabrication of goods. Natural, man-made, raw, secondary, or partially completed materials may be used. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. Goods are generally not displayed or sold on site, but if so, they are a subordinate part of sales. Relatively few customers come to the manufacturing site.	P	C	P
Warehouse & Distribution	Warehouse and Distribution involves the storage, or movement of goods for themselves or other firms. Goods are generally delivered to other firms or the final consumer, except for some will-call pickups. There is little on-site sales activity with the customer present.	P	C	P

<u>Use Category</u>	<u>Operating Characteristics</u>	<u>AIP</u>	<u>ABP</u>	<u>EAE</u>
Wholesale Sales	Wholesale Sales firms are involved in the sale, lease, or rent of products primarily intended for industrial, institutional, or commercial businesses. The uses emphasize on-site sales or order taking and often include display areas. Businesses may or may not be open to the general public, but sales to the general public are limited as a result of the way in which the firm operates. Products may be picked up on site or delivered to the customer.	P	P	P

In the text below, language to be omitted is ~~striketrough~~, and proposed language additions are underlined.

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 its 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 and is subject to 17.160.120(C);
4. Conditional use pursuant to Chapter 17.130;
5. Major variance pursuant to Chapter 17.134;
6. Sensitive land permits and variances pursuant to Chapter 17.84, Chapter 17.85, and Chapter 17.86 for applications requiring planning commission action;
7. Type II home occupation pursuant to Chapter 17.142;
8. Historic overlay district exterior alteration and new construction applications pursuant to Chapter 17.82;
9. Public land tree removal associated with timber harvesting and clearing from designated public recreation areas;
10. Authorization of Similar Use pursuant to Chapter 17.43;
11. Fence or fence/berm combination greater than eight feet in height;

12. Conceptual master plan or modification of conceptual master plan pursuant to Chapter 17.74;

~~12~~13. Appeal of a decision made by the planner; and

~~13~~14. Any other matter not specifically assigned to the planner, or the city council under this title.

In the text below, language to be omitted is ~~struck through~~, and proposed language additions are underlined.

**AIRPORT EMPLOYMENT (AE) DESIGNATION
FINDINGS, GOALS, POLICIES AND IMPLEMENTATION**

Preface

The **Airport Employment (AE)** plan designation encourages airport related and compatible employment near the Scappoose Industrial Airpark. The AE plan designation is implemented by the **Public Use Airport** zone and three overlay zones that implement specific provisions of the **Scappoose Comprehensive Plan and 2011 Economic Opportunities Analysis (EOA)**. Prior to development within any overlay district, a conceptual master land use, street, taxiway and utility concept plan shall be approved by the City to guide future development within the district. The concept plan shall indicate where and how large parcels will be retained for targeted employment uses over time.

The AE plan designation identifies locations for future employment types targeted in the Scappoose EOA that complement or capitalize on airport accessibility or operations. The AE designation protects sites for their intended employment activities while encouraging and supporting the Scappoose Industrial Airpark's continued operation and vitality.

Airport-related and -compatible employment uses are permitted outright by zoning within the AE designation – thus encouraging targeted employment types to locate near the airport where they can be served by planned taxiways where feasible. The AE designation specifically encourages educational facilities, such as Portland Community College, that offer airport-related coursework and training. The AE designation also encourages mixed use employment opportunities in a business park setting in specified locations.

***Significant Findings Regarding the Airport Employment (AE)
Land Use Designation***

- 1) The Scappoose Industrial Airpark is located within the city limits of Scappoose, northeast of downtown. The AE designation is applied to lands within the urban growth boundary located on the east, south, and west sides of the existing airport runway. This chapter addresses only the Airport Employment designation that applies to land adjacent to the airport.

2) As noted in the Scappoose EOA, the Scappoose Industrial Airpark and suitable nearby employment sites provide substantial economic benefits to the City. The City and County support the continued operation and vitality of the airport and adjacent employment lands.

3) Access to the AE designation is provided by Crown Zellerbach Road to the south, West Lane Road to the west, a planned north-south connector to the east, and Moore and Honeyman Roads to the north. The north-south connector road separates land within the urban growth boundary from adjacent rural areas. This ring road provides a critical north-south alternative and is essential to the functionality of development within the AE designation for land east of the runway.

4) The Scappoose Industrial Airpark is owned, operated, and maintained by the Port of St. Helens, the airport sponsor. Although the Port owns some land within the AE, most of the property is privately owned.

5) Per the 2007 State Aviation System Plan, the Scappoose Industrial Airpark is a Category 2-II airport and is the second busiest airport without an air traffic control tower in the State of Oregon. A Category 2-II airport is defined as a business or high activity general aviation airport with over 30,000 operations per year and at least 500 turbine aircraft operations. In 2007, the Scappoose Industrial Airpark had over 80,000 operations. The 2015 Scappoose Industrial Airpark Master Plan Update estimated 60,000 annual operations.

6) The airport is one of three airports with a runway over 5,000 feet in length within a 30 nautical mile radius of the Portland International Airport. The airport currently has one runway, 5,100 feet by 100 feet, and one main parallel taxiway on each side of the runway. Future plans call for extension of the airport runway to the south to accommodate future operations more efficiently.

7) The airport is considered a major airport in the Portland metropolitan area and offers a distinct regional economic development advantage. The AE designation capitalizes on this comparative advantage and provides the opportunity for Scappoose to substantially increase job opportunities and improve the jobs-to-housing balance.

8) The primary fixed base operator (FBO) at the airport is Transwestern Aviation. Other airport businesses located in the AE designation include Sherpa Aircraft Manufacturing, Sport Copter, Inc., Oregon Aero, Composites Universal Group, Evergreen Aviation Services and Restorations, Overall Aviation Services and the Northwest Antique Airplane Club.

9) Utilities serving the airport area include Columbia River PUD (electricity), City of Scappoose (water, west side of the airport), and CenturyLink-Tel (telephone). With the exception of new construction on the west side of the airport, which is served by public sewer, buildings have on-site septic systems.

10) The Scappoose Rural Fire Protection District provides rescue and fire fighting services for the airport.

Goals for the Airport Employment (AE) Land Use Designation

It is the goal of the City of Scappoose to:

- 1) Support and promote the continued safe operation of the Scappoose Industrial Airpark and the economic vitality of the AE designation by providing suitable sites for targeted employment opportunities identified in the Scappoose EOA.
- 2) Provide a location for airport-related and -compatible employment activities in a master-planned setting with good highway, arterial road and airport access – in an area where their environmental effects will have a minimal impact upon the community.
- 3) Utilize the AE as an attractor for employment opportunities identified in the Scappoose EOA that are dependent upon, compatible with, or benefit from aircraft access, air transportation, and the existing cluster of aviation-related businesses located near the airport.
- 4) Take advantage of the transportation options provided by the Scappoose Industrial Airpark by allowing airport-related and compatible employment uses called for in the Scappoose EOA, including industrial, office and service commercial, and supportive lodging and restaurant employment.

Policies for the Airport Employment (AE) Land Use Designation

It is the policy of the City of Scappoose to:

- 1) Locate light industrial, office and service commercial, and airport-related employment areas that have a convenient relationship to the community's vehicular and aircraft transportation systems.
- 2) Screen or set back the boundaries of airport related development areas from abutting existing residential uses.
- 3) Apply the AE designation to areas east, south, and west of the airport runway.
- 4) Protect the stability and functional aspects of airport-related uses by prohibiting incompatible uses that create safety hazards or otherwise interfere with customary and usual aviation-related activities as defined by the Development Code.

- 5) Encourage airport-related educational opportunities.
- 6) Work with the Port of St. Helens and private property owners to maintain the continuing viability of the Scappoose Industrial Airpark and the AE.
- 7) Encourage mixed office and service commercial uses, and supporting lodging and restaurant opportunities in a master planned setting in designated Business Park areas.
- 8) Protect large industrial sites for their intended use as called for in the Scappoose EOA.
- 9) Provide taxiway access to employment sites wherever feasible – especially in designated Industrial Airpark areas.

Implementation of the Airport Employment (AE) Plan Designation

- 1) The AE plan designation within the UGB is implemented by the **Public Use Airport (PUA)** zone, in conjunction with three overlay zones codified in the Development Code. The PUA zone restricts employment uses to ensure operational compatibility with the airport. The PUA zone allows airport-related and industrial uses outright and supporting commercial uses through the conditional use process.
- 2) Uses and activities allowed within the AE designation must comply with the Public Use Airport Safety and Compatibility Overlay (Chapter 17.88 of the Scappoose Development Code).
- 3) Outside City Limits, County rural residential and farm zones will apply on an interim basis to retain land in large parcels until the land is (a) annexed and (b) rezoned in accordance with these policies.
- 4) More specific zones are needed to implement the policy direction resulting from the Scappoose EOA. Rezoning to more intensive employment uses must be preceded by a transportation impact analysis, coordinated and approved by the Oregon Department of Transportation (ODOT), to demonstrate compliance with the Transportation Planning Rule.
- 5) The **East Airport Employment (EAE) overlay** zone will be applied to large parcels east of the airport runway to ensure airport operational compatibility and to retain large industrial and institutional sites identified in the Scappoose EOA. Master planning requirements ensure that that land is developed efficiently and that the provision of transportation and utility facilities occurs consistent with adopted plans.
- 6) The **Airport Business Park (ABP)** overlay zone will be applied to selected parcels west of the runway and served by West Lane Road. The Business Park overlay zone

allows a mix of targeted light industrial, commercial service and office, and supporting lodging and restaurant uses targeted in the Scappoose EOA. Master planning requirements ensure that that land is developed efficiently and that the provision of transportation and utility facilities occurs consistent with adopted plans.

7) The **Airport Industrial Park (AIP)** overlay zone allows industrial uses targeted in the Scappoose EOA. However, taxiway access to individual parcels is required for development in this zone to occur.

8) The **Airport Employment Overlay Zones**~~Potential Future Zoning Map~~ in the Development Code shows the general location of each of these specific ~~zones or~~ overlay zones. ~~However, minor changes in the proposed conceptual boundaries of these overlay zones may occur at the time of rezoning, provided that the minimum number of suitable acres identified in the EOA is retained for each general employment category.~~

CITY OF SCAPPOOSE

33568 E. COLUMBIA AVE.
 SCAPPOOSE, OREGON 97056
 (503) 543-7184 FAX: (503) 543-5679

LAND USE ACTION REFERRAL (CPTA2-16/DCTA1-16/ZC1-16)

November 8, 2016

RETURN TO: Laurie Oliver, City Planner, City of Scappoose, 33568 East Columbia Ave,
 Scappoose, OR, 97056 (FAX 503-543-5679) by November 18, 2016.

REGARDING: The City of Scappoose proposes amendments to the Comprehensive Plan text, Zoning Map, Chapter 17.74-Airport Employment Overlay Zones and Chapter 17.162 - Procedures for Decision Making-Quasi-Judicial, in order to apply Airport Industrial Park and Airport Business Park Overlay zones on certain parcels west of the Scappoose Industrial Airpark, in City limits. The proposed zoning map amendment would affect approximately 136 acres and would amend the zoning from Public Use Airport (PUA) to PUA with an Airport Industrial Park (AIP) Overlay, and PUA with an Airport Business Park (ABP) Overlay.

1. X We have reviewed the enclosed application and have no objection to its approval as submitted.
2. _____ Please see either our comments (below) or attached letter.
3. _____ We are considering the proposal further, and will have comments to you by _____.
4. _____ Our board must meet to consider this; we will return their comments to you by _____.
5. _____ Please contact our office so we may discuss this.
6. _____ We recommend denial of the application. Please see either our comments (below) or attached letter:

COMMENTS: _____

Signed: Scott JensenTitle: Planner
Port of St. HelensDate: 11/17/16

RECEIVED
 NOV 10 2016



Oregon

Kate Brown, Governor

Exhibit E

Department of Transportation

District 1/Area 1

350 West Marine Drive

Astoria, Oregon 97103

Phone: (503) 325-7222

Fax: (503) 325-1314

November 18, 2016

TO: Laurie Oliver, City Planner Scappoose
FROM: Ken Shonkwiler, ODOT Transportation Planner
SUBJECT: Land Use Action Referral (CPTA2-16/DCTA1-16)

Thank you for the opportunity to comment on this Comprehensive Plan Amendment for the City of Scappoose.

The Oregon Department of Transportation (ODOT) routinely comments on planning proposals that may have an impact on state highways. If a plan amendment is involved, ODOT makes itself available to assist local governments in complying with the requirements of OAR 660-012-0060 (known as the Transportation Planning Rule). This requires that local governments amending adopted plans and regulations demonstrate that the amendment will not significantly affect existing or planned transportation facilities (both state and local), that such amendments are concurrent with local and state plans, or that amendments have met and satisfied the Transportation Planning Rule.

Scappoose recently adopted a Transportation Systems Plan (TSP) that accounted for this future comprehensive plan amendment. After further review of the amendment analysis, the amendment remains consistent with the TSP; although the proposed Airport Employment Overlay Zone is geographically smaller in acreage (by ½ acre), the analysis within the City's TSP ultimately accounts for the impacts of this proposed amendment. ODOT is in agreement with the proposed comprehensive plan amendment as the Transportation Planning Rule OAR 660-012-0060 (9) has been satisfied through this concurrence.

The amendment referral document received by ODOT specifies that *land that annexes to the City would automatically be subject to the overlay zones* (on page two under "Analysis"). Future annexations and comprehensive plan amendments involving this overlay that had not been accounted for within Scappoose's TSP would likely have an impact on roadway systems. Because of this, future annexations and Airport Employment Overlay Zone additions outside of the TSP's analysis would not satisfy the Transportation Planning Rule OAR 660-012-0060 and would require additional roadway analysis.

For any questions, please contact Ken Shonkwiler, Senior Transportation Planner at ODOT Area 1.

Exhibit 20

Oliver, Laurie

From: Patrick Russell <ppeartrussell@gmail.com>
Sent: Tuesday, December 27, 2016 11:17 PM
To: Oliver, Laurie
Subject: Fwd: CZ Trail and West Lane intersection, Airport Annexation, Development

Laurie,

Due to my work schedule, I will not be able to speak at the December 29th hearing.

I am reforwarding my thoughts about the CZ Trail, relative to land use intensification around the airport, as I did not see any public testimony in the meeting packet record other than public agency correspondence.

Would you be so kind as to share this email and my prior email with the Planning Commissioners.

I have not seen any plans for how traffic conflicts at the intersection of the trail, West Lane and 4th Street will be addressed in a manner that treats the trail as a regionally significant corridor in the future. The only way I can visualize a safe intersection is thru grade separation.

As this Planning Commission item is being considered on the 29th of December, 2016, the record seems to spend a great deal of time discussing public Facilities, such as sewer, water, Street access, drainage--to mention a few public facility needs and future demand--but fails to provide any details about the trail relative to the above mentioned intersection and the new extension of an East-West frontage road NOT WITHIN THE CZ TRAIL R/W. At full intersection development, I am trying to visualize a safe equestrian crossing and recreational amenities for a family on bicycles or walking.

I believe a conceptual plan for the CZ Trail and the ultimate street intersection improvements needs to be more clearly illustrated, as part of the Conceptual Master Plan being legislated as a requirement of the annexation and Zoning. I have suggested a grade-separated solution and funding mechanism.

It would be helpful if the Planning Commissioners discussed the CZ Trail of the future with minimal impacts from the future development around the airport and that said development be responsible for a fair share, such as though a Local Improvement District, etc. Some might argue that the issue is "off-site;" however, there is no conceptual plan of development without the extension of access from the west to the east in the vicinity of the CZ Trail. The intersection of the West Lane, 4th Street and the CZ Trail Roadway (?) become in play with this application.

As I mentioned in my email, I don't have a particular strong feeling about the issue, but do feel that during the TSP hearings that I sat in (very late in the planning process), that there was strong public sentiment about keeping the trail conflicts to a minimum. I do not remember discussion about the above mentioned intersection, but heard concerns about road intersections further east along the trail. I don't know if there was a public acceptance of a major multi-lane wide, four way intersection and in some manner the trail would cross it.

Thank you for your attention.

Patrick P. Russell
33271 Linden Street
Scappoose, Oregon 97056
503.317.6456 (cell) 503.656.9681 (home)

ppeartrussell@gmail.com

From my Samsung Tablet

----- Forwarded message -----

From: "Patrick Russell" <ppeartrussell@gmail.com>

Date: Dec 20, 2016 9:30 AM

Subject: CZ Trail and West Lane intersection, Airport Annexation, Development

To: <msykes@cityofscappoose.org>

Cc: "Oliver, Laurie" <loliver@cityofscappoose.org>

Mike,

Sorry I missed the CC Mtg, 12/17.

Great work on the Cascades Street improvements efforts for West Lane, though I am wondering if there is any land at Street grade for the west half along the gravel pit (as I sincerely wonder if any fill will ever occur in the future). Great opportunity for artificial lakefront properties.

However, with the full r/w requirements for West Lane, I am concerned about the at grade crossing of the roadway-r/w with CZ TRAIL R/W. As important as the regionally significant trail (thinking the Vernonia Banks State Park Trail for example) is, I feel a grade-separated crossing is in order, with the Airport Annexation, campus, business/industrial park development in the coming years.

I have NOT been involved in the long term planning of the Airport Annexation/campus development and any commitments to date. So i apologize in advance if my input is not timely. I have no intention of muddying the waters (so to speak). I briefly viewed the industrial subdivision map for the annexation and didnt see any unique separation of the trail from any necessary road improvements. Below is an outline of one solution to remove vehicle crossing conflicts with CZ Trail.

One design solution, as part of the annexation/development, would be to create an OFF-SET intersection, where West Lane would be meandered easterly to intercept CZ Trail Roadway (extended easterly?) 400 to 500 feet to allow for curvature and grade change....the CZ Trail Roadway would traverse OVER CZ Trail to the north of the CZ Trail to then intercept at grade with an extended West Lane. The south leg of the 4th Street/CZ Trail would be an UNSIGNALIZED "T" intersection. CZ Trail would become uncrossed. I don't know how much clearance CZ Trail would require, but I suggest a minimum 10-12 foot clearance which might be a typical requirement for horse undecrossing. This is less than the typical 14 foot clearance for industrial roadways. As a carrot, I am wondering whether in the CZ Trail could be partially below grade to reduce the height of the elevated crossing...don't know enough about positive drainage in the area, given the floodplain/levy/water table. To minimize cost, the vehicle travel way would be the only portion needing to be elevated, which could consist of two travel lanes, 12 feet wide and maybe some shoulder area between the lane and safety barrier. That would keep the bridge width to about 30 to 32 feet of concrete. Airport air restrictions on heights? Don't know. However, considering the extent of planned development, this overpass seems reasonable to me (though any plans to extend the air park runway lengths might be an issue). The overpass could be designed for future widening.

Mike, I don't really have a dog in this race, but feel a local road should NOT interfere with a regionally significant corridor, already committed. Further, with the magnitude of business park/campus development around the airport, there will be sufficient resources (public and private/quasi-public) to afford the amenity. Otherwise the intersection of West Lane/4th Street with CZ Lane to industrial/commercial community standards will have pavement widths over 70 feet wide or more to accommodate industrial corner turning radii (and possible exclusive right turn lanes), along with acceleration/deceleration of heavy trucks creating safety hazards to children, families, and horse riders. Further, the intersection would have to be

signalized and fill found somewhere to support the west/north portion of the r/w, pressuring compromise of CZ Trail.

These improvements, benefitting many property owners and the community, could be the subject of a 20 year LID, coupled with any outside dollars, such as State Parks and Recreation lottery dollars, etc.

As I mentioned above, I only briefly viewed the subdivision map. I don't know when the map will be considered, but understand that the NECESSARY annexation policies in the Comp Plan and Zoning Ordinance will be considered by our city Planning Commission December 29th. It's common practice for communities to incorporate concepts into the Comp Plan and implemented thru studies and plans. Some communities have required preparation of Specific Plans to implement the Comp Plan and supplement the Zoning Ordinance and the TSP and Road Standards. I came late to the TSP Update, but do believe that that policy did not legislate any special design considerations for the relationship of CZ TRAIL and roadways, except that CZ TRAIL R/W might not be shared with vehicular traffic needs. Any further emergency crossings of CZ Trail easterly of the West Lane/4th Street intersection could still be planned as at-grade crossings for emergency vehicles with proper barricading/access control to prevent use by non-emergency public activity...I believe such emergency crossing could be easterly of the above-discussed over cross.

Thank you for your thoughts and consideration. This email may be shared with others, as appropriate.

Patrick P. Russell
33271 Linden Street
Scappoose, Oregon 97056
[503.317.6456](tel:503.317.6456) (cell) [503.656.9681](tel:503.656.9681) (home, with message)
ppeartrussell@gmail.com

From my Samsung Tablet

Exhibit 21

Below is an outline of the comments received by Cascades, and staff responses:

To Planning Commission members,

In light of the desire of the city of Scappoose to modify the zoning and conceptual Master Plan of 358 acres (approx.) as per your docket ANX1-16, ZC2-16, Cascades will oppose to the change until Cascades receives an official document confirming that there will be no direct and indirect impacts that may affect its actual project construction management, and future operations.

Staff response: There is not an obligation within the development code to provide a list of impacts to area businesses, nor is it possible to confirm something of the sort before development has occurred. Except as addressed below, this comment from Cascade does not raise Code compliance issues with enough specificity to respond further at this time.

Cascades comment: As an example, Cascades supports Mr. Lonnie Walter (Transportation planner) suggestion of making an updated traffic impact study, in order to make sure that Cascades operations will not be impacted by any means.

Staff response: For annexations, there is a requirement to review the proposal to determine whether it will significantly affect a transportation facility pursuant to OAR 660-012-0060 – Transportation Planning Rule (TPR). The applicant submitted a TPR analysis as was required, which showed that the anticipated traffic generated by the full build out of the annexation area is consistent with the forecasted number of trips for this Transportation Analysis Zone within the recently adopted TSP. ODOT has concurred with this finding. A full explanation of the TPR analysis and related findings can be found beginning on page 39 of 191, of the Planning Commission packet. Further, as the findings related to 17.22.040.C state on page 39 of 191 – “Columbia County Road Department provided a written comment (**Exhibit 12**) indicating that future traffic associated with the development of properties within the annexation area may degrade livability within the City. At the time of a development proposal, a traffic impact study would need to be conducted to assess the specific uses proposed at that time and what mitigation measures would be necessary to ensure a safe transportation system”. A traffic impact study will be required once development is proposed, in conformance with the Scappoose Development Code. Additionally on page 41 of 191 of the Planning Commission packet under the findings related to 17.22.040.E – “Future development proposals will be required to provide traffic analysis reports identifying projected trip generation levels, recommendations for public improvements, and access management. The mitigation strategies prompted by the results of the traffic analysis reports would be installed as conditions of development approval”.

Cascades comment: Also, when Cascades prepared for its project last spring, it was decided to install, at site, a water booster pump to ensure that the water flow and pressure would be acceptable for proper fire protection. Cascades needs to be confirmed that water flow and pressure will still meet the specifications that were shared with the city fire protection authorities last spring, during and upon Zoning Master Plan development.

Staff response: Water systems associated with future development proposals will be required to meet the Public Works Design Standards and the Scappoose Development Code, just as the Cascades project was required to meet these provisions. Specifically, as stated in 17.154.105.B – Water System, future proposals will have to comply with the following development code standard: *Extensions shall be made in such a manner as to provide for adequate flow and gridding of the system.*

Cascades comment: We would like to raise the fact that NO Zoning Master Plan impacts were mentioned nor discussed during Cascades negotiations for the implementation of its Oregon Converting facility that will soon employ 71 persons and have significant positive economic impacts in Scappoose and the Columbia County.

Staff response: Cascades was notified about the annexation per the requirements of the Scappoose Development Code. The application for annexation was received October 7, 2016, well after negotiations and substantial construction was completed on the Cascades site.

We remain available to have discussions on this topic and support this project, upon receiving an official communication to the effect that it will have no negative impacts to Cascades operations.

Yours truly,

Stéphane Rousseau

Oliver, Laurie

From: Stephane Rousseau <stephane_rousseau@cascades.com>
Sent: Wednesday, December 28, 2016 6:31 PM
To: Chris Negelspach; Oliver, Laurie; Elizabeth Happala
Cc: Pierre Brochu; Joseph Ertolacci
Subject: Cascades OFFICIAL Comment on Docket # ANX1-16,ZC2-16 Revision 1

To Planning Commission members,

In light of the desire of the city of Scappoose to modify the zoning and conceptual Master Plan of 358 acres (approx.) as per your docket ANX1-16,ZC2-16 , Cascades will oppose to the change until Cascades receives an official document confirming that there will be no direct and indirect impacts , that may affect its actual project construction management, and future operations .

As an example, Cascades supports Mr Lonnie Walter (Transportation planner) suggestion of making an updated traffic impact study, in order to make sure that Cascades operations will not be impacted by any means.

Also, when Cascades prepared for it's project last spring , it was decided to install, at site, a water booster pump to ensure that the water flow and pressure would be acceptable for proper fire protection . Cascades needs to be confirmed that water flow and pressure will still meet the specifications that were shared with the city fire protection authorities last spring, during and upon Zoning Master Plan development .

We would like to raise the fact that NO Zoning Master Plan impacts were mentioned nor discussed during Cascades negotiations for the implementation of it's Oregon Converting facility that will soon employ 71 persons and have significant positive economic impacts in Scappoose and the Columbia county .

We remain available to have discussions on this topic and support this project , upon receiving an official communication to the effect that it will have no negative impacts to Cascades operations .

Your truly,

Stéphane Rousseau



Stéphane Rousseau ing. MScA
Executive Vice-President
Primary Mills and Major Projects
CASCADES TISSUE GROUP
77, Marie-Victorin Blvd.
Candiac (Québec) Canada J5R 1C2
T: 450 444-6415
C: 514 237-7271
@ stephane_rousseau@cascades.com

Below is a response from staff regarding the issues raised in a letter submitted by the Janke's. I have highlighted and numbered sections of the original letter from the Janke's that staff has provided a response to (please see page 3). I have also included a Columbia County web map showing the location of the Janke's property in relation to the proposed annexation area. Since the Janke's parcels are located at the southern end of the annexation area, I have only included that portion of the map.

1. Janke comment: "The underlying principal for our objection is the vagueness of the assurances by the applicants that applicable statutory and regulatory requirements with emphasis on environmental safeguards will be met by anticipated future development".

Staff response: Since no development is proposed at this time, environmental impacts have not been assessed since that assessment would relate to a specific project (and none have been proposed). In that case, staff provides findings to say that future proposals must comply with all statutory and regulatory requirements.

2. Janke comment: "Parenthetically, having lived on the adjacent property for over 20 years and having personally discovered arrowheads on the proposed property I find it significant that nowhere in the material relevant to the proposal is there any assessment of Native artifact presence or protection".

Staff response: Again, no development has been proposed with this application. This application only seeks to bring the parcels into City limits. The applicant is required to provide a Conceptual Master Plan, however, to show how the parcels could be developed, consistent with the requirements of the Scappoose Development Code. The applicant was notified during the pre-application meeting for the annexation that SHPO (State Historic Preservation Office) would be notified of any future development proposals to see if there are any known sites of interest on the property to be developed. The notice will be sent to Dennis Griffin, State Archeologist at orshpo.clearance@oregon.gov.

3. Janke comment: "Well; the proposed well, Map sheet 1.4 appears to be located outside the proposed boundary and actually on our property. Nothing in the proposal appears to address this issue. Public Sewer System Map P1.3 also appears to locate the southern portion of the sewer line outside the Master Plan Boundary and on our property. Map Sheet 1.5 Storm Ponds: Some of these proposed ponds appear to lie outside the boundary and again lie at least partially upon our property. Some of the proposed ponds, although not dimensions appear to be larger than the ¼ acre maximum allowed within the required distance from the airport".

Staff response: There was apparently an error when the pdf documents were loaded onto the website which shifted the lines showing the utility connections to outside of the right-of-way for the collector road, easterly towards the Janke's property. The printed materials within the Planning Commissioners packets should show the correct location of the proposed utilities. If not, the applicant can further clarify this issue tonight. It would not be permitted to have these facilities on the Janke's property, nor has the applicant proposed that.

4. Janke comment: "The wetlands map (Exhibit 15) which purports to represent Columbia County wetlands conveniently excludes ours for the most part, although it is the most significant

wetland area near the proposal. The impact of the proposed development on our land and other adjacent wetlands is essentially ignored”.

Staff response: The wetlands map, which is actually exhibit 10 rather than 15, can be found on page 121 of 191 of the Planning Commission packet. This is not a Columbia County wetlands map, but an excerpt from the City of Scappoose’s Local Wetlands Inventory (LWI). The LWI was completed in December of 1998, prior to the UGB expansion of the lands east of the airport. The LWI therefore did not account for wetlands outside of the existing UGB at that time. Staff provided the information contained within the City’s adopted planning documents to show the presence of wetlands to the best of our ability. The applicant will be required to have the wetlands delineated prior to any development proposals and to comply with all local, state, and federal regulations at the time of development.

5. Janke comment: “Increased runoff from roofs and paved areas [...]”.

Staff response: Storm drainage design within a development area must include provisions to adequately control run-off from all public and private streets and the roof, footing, and area drains of all proposed buildings. At the time of development the applicant must show compliance with this standard, which is quoted directly from the Public Works Design Standards (PWDS). Furthermore, the PWDS specify that *“surface or subsurface drainage, caused or affected by changing the natural grade of the existing ground or removal of natural ground cover or placement of impervious surfaces, shall not be allowed to flow over adjacent public or private property in a volume or location materially different from that which existed before development occurred, but shall be collected and conveyed, in an approved manner, to an approved point of disposal – Section 2.0010- General Design Requirements and Performance Standards for Storm Drainage”*.

6. Janke comment: “Another issue is the proposed “recreational use” 15 acres [...]”.

Staff response: Since no development is proposed with this application, we do not know what recreational uses will occur there. Since there are wetlands on this portion of the annexation area, any future development proposals will have to take that into account and meet the requirements of the Scappoose Development Code at that time, as it relates to the requirements of Chapter 17.85 – Sensitive Lands, Wetlands and any other applicable state or federal regulations. The Janke’s will be notified of future development proposals since they are within 200 feet of this subject property.

December 28, 2016
City of Scappoose
33568 E. Columbia Ave.
Scappoose, OR 97056

DEC 28 2016
4:20 pm JH

RE: Land Use Action Referral (ANX1-16/ZC2-16)

As the owners of the property adjacent on the eastern boundary of the proposed annexation upon which we have our residence, farm land and preponderantly wetland wildlife habitat. we strenuously object to the proposal for a number of reasons set forth herein.

1. The underlying principal for our objection is the vagueness of the assurances by the applicants that applicable statutory and regulatory requirements with emphasis on environmental safeguards will be met by anticipated future development. The tone of the application, is consistently that said impacts are not known but will be properly addressed in the future.

To cite just a few; Annexation Application Page 2

Wetlands "Likely-hiring contractor" no findings or report report from a contractor is included.

Significant Natural Resources" Hiring contractor to check", No findings included.

2. Parenthetically, having lived on the adjacent property for over 20 years and having personally discovered arrowheads on the proposed property I find it significant that nowhere in the material relevant to the proposal is there any assessment of Native artifact presence or protection.

Well; the proposed well, Map sheet 1.4 appears to be located outside the proposed boundary and actually on our property. Nothing in the proposal appear to address this issue.

3. Public Sewer System Map P1.3 also appears to locate the southern portion of the sewer line outside the Master Plan Boundary and on our property.

Map Sheet 1.5 Storm Ponds: Some of these proposed ponds appear to lie outside the boundary and again lie at least partially upon our property Some of the proposed ponds, although not dimensioned appear to be larger than the ¼ acre maximum allowed within the required distance from the airport.

The wetlands on our property historically have been and are now nesting and year round habitat for many species of wildlife, predominantly waterfowl, but also for aquatic mammals such as beaver, otter, muskrat, mink raccoon, and others. Waterfowl species include Mallards, Pintails, Wigeon, Greenwing Cinnamon and an occasional Bluewing Teal, Wood Duck, Gadwal, Coot, Bufflehead Northern Shoveler. Several subspecies of Canada Geese and others. The habitat is one of the few areas in Columbia County where Cinnamon Teal nest.

Other birds include several species of hawk, Bald Eagles, Egrets, Blue Heron Grebe rails and significantly, Common Bittern, which according to the Audubon Society nest only in our wetlands.

The wetlands map (Exhibit 15) which purports to represent Columbia County wetlands conveniently excludes our for the most par, although it is the most significant wetland are near the proposal.

4. The impact of the proposed development on our and other adjacent wetlands is essentially ignored. It is my contention that an adequate Environmental Impact Study is required before any annexation or further development can proceed.

The impact upon the wildlife that utilizes the adjacent property, ours as well as other wetlands on the South side of the Crown Zellerbach Road will be devastating. Since we do not have any defined

compliance with environmental and other impact, only the vague assurances that they will be met, the almost certain effect will be a cumulative one.

To name a few:

- ⑤ **Increased runoff from roofs and paved areas.** (Exhibit 14) Requires that the owner pay drainage assessment and the project does not increase the quantity or speed of water which the drainage system receives. Since the proposed project is higher in elevation than our adjoining property, how can these assurances be met? Are we going to build a pipe all the way to the Columbia River to divert the water. In the more than 20 years we have lived there I have observed a consistent increase in the amount of water accumulating each year in my ponds proportional to the development in the City of Scappoose. Every time a new parking lot or rooftop is constructed less water is absorbed and more flows down to us. This is trespass and is the city or the developer(s) going to pay us for the damage therefrom. We have observed a consistent elevation in the water table under our property, making it more difficult to farm. The Drainage System currently barely keeps up with the impact, and if additional burden is placed upon it, more capital and operating expenses will be incurred, resulting in an increased tax burden. Drainage members are assessed by elevation and area. Since we are down stream, we will pay more. The Drainage System tax is already the largest percentage of our annual property taxes. Another runoff issue is pollution which will be carried onto our and other downstream property, oil gas, diesel etc. These pollutants can not help but have a negative effect on the wetlands and its inhabitants.

Increased traffic, noise, light pollution and other intrusions will interfere with the nesting and migratory patterns of the birds as well as making the use and enjoyment of our property less so.

- ⑥ **Another issue is the proposed "recreational use" 15 acres.** Of what does this recreational use consist? Will we be met with constant trespass from the area which juts into our property, Will I have canoeists, bird watchers hikers, drug addicts, squatters etc. on my property, requiring the assistance of law enforcement with its attendant cost.?

A final but probably not the last issue is the fact that for over 50 years, an annual use of this property is waterfowl hunting. I can't wait till I get the first complaint that "there is all this shooting going on". A former Oregon State Police game officer responded to that very complaint with "you probably should get used to it, it is hunting season". Who will be responsible when a "recreational user" "accidentally intrudes on our land and is injured with a load of bird shot? Is the applicant or the City going to build an adequate fence to prevent this happening, or indemnify us?

The above is a summary of concerns we have over the proposal, however we specifically reserve all rights and remedies both in law and equity set forth, implicit or arising therefrom, whether or not the same are explicitly set forth.

Please enter these comments into the record and deny the petition for annexation.

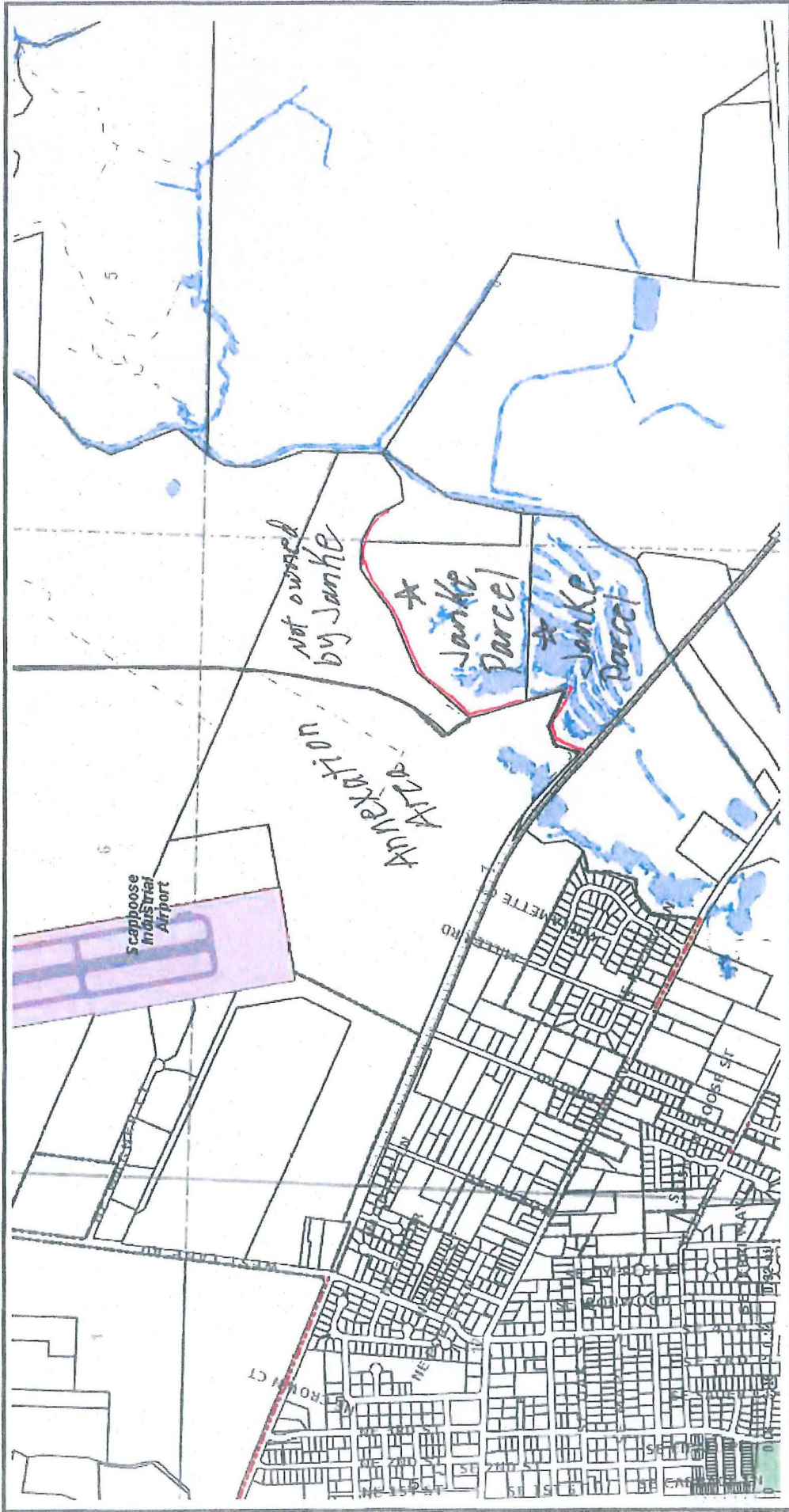
Thank You,

Laurence L and Phyllis L. Janke
34579 E. Columbia Ave
Scappoose, OR. 97056

cc Michael Peterson, Attorney at Law
cc Thousand friends of Oregon.

Map



Columbia County Web Maps

Disclaimer: This map was produced using Columbia County GIS data. The GIS data is maintained by the County to support its governmental activities and is subject to change without notice. This map should not be used for survey or engineering purposes. Columbia County assumes no responsibility and is not liable for any errors or omissions on this map.

Geotitles

Printed 12/29/2016

Scappoose Airpark Annexation

Prior to the approval of this annexation the City of Scappoose can require the following:

1. The planning, and the capital commitment (cash, L of C, Bond etc.) for the construction of a public roadway, on or off site, that will meet the requirements, now and future, for the escapement (P.M. Peak) of traffic from the 358 acre industrial site.
2. A capital commitment for participation in the repair or construction of a public sewer facility to serve both the city and the potential 8,000 employees as projected by OTAK. Note that the 8,000 employment population is larger than the current city population.
3. A capital commitment for participation in the repair or construction of a public water system to serve both the city and the potential 8,000 employees as projected by OTAK.

Post the annexation approval the City can require the following:

1. Lost leverage means lost opportunity.
2. No legal methodology available for retro requirements.

ROAD CONSTRUCTION OFF SITE FOR AIRPORT DEVELOPMENT

The graph below displays a potential economic solution for the development of a exterior road system designed to serve the annexation of 358 acres of industrial land

The design is for a 3 lane road with sidewalks and bike lanes from West Lane Road then east along the existing crown road right of way, leaving the "trail" in place.

This section of road would then cross Honeyman (Columbia) and remain on the south side of the access ramp to the landing (Bernet land) , connecting to Dike Road just south of the existing underpass. Dike road (existing 60' ROW) then improved to 3 lanes etc. intersecting U.S. 30 at Johnson Landing intersection.

Construction of an elevated single lane for south bound traffic (Portland etc.) would cross both the rail tracks and U.S. 30 with a 500 foot minimum queue for merge to U.S. 30

The project would be funded by an HOA agreement including every tenant or purchaser who occupies space in the annexed area.

PROPERTY TAX ONLY AS RESOURCE

paper plant	as sample					
City rate		overall rate		Road System HOA costs		
30,000,000	assessed	30,000,000				
0.003		0.015		Amount		16,000,000
90000	collection	450000		amortization		25 years
				rate		4.50%
				payment		-688995.3057
Road Development Cost		estimates				
Crown Rd.				Development Profile		
land acq.		200,000				
engineer		100,000		Land mass	acres	358
const.	1 mile	4,000,000				43560
				square ft		15594480
Dike Road				rate/sf. (HOA)	annual	0.044181999
land acq.		150,000				
engineer		200,000				
const.	3 miles	4,500,000				
Johson Lnd						
land acq.		200,000				
engineer		250,000				
const.		4,000,000				
Dev. Est.		13,600,000				
contingency	15%	2,000,000				
road system		15,600,000				

Combined Traffic data as presented

- All information from OTAK

PM Peak only

P.C.C. 20 acres 232 trips Page 104

Industrial

338 acres 1,375 trips Page 104

Current conditions inc. Cascade Tissue

46 acres 472 trips Page 132

Total Projected PM Peak trips: 2,079

Discount for 160 acre (724) Page 108

Adjusted PM peak trips 1,255

Notation: Potential PM Peak trips could expand to 1,603 per OTAK

Page 104

Combined Traffic data as presented
All information from OTAK
PM Peak only
P.C.C. 20 acres 232 trips Page 104
Industrial 338 acres 1,375 trips Page 104
Current conditions inc. Cascade Tissue 46 acres 472 trips Page 132
Total Projected PM Peak trips: 2,079
Discount for 160 acre (724) Page 108
Adjusted PM peak trips 1,255 Or
70% of current U.S. Hwy. 30 North bound PM Peak

Notation: Potential PM Peak trips could expand to 1,603 per OTAK
Page 104

If PM Peak potential reached it equals 88% of current U.S. Hwy. 30 North bound PM Peak.

Current analysis:
All exiting trips Col/Crown Streets
PM Peak: 373
South Bound only: 197
Percent south bound: 52%
Adjust for specialized labor (Portland)
Base and student population use fact of 25% additional south bound PM peak traffic, total now 77% South bound
Or 966 trips PM peak

All calculation based on ODOT*
Timing at both Crown and Columbia, One south bound access intervals of 8-12 seconds every 2 minutes, thus allowing either 1 tractor trailer or 8-10 vehicles to make left turn onto U.S. 30. Note: Crown Road has opposing traffic from Vernonia Road limiting left turn access. Maximum 480 vehicles turning left, per hour at combined Crown/Columbia

Crisis: 486 S/B.P.M. peak trips (each PM peak hour) in queues/parked on our city streets.

